

BIG SKY
Design Guidelines
TABLE OF CONTENTS

I. Purpose.....	1
II. Guidelines	2-9
Submission Procedure Requirements	2
When Should I Submit My Architectural Application	6
Submittal to the City/County	6
How Soon Must I Install My Yard.....	6
Best Management Practices	6
Hours of Operation	7
Approval and Disapproval of Plans by the Design Review Committee	7
Enforcement.....	7
Violations.....	7
Notice of Completion.....	7
Inspection of Work.....	8
Variance.....	8
Pre-Approvals	8
Appeals	9
Additional Design Guidelines.....	9
III. Architectural Standards	10-14
Building Heights	10
Setbacks	10
Post Tension Slabs	10
Painting and Exterior Color	10
Roofing	10
Chimneys and Fireplaces	10
Garage Doors	10
Landscaping	10
Drainage.....	10
Shrubs, Ground Cover, Turf	11
Patio Covers, Gazebos, Trellis and Sundecks.....	12
Garden Wall and Planters	12
Irrigation Installation Standards.....	12

Pools and Spas	12
Basketball Backboards.....	12
Window Tinting.....	13
Flags of the United States	13
Decorative Flags	13
Seasonal Decorations.....	13
Potted Plants	14
Signs.....	14
Awnings	14
Temporary Structures.....	14
Outdoor Storage	14
Antennae	14
Mechanical and Solar Energy Plans.....	14
Play Structures	14
Gutters and Downspouts	14
Mailboxes.....	14
Exterior Lighting.....	14
IV. General Conditions.....	15
V. Neighbor Notification	16
VI. Enforcement Guidelines	17-19
Enforcement Policy	17
Fine Schedule	18
Procedure for Homeowner Hearing	19
(Exhibit A) BIG SKY Home Improvement Form	20
(Exhibit B) BIG SKY Impacted Neighborhood Statement	21
(Exhibit C) BIG SKY Notice of Completion	22
(Exhibit D) BIG SKY Rules and Violation Report.....	232

I. PURPOSE

As set forth in the Declaration of Restrictions, the Design Review Committee (hereinafter referred to as the "Committee") is vested with the power to review and approve all Improvements to all Residences in BIG SKY. Such Improvements include, without limitation, additions, modifications and alterations to Residences, signs, fences, walls, landscaping, screens, window treatments, and attic fans, and any other modifications to the exterior of a Residence or other Improvements or alterations to your home.

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

The Committee shall consist of at least three (3) members and not more than five (5). Members of the Committee shall receive no compensation for services rendered other than reimbursement by the Association for any expenses that might be incurred in performing their duties. The 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 Lot/Unit within BIG SKY, you must first make application to the Committee for approval of such work. Failure to obtain approval of the Committee may constitute a violation of the Declaration of the Restrictions affecting your home, and may require modification or removal of unauthorized works of Improvement at your expense.

A building or other permit may be required by the City or County, or other governmental agencies prior to the commencement of any work. The Association does not assume any responsibility for failure to obtain such permits. Also, obtaining such permits does not waive the obligation to obtain Committee approval.

II. GUIDELINES

A. Submission Procedure Requirements.

- 1) All applications ("Applications") for Committee approval are to be made on the standard BIG SKY Improvement Form (Exhibit A).
- 2) Submission of Applications. All Applications are to be sent to the Big Sky Design Review Committee, c/o GM Management, Inc., 40 West Easy Street Unit 1, Simi Valley, Ca 93065.
- 3) Reasonable Fees; Under most circumstances, since late 2010, a fee is no longer required during architectural submittal. However, the Big Sky HOA reserves the right to assess and collect a reasonable fee for the costs incurred by the Board or Design Review Committee, if the consultation of a construction or landscape architect is deemed to be required in the course of determining approval.
- 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 the request.
- 5) Submission of Application for Improvements. Please forward three (3) sets of your proposed plans and specifications, together with three (3) copies of the standard Home Improvement Form (Exhibit A), and three (3) copies of the Facing, Adjacent and Impacted Neighbor Statement (Exhibit B), along with the following information to the Committee to constitute a complete Application. Please mail this information to the address noted above in item #2. One (1) set will be returned after completion of the review.
 - a) Plot plan drawn to scale showing the following:
 - i) Show lot lines accurately as to length, angles and amount of curve. Show all existing and proposed buildings, structures, fences, walls, sidewalks and other improvements; indicate all required setbacks, easements, and top or toe of slopes.
 - ii) Show all dimensions on work to be considered, distances between existing and proposed work and distances between proposed work and property lines, setback lines and slopes.
 - iii) When proposed improvements involve changing existing grades by more than 1.00' or changing existing drainage, show contours or spot elevations, flow lines, finish grades and proposed drainage systems. Drawings for proposed improvements changing existing drainage shall be prepared by a registered civil engineer or licensed landscape architect. All drainage changes shall maintain drainage on homeowner's lot.
 - b) Exterior Elevations:
 - i) Provide exterior elevations of all proposed structures including trellises, gazebos, and shade structures. When the proposed improvements are attached to the existing home, show the existing elevation in relation to the proposed improvements.

- ii) Note all finish materials, colors and textures of proposed work. Note if proposed finishes and material are to match existing finishes and materials.
 - iii) If the proposed finish materials or colors are to be different than those of the existing structure, a color and material board must be included clearly depicting the materials and/or color that are to differ.
- c) Floor plans (if applicable) showing overall dimensions and area of Improvements reflecting your preliminary design concept.
 - d) Description of proposed construction schedule.
 - e) Landscape plan and working drawings (if applicable)
 - Include proposed walkways and other hardscape, planting areas and plant names, decks, fences and walls, stairs, trellises, arbors, gazebos, spas, ponds, fountains, ornamental rocks, barbecues, play equipment, apparatus and yard lighting. Call out all easements on or over property. Following is a list of approved trees, shrubs, turf and groundcover for this community.

Trees:

Botanical Name	Common Name
Cupaniopsis anacardioides	Carrot Wood
Eucalyptus nicholii	Willow-leaved Peppermint
Koelreuteria bipinnata	Chinese Flame Tree
Liquidambar styraciflua	Sweet Gum
Magnolia	Magnolia
Pinus canariensis	Canary Island Pine
Pistacia chinensis	Chinese Pistache
Platanus acerifolia	European Sycamore
Platanus racemosa	California Sycamore
Prunus Cerasifera 'Pissardii'	Purple-leaf Plum
Quercus virginiana	Virginia Oak
Schinus molle	California Pepper
Ulmus parvifolia	Evergreen Elm

Shrubs:

Botanical Name	Common Name
Abelia grandiflora	Glossy Abelia
Acacia redolens	Acacia
Agapanthus africanus	Agapanthus
Arbutus unedo	Strawberry Tree
Artemisia californica	Coastal Sagebrush
Ceanothus spp.	Wild Lilac
Cercocarpus betuloides	Mountain Ironwood
Cistus spp.	Rockrose
Cotoneaster spp.	Cotoneaster
Eriogonum spp.	Buckwheat

Escallonia exoniensis 'fraves'
Feijoa sellowiana
Felicia amelloides
Felicia frutescens
Grevillea 'Noellii'
Hemerocallis hybrids
Heteromeles arbutifolia
Ilex spp.
Laurus nobilis
Lavatera bicolor
Mahonia spp.
 Meidiland Rose
Nandina domestica
Nerium oleander
Nerium Petite oleander
Osmanthus fragrans
Photinia fraseri
Phorium tenax
Pittosporum tobira
Prunus caroliniana
Prunus ilicifolia
Rhaphiolepis spp.
Rhus integrifolia
Rhus ovata
Rosmarinus officinalis
Salvia spp.
Trachelospermum jasminoides
Viburnum tinus
Xylosma congestum

Escallonia
 Pineapple Guava
 Blue Marguerite
 Shrub Aster
 Noellii Grevillea
 Daylilly
 Toyon
 Holly
 Sweet Bay
 Bush Mallow
 Oregon Grape
 Rose
 Heavenly Bamboo
 Oleander
 Petite Oleander
 Sweet Olive
 Photinia
 New Zealand Flax
 Mock Orange
 Carolina Cherry
 Hollyleaf Cherry
 India Hawthorn
 Lemonade Berry
 Sugar Bush
 Rosemary
 Sage
 Star Jasmine
 Laurustinus
 Shiny Xylosma

Groundcover:

Botanical Name
Baccharis pilularis 'Twin Peaks'
Duchesnea indica
Gazania spp.
Lonicera japonica 'Halliana'
Myoporum parvifolium
Rosmarinus officinalis
Trachelospermum asiaticum
Trachelospermum jasminoides

Common Name
 Dwarf Coyote Bush
 Indian Mock Strawberry
 Gazania
 Japanese Honeysuckle
 Myoporum Pacific Mist
 Rosemary
 Dwarf Star Jasmine
 Star Jasmine

Turf:

Marathon II Fescue

Bermuda Hybrid

Slope Plant Palette

The following is a general list of plant material that may be utilized in combination with Plant Palette above.

Trees:

Botanical Name	Common Name
<i>Betula alba</i>	European White Birch
<i>Cedrus deodara</i>	Deodar Cedar
<i>Cinnamomum camphora</i>	Camphor
<i>Cupaniopsis anacardioides</i>	Carrot Wood
<i>Eucalyptus leucóxylon</i>	White Ironbark Eucalyptus
<i>Eucalyptus nicholii</i>	Willow-leaved Peppermint
<i>Eucalyptus viminalis</i>	Manna Gum
<i>Koelreuteria bipinnata</i>	Chinese Flame Tree
<i>Lagerstroemia indica</i>	Crape Myrtle
<i>Liquidambar styraciflua</i>	Sweet Gum
<i>Magnolia grandiflora</i>	Southern magnolia
<i>Melaleuca leucadendron</i>	Melaleuca
<i>Pinus canariensis</i>	Canary Island Pine
<i>Pistacia chinensis</i>	Chinese Pistache
<i>Platanus acerifolia</i>	European Sycamore
<i>Platanus racemosa</i>	California Sycamore
<i>Podocarpus gracilior</i>	Fern Pine
<i>Prunus cerasifera</i>	Purple-leaf Plum
<i>Pyrus calleryana</i> 'Bradford'	Bradford Pear
<i>Quercus agrifolia</i>	Coast Live Oak
<i>Quercus ilex</i>	Holly Oak
<i>Quercus lobata</i>	Valley Oak
<i>Quercus suber</i>	Cork Oak
<i>Quercus virginiana</i>	Virginia Oak
<i>Rhus lancea</i>	African Sumac
<i>Schinus molle</i>	California Pepper
<i>Sequoia sempervirens</i>	Coast Redwood
<i>Ulmus parvifolia</i> "True Green"	Evergreen Elm

- f) If proposed Improvements require access over the Association facilities for purposes of transporting labor or materials, written permission shall be required from the Association. Any such requests must be filed with the Board of Directors prior to the commencement of your Improvement.
- g) Any other information or documentation deemed to be necessary by the Committee in evaluating your request.

B. When Should I Submit My Architectural Applications?

The Covenants, Conditions and Restrictions (CC&R's) require the Committee respond to all written requests within forty five days of their receipt. We, therefore, recommend that plans are submitted with a complete application at least forty-five days prior to the scheduled commencement of construction to allow the Committee ample time to complete their review. If the Committee fails to transmit a decision in writing within forty five days of submittal the proposed improvements may be deemed approved, however, the approval must be confirmed with GM Management, Inc. Only complete submittals will be considered, and will be accepted after Close of Escrow.

C. Submittal to the City/County:

Upon obtaining the written approval from the Committee, the Owner shall submit plans and specifications to the City/County if the proposed improvements require the issuance of a building permit or other City/County approval. In the event of a discrepancy between this document and City/County requirements, the most restrictive standard shall prevail. The Big Sky Design Review Committee will not be responsible for actions taken by governmental agencies.

D. How Soon Must I Install My Yard?

Owners must complete the installation of landscaping on all parts of their property visible from the street within one hundred and eighty (180) days after their close of escrow. Applications must be submitted to the Committee within ninety (90) days after close of escrow. Rear yard landscaping must be installed within one hundred and eighty (180) days after close of escrow.

E. Best Management Practices

Any exterior modifications to your home will impact the environment. Homeowners are responsible for compliance with applicable California laws that protect our water resources and local environment. Erosion control during your landscaping installation to prevent dirt and debris from entering storm drains is particularly important. Please review the blue pamphlet inserted in your Homeowner's Manual for your specific responsibilities to protect the environment.

Prohibited vehicles, including trucks, concrete mixers, trailers, compressors and other similar types of construction equipment are not allowed in any driveway or other exposed areas or any street except for the purposes of loading, unloading and making deliveries or emergency repairs, unless approved in writing by the Committee.

The property owner is financially responsible for any equipment removal and repairs the HOA deems needed to comply with restriction.

F. Hours of Operation

Construction* is only permitted between the following hours:

Monday through Friday	Between 7:00 a.m. and 5:00 p.m.
Saturday	Between 8:00 a.m. and 4:00 p.m.
Sunday	No work permitted
Federal Holidays	No work permitted

*Construction is defined as the building of something, typically a structure, using tools such as hammers, saws, jackhammers and/or other such construction equipment that results in loud noises. Homeowners may conduct their own low-impact projects, such as painting, outside the approved hours, provided such projects do not involve 3rd party contractors/vendors or the use of loud construction-type equipment.

G. Approval and Disapproval of Plans by the Design Review Committee.

In the event the Committee fails to approve or disapprove an application for improvement by an Owner of the Lot/Unit in writing forty five (45) days after the complete application has been submitted to the Committee, approval of the application may be deemed to have been approved by the Committee but must be confirmed with GM Management, Inc.

Approval or disapproval of plans by the Committee or the Board, in accordance with the process and procedures herein shall in no way make the Committee or its members, or the Board or its members, or the Community Association, liable to any Owner of the Community, or responsible for, or liable for, the improvements built after approval of the plans, and the Owner whose plans are approved shall defend, indemnify and hold the Committee and the Board, and the members thereof, harmless from any and all liability arising out of such approval.

Upon approval of the Committee, the Owner shall diligently proceed with the commencement and completion of all work so approved in compliance with the approvals granted.

H. Enforcement.

Failure to obtain the necessary approval from the Committee, or failure to complete the Improvements in conformity with the plans and specifications approved by the Committee, may constitute a violation of the Design Guidelines and may result in the issuance of a Stop Work Order or require modifications or removal of any work or Improvement at your expense.

I. Violations

All Owners in BIG SKY shall have the right and responsibility to bring to the attention of the Committee, any violations of the standards set forth herein.

J. Notice of Completion.

Upon the completion of any construction or reconstruction or the alteration or refinishing of any Improvement, or upon the completion of any other work for which approved plans and specifications are required, the Owner shall complete and forward a written Notice of Completion (Exhibit C) to the Committee.

K. Inspection of Work.

The Committee or its appointed representative may inspect any work for which approval of plans is required. The right to inspect includes the right to require any Owner to take such action as may be necessary to remedy any noncompliance with the Committee-approved plans for the Work.

The Committee's right to inspect the Work and notify the responsible Owner of any Noncompliance shall terminate sixty (60) days after the Notice of Completion has been filed with the office of the association. If the Committee fails to send a notice of Noncompliance to an Owner before this time limit expires, the Work shall be deemed to comply with the approved plans.

If at any time during the construction of any work, the Committee finds that the work was not performed or completed in compliance, in all material respects, with the approval granted, or finds that the appropriate approval which was required for any work was not obtained, the Committee shall notify the Owner in writing of the noncompliance. The notice shall specify in writing the particulars of noncompliance, and shall set forth the requirements of the Owner to remedy the noncompliance. The Committee shall determine in its reasonable judgment whether an alteration, modification or improvement complies with the approval as granted in material respects. Minor changes, deviations or imperfections that do not negatively effect or impact the Community shall not be considered as noncompliance.

If it is determined that an Owner has not constructed an Improvement in compliance, in all material respects, with the approval granted, and if the Owner fails to remedy such noncompliance in accordance with provisions of the notice of noncompliance, then after expiration of sixty (60) days from the date of such notification, the Board shall provide a Notice and Hearing to consider the Owner's continuing noncompliance. Failure to remedy the non-compliance within sixty days after the date of notice from the Committee, the Committee may take action as authorized in Section 12.1.1.

L. Variances

The Committee undertaking review and approval may authorize variances from strict compliance with any guideline and procedures when circumstances such as topography, natural obstructions, hardship, or aesthetic or environmental considerations require. The Committee granting any such variance shall state in its findings of approval the reasons and rationale for such variance. Such variances may be granted only when unique circumstances dictate and no variance may be effective unless in writing, and if not contrary to an express provision of the Community Declaration.

The granting of a variance in any one circumstance shall not stop or prevent the Committee from denying a variance in any other circumstance. The inability to obtain approval of any governmental agency or the issuance of a permit from a governmental agency, the cost of compliance, or the terms of any financing shall not be considered a hardship warranting a variance.

M. Pre-Approvals

The Committee may authorize pre-approval of specified types of construction activities if, in the exercise of the Committee's judgment such pre-approval is appropriate in carrying out the purposes of the Restrictions.

N. Appeals

After Declarant's right to appoint a majority of the Design Review Committee's members expires, the Board may adopt policies and procedures for appeal of the Committee's decisions. The Board has no obligation to adopt or implement any appeal procedures. In the absence of Board adoption of appeal procedures, all Design Review Committee decisions are final.

O. Additional Design Guidelines

The Board of Directors may, from time to time, adopt and promulgate additional Design Guidelines to be administered through the Committee. Copies of such additional Design Guidelines, together with any Community Guidelines adopted and promulgated by the board of Directors and/or the Committee, shall be on file at the office of GM Management, Inc.

III. ARCHITECTURAL STANDARDS

- Building Heights.** The maximum building heights of all improvements shall be consistent with agency regulations.
- Setbacks.** All work performed by homeowner shall comply with local building and zoning codes and requirements.
- Post Tension Slabs.** The concrete slab for your home has been reinforced with grid of steel cables installed in the concrete slab and then tightened to increase extremely high tension. Homeowner agrees not to cut into, or permit anyone to cut into or otherwise tamper with, the slab.
- Painting and Exterior Color.** All painting requires approval from the Committee regardless of whether the color scheme to be painted is original or if it is proposed to be changed.
- Roofing.** Any roof modifications shall be identical to the existing roofing material. Color changes must be reviewed by the Committee and must also specify the material and style of the product. All changes must comply with the style of the home and applicable agency standards.
- Chimneys and Fireplaces.** Outdoor fireplaces are subject to review and approval by the Committee. Fireplaces that exceed the height of perimeter walls or are visible from streets or common areas shall be designed to be compatible with the main residence. Outdoor fireplaces shall be restricted to private rear yards only. Fireplaces that reflect an independent design theme as well as overly ornate designs or commercial looking designs are prohibited.

If a nuisance results from the use of a fireplace, such as smoke, odor, etc., it shall be the responsibility of the homeowner to resolve the nuisance. It is strongly encouraged that fireplaces should be designed to use natural gas.

All fireplace improvements are subject to applicable City and Fire codes.

- Garage Doors.** Changes to the garage door must be compatible with design and color of home. Garage door should be simple in design and color.
- Landscaping.** Applications for front yard landscaping should be submitted three (3) months after close of escrow. Installation of landscaping should be completed six (6) months after close of escrow.

Paving materials must be compatible with the home color and style.

Modifications of the association maintained landscaping, if any, between the sidewalk and street curb is not permitted.

- Drainage.** There shall be no interference with the established drainage pattern over any part of the lot unless an adequate alternative provision is submitted to and approved in writing by the Committee.

For the purpose hereof, "established" drainage is defined as the drainage which exists at the time your close of escrow, which may include drainage from the Association Properties over any Lot or Association Maintenance Areas in the Properties.

Additional drainage shall tie into existing drainage whenever practical. Drain lines must be extended through the front yard area and curb cored through to the street. All improvements are to slope towards drains and drains are to be mounted flush with improvements. Improvements may settle over time and level of drains must be adjusted accordingly.

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 shall not be responsible for such drainage of water or any damage to persons or property resulting there from. This applies both to drainage from your property onto other property as well as drainage within your property. Maintenance of catch basins and drain lines located on your property are "individual homeowner" responsibility.

If your lot is located adjacent to a landscape common area lot, there may be run-off from this lot. The Developer has installed a drainage system that has been tied into the area drain system on several of the residential lots to handle the run-off. If your lot contains a drainage system designed to handle this run-off, it is your responsibility to maintain the integrity of, and to perform routine periodic maintenance on these drainage systems.

You are advised to properly maintain all irrigation systems and to promptly repair any leaks in pipe systems and valves. Water management includes the proper setting of irrigation cycle time for the season of the year. You are advised not to over-water. Over-watering can result in significant damage to the home and lot improvements and cause damage to adjoining properties. Over-watering can result in water passing through near surface soils that can impact adjacent improvements and lots. The Developer 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. Please refer to the drainage section in your Homeowner's Manual and share this information with your design professionals when planning and installing your yard.

- Shrubs, Ground Cover and Turf.** Submit botanical and common names of the proposed plant material consistent with the approved plant palette. Show plant sizes and locations on the plans. Plant material must be appropriate selection based upon ground space, horizontal and vertical clearance at reasonable level of maturity. Plant material does not consist of exotics such as cactus, etc. Corner lot side yard area between fence/wall and walk to be planted with lawn, ground cover, shrubs and/or vines, if applicable.

- Patio Covers, Gazebos, Trellis and Sundecks.** Provide exterior elevations of all proposed structures including trellises, gazebos and shade structures. When proposed improvement is attached to the existing home, show the existing elevation in relation to the proposed improvement. Square footage is in proportion to the yard. Design, color, finish and detailing must be consistent with the existing house. Any design features incorporated into the patio cover, gazebo, trellis and/or sundeck must be compatible in appearance with the existing home and the surrounding community. Side elevation not enclosed, except for a portion of existing dwelling. The patio cover cannot be metal or aluminum. All wood is to be painted to match the house trim, fascia or white. Stucco finishes are to match the home in color and finish texture.

- Garden Wall and Planters.** In yards visible to the street, the material, color and texture of new garden walls, planters and retaining walls must be compatible with the existing walls and architecture of the home. Stucco finishes to match the home in color and finish texture. Fences, walls and gates are to be six feet or less in height.

Soil shall not be retained against any existing wall unless the wall is design for that purpose. Waterproof subwalls must be provided between raised planter areas and existing walls and fences.

- Irrigation Installation Standards.** All irrigation systems should be designed by a licensed landscape architect or an irrigation designer to ensure efficient water management and plant growth. Irrigation systems shall be designed to prevent water from spraying across property lines.

- Pools and Spas.** Noise should be controlled to minimize the impact on neighbors and to comply with the agency's noise regulations. Installation must not damage existing walls or fences. All equipment must be screened from offsite view. All equipment noise impact on neighbors must be minimized with sound screening (i.e., masonry walls, metal enclosures, etc.) and reasonable hours of duration. All solar collectors must be designed and located to be unobtrusive. Colors must be compatible with the home. All supports and piping must be enclosed or screened from view. Construction must not disturb the neighbors' yards, property or improvements. Construction must not disturb the Homeowner's Association, sub or master, property or improvements. All applicable permits by homeowner.

- Basketball Backboards.** If compatible with the house design, permanent basketball backboards may be attached to the house. The backboard and all attachments must be of reasonable size and painted to match adjacent surfaces to reduce their prominence on the building elevation and must be maintained continually in good repair. Clear backboards are also permitted.

Portable, free-standing basketball backboards are permitted provided they are removed when not in use. In no event shall free-standing basketball backboards be permitted to remain overnight in a location visible from any street, sidewalk, or property owned or maintained by the HOA, or be stored in a location visible from any street, sidewalk or HOA property. Portable, free-standing basketball backboards must only be located and used on the residential lots and are not permitted on any public property or HOA property.

- Window Tinting.** Window tinting requests will be considered by the Committee. 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 planes. 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.

- Flags of the United States.** Display of the flag of the United States is permitted on the Owner's Lot pursuant to California Civil Code Section 1353.5, so long as the flag and flag pole are located solely within, on and over the Owner's Lot. However, no Owner is permitted to display the flag of the United States where (a) any portion of the flag or flag pole extends onto or over the Common Area owned in fee by the Association, without the permission of the Committee, or (b) the flag or flag pole creates an unsafe condition, including without limitation, obstructing the vision or pathway of any pedestrian or motorist. No flags are allowed to be hanging if they are torn or tattered, flag must be in good condition.

Owners are required to submit the proposed location of any flag and flagpole to the Committee to determine compliance with the foregoing requirements. The Owner shall be solely responsible for any damage or injury to persons or property resulting from the placement of the flag or flagpole.

- Decorative Flags.** Decorative flags, including seasonal flags, are permitted only in the backyard of an Owner's Lot, subject to Committee approval. Owner must submit drawings or plans showing the proposed location of the flagpole to the Committee. Owner may not install any flagpole until Owner receives written approval of such drawings or plans.

Decorative flags must be of a subject matter that is commonly acceptable. For example, seasonal flags that display typical holiday or weather season representations are permitted, while flags that display offensive subject matter such as a swastika or depictions of nude people are prohibited. The Committee reserves the right to require any Owner to remove a decorative flag that the Committee deems offensive. The Owner shall be solely responsible for any damage or injury to persons or property resulting from the placement of the flag or flagpole. No flags are allowed to be hanging if they are torn or tattered, all flags must be in good condition.

- Seasonal Decorations.** The temporary display of seasonal decorations, other than decorative flags, is permitted on Owner's Lot and Residence. No prior approval from the Committee is required; provided, however, that seasonal decorations (a) must not be placed in Common Areas in a manner that would interfere with the landscape maintenance performed by the Association, and (b) are only permitted during the time period designated by the Association. The Association will inform Owner of the acceptable time period for display of seasonal decorations in an Association newsletter. No seasonal decorations are permitted before or after the time period designated by the Association. The Owner shall be solely responsible for any damage or injury to persons or property resulting from the placement of any seasonal decorations.

- Potted Plants.** Potted plants are only permitted on Owner's Homesite. Owner may not place any potted plants in the Common Area. Prior approval from the Committee is required to place potted plants on Owner's front porch and backyard; and the Committee may require the removal of any potted plant that it determines is a nuisance (for example, plants with diseases or insect infestation).
- Signs.** No signs shall be displayed on any residence other than a sign advertising the property for sale and/or as permitted by the CC&R's. This includes tradesmen, contractor and installer signs of any type.
- Awnings.** Awnings must be compatible in color and design with the home. Designs should be simple and size, location and form in scale with the window.

Homeowners are not permitted to attach awnings to the exterior structure on condominiums.
- Temporary Structures.** No structure of temporary character, trailer, tent, shack, shed, barn or other temporary building improvements or structure shall be placed upon any portion of the property at any time. Refer to your CC&R's for complete restrictions.
- Outdoor Storage.** All items stored outside (such as garden hoses, yard equipment, trash cans and recycling bins) must be completely screened from streets, greenbelts and adjacent homes. The appearance of the items as seen from second floors should be considered.
- Antennae.** All satellite dishes are subject to review and approval by the Committee exterior antennae that are visible from any common area or other lot, or that have a diameter exceeding the measure allowed by California and federal laws must be approved by the Committee. Please refer to your CC&R's for specific requirements for your community.
- Mechanical and Solar Energy Plans.** Show all mechanical devices exposed to the exterior including solar collectors, storage tanks, piping and other distribution and collection components. Ensure devices are integrated into the roof design and flush with existing roof slope. Frames must be colored to complement roof (no unfinished aluminum frames). All mechanical equipment must be screened.
- Play Structures.** Swings, playhouses and other playground equipment will be considered on an individual basis and permitted if located unobtrusively, as determined by the Committee. Bright colored elements, including primary colors, will be prohibited if they are above the height of the perimeter wall and not compatible with the existing colors of the house.
- Gutters and Downspouts.** Gutters and downspouts to be painted to match the house color or trim.
- Mailboxes.** Modifications to existing mailbox are not allowed.
- Exterior Lighting.** New exterior light fixtures must be compatible with the design of the home. They must be simple in design and color.

IV. GENERAL CONDITIONS

- A. 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.
- B. 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 BIG SKY Property.
- C. Any damage to BIG SKY Property will be replaced or repaired by a BIG SKY subcontractor. All applicable charges for restoration will be charged back to the responsible Owner and are due and payable within thirty (30) days from notification or assessment of penalties.
- D. Approval of plans is not authorization to proceed with Improvements on any Property other than the Lot/Unit owned by the Applicant.
- E. An Improvement may be repainted without Committee approval, so long as the Improvement is repainted the identical color with which it was last painted in compliance with all applicable restrictions.

V. NEIGHBOR NOTIFICATION

It is the intent of the Committee to consult neighbors on any Improvements which may impact their use and enjoyment of their Property. Neighbor agreement or disagreement of a particular Improvement shall only be advisory and shall not be binding in any way on the Committee's decision.

A. Definitions: Facing Neighbor; Adjacent Neighbor; and Impacted Neighbor.

Facing Neighbor: Means the three (3) Lots/Units directly across the street.

Adjacent Neighbor: Means all Lots/Units with adjoining property lines to the Lot/Unit in question.

Impacted Neighbor: Means all Lots/Units immediately surrounding the area which would be affected by the construction of any Improvement.

B. Improvements Requiring Notification:

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

C. Statement:

The Impacted Neighbor Statement (Exhibit "B") must be provided to the Committee to verify the neighbors have been notified about the proposed Improvements.

VI. ENFORCEMENT GUIDELINES

ENFORCEMENT POLICY

Any complaint that is an alleged violation of the BIG SKY Governing Documents will be processed according to the procedure outlined herein.

- A. Owners are encouraged to discuss issues and concerns with neighbors as the first step in this process.
- B. Owners who are not able to resolve issues and concerns with neighbors may contact the Management Company.
- C. In the event two or more Members of the Association or Board of Directors file an Architectural Guidelines Violation Report (Exhibit D) the Board will act as follows:
 - 1) Send a letter to the Owner stating the alleged violation and date needed to cure said violation.
 - 2) Send a second letter with a notice of hearing date to the Owner if violation is not cured.
 - 3) A hearing is set not less than ten (10) days from the date of written notice for the hearing.
 - 4) Owner is present in person or by written response to the alleged violation at a hearing before the Board. A written decision will be sent to the Owner following the hearing. (Please see Exhibit B - Procedure for Owner Hearing).
- D. The Owner will be notified as to the decision rendered by the Board as a result of the hearing. If the Owner is found to be in violation of the Association's documents, the Board will either (a) levy a Special Assessment, (b) temporarily suspend an Owner's rights as a Member of the Association or otherwise impose discipline following any such hearing, (c) enter upon a Lot/Unit to perform maintenance which is the responsibility of the Owners, or (d) a combination thereof.
- E. If the decision to pursue a monetary fine system, the BIG SKY Fine Schedule will apply.

NOTE: A violation is defined as an act in conflict with the CC&R's, Bylaws and Design Guidelines and Community Guidelines of the Association. Please be sure to read them carefully.

FINE SCHEDULE

- A. A letter will be sent to the Owner stating the alleged violation.
- B. A second letter will be sent to the Owner stating the alleged violation continues and this letter will request the Owner appear before the Board.
- C. If the result of the hearing is a monetary fine, a fine of \$50 will be applied to the Owner's account.
- D. If the violation continues past the hearing and first fine stage, additional hearings will be scheduled with the Owner and the fines may be doubled with each hearing. Any fines not paid may result in legal action in accordance with California law.
- E. The Board may determine to use alternative dispute resolutions or cause correction of the violation to effect a cure and the Owner may be responsible for legal fees and/or reimbursement of costs to the Association.

NOTE: Should a violation occur which imposes a financial obligation on the Association, the party responsible for said violation shall reimburse, by way of a Special Community Assessment, the Association for this financial obligation. If, for example, a party damages a fence, tree or any other Association Property, repair and replacement costs will be charged to that party.

PROCEDURE FOR HOMEOWNER HEARING

- A. Introductions and hearing session procedures.
- B. Statement of alleged violation by acting chairperson.
- C. Invitee's statement and presentation of oral and written evidence.
- D. Review of CC&R requirements, Bylaws, and Community Guidelines of the Community Association.
- E. Discussion and questioning of the invitee by the Board.
- F. Questions and final statement by the invitee.
- G. Homeowner is thanked for coming and told that they will be notified of the Board's decision within fifteen (15) business days.
- H. Board ruling without the Owner present.
- I. Enforcement procedures as applicable.
- J. Adjournment.

DOCUMENTATION

Name of Invitee: _____ Phone Number: _____

Address: _____

Nature of Alleged Violation: _____

Board Ruling: _____

Additional Comments: _____

Date: _____

BIG SKY
C/O GM Management Inc.,
40 West Easy Street, Unit 1
Simi Valley, Ca 93065

(EXHIBIT A)
HOME IMPROVEMENT FORM

LOT/UNIT NO. _____
CLOSE OF ESCROW / /

X _____
Homeowner's Signature

Name: _____ Home Phone: _____

Address: _____ Work Phone: _____

SUBMITTAL CHECK LIST: (Please include the following)

- _____ Home Improvement Form (Exhibit A)
- _____ Facing, Adjacent and Impacted Neighbor Statement (Exhibit B)
- _____ 3 Sets of Drawings - Should include details of size, design, color and materials. Location of drains must be included on drawings. Names of plants should include the common name and not Latin names. Please fold plans to 8 1/2" x 11".

PROJECTS BEING SUBMITTED: (Please check appropriate items)

- | <u>ARCHITECTURAL</u> | <u>LANDSCAPE / HARDSCAPE</u> | <u>EQUIPMENT</u> |
|----------------------|-------------------------------|---------------------------|
| _____ Awnings | _____ Landscape: | _____ Air Conditioner |
| _____ Deck (wood) | _____ Front | _____ Built-In Barbecue |
| _____ Gazebo | _____ Rear | _____ Lighting |
| _____ Green House | _____ Trees (type & location) | _____ Pool & Equipment |
| _____ Patio Cover | _____ Hardscape Only | _____ Spa & Equipment |
| _____ Patio Slab | _____ Fence(s) / Walls: | _____ Swing Set/Playhouse |
| _____ Painting | _____ Front | _____ Waterfall/Fountain |
| _____ Rain Gutters | _____ Side | |
| _____ Solarium | _____ Rear | |
| | _____ Retaining | |
| | _____ Addition / Extension | |
| | _____ Drains | |

Other: _____

DO NOT WRITE BELOW THIS LINE (For Committee Use Only)

The Design Review Committee has determined that the above submittal is:

- Approved Approved With Conditions Disapproved as Submitted

- () See notes on plans.
- () Please see reverse for additional comments.
- () Maintain existing drainage pattern or provide alternative drainage method.
- () Resubmit patio cover with additional dimensions and elevation.
- () Do not pour concrete against existing fence.
- () No raised planters against existing walls. (No more than 12 inches of soil to be retained.)
- () Submit originally reviewed plans with revised drawings.
- () All lighting must be low wattage.
- () All new roofing material and angles must conform to existing.
- () _____ must be painted to match existing stucco or fascia trim.
- () Resubmit with more details for _____.

COMMENTS:

BIG SKY DESIGN REVIEW COMMITTEE

Date: Initial: Date: Initial:

(EXHIBIT B)

BIG SKY

IMPACTED NEIGHBOR STATEMENT

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

Impacted Neighbor	
Name	_____
Address	_____
Signature	Date

Impacted Neighbor	
Name	_____
Address	_____
Signature	Date

Common Area or Back Yard - Rear of Home

Adjacent Neighbor	
Name	_____
Address	_____
Signature	Date



Adjacent Neighbor	
Name	_____
Address	_____
Signature	Date

Your Street - Front of Home

Facing Neighbor	
Name	_____
Address	_____
Signature	Date

Facing Neighbor	
Name	_____
Address	_____
Signature	Date

Facing Neighbor	
Name	_____
Address	_____
Signature	Date

My neighbors have seen the plans I am submitting for the Committee review (see above verification). I as the Owner certify that I have requested that my neighbors sign this statement confirming notification. I understand neighbor objections do not in themselves cause denial of the plans.

SUBMITTED BY:

Name: _____ Date: _____

Address: _____

(EXHIBIT C)
BIG SKY
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

Committee's written approval of the above Owner's plans and submitted package.

Signature of Owner: _____

Date: _____

(EXHIBIT D)

**BIG SKY
RULES AND VIOLATION REPORT**

There must be two Owners representing two Residences of the Association to pursue violations that cannot be viewed during an inspection of the Association (i.e., barking dog, noise nuisance, garage storage, etc.). Please be as specific as possible to allow the Board to expedite the process in a timely manner. All alleged violations will be evaluated to ensure they are considered an infraction as defined by the Association's legal documents.

REPORT FILED BY:

Name: _____

Name: _____

Address: _____

Address: _____

Phone: _____ Date: _____

Phone: _____ Date: _____

Signature: _____

Signature: _____

Name: _____

Name: _____

Address: _____

Address: _____

Phone: _____ Date: _____

Phone: _____ Date: _____

Signature: _____

Signature: _____

VIOLATION INFORMATION:

Name: _____
(Alleged Violator's Name)

Address: _____

Phone: _____
(If Known)

Description of alleged violation: _____

(If additional space is needed, please use reverse side of form.)

Dates and times alleged violation occurs? _____

How often does the alleged violation occur? _____