

McNARY ESTATES  
HOMEOWNERS ASSOCIATION

ARCHITECTURAL  
DESIGN & REVIEW  
MANUAL

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ADOPTED BY  
McNARY ESTATES HOMEOWNERS ASSOCIATION  
BOARD OF DIRECTORS

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ARCHITECTURAL DESIGN & REVIEW MANUAL

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Previous Revisions of Architectural Manual  
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## INTRODUCTION

Set forth in this Architectural Design & Review Manual (hereinafter Architectural Manual or Manual) are those policies, procedures and guidelines to assist the Committee and property owners through the architectural review process. The powers of architectural review and control are key elements in the success of every “automatic-membership” community such as McNary Estates. Properly exercised, the review and control process can create and preserve a community that is attractive, livable and prestigious. The process can help protect your property values.

This Manual establishes standards for review of New Construction, Alterations to Existing Homes, Detached Structures and Landscaping of Lots, and an orderly process for that review. It implements and supports the architectural restrictions contemplated by the recorded Covenants, Conditions, and Restrictions (hereinafter referred to as CC&Rs) that bind each property owner.

\* \* \*

It is highly recommended that all lot owners and/or prospective builders arrange a meeting with the Architectural Committee to review the standards, policies and procedures of the Architectural Manual prior to committing to any particular design for a new home.

Pursuant to ARTICLE IV, Section 3 of the CC&Rs, which permits amendments to the Architectural Manual, the Board of Directors of the McNary Estates Homeowners Association has retained the services of a professional architectural consultant to review plans, make recommendations, and assist the Architectural Committee and the Homeowners Association in all matters pertaining to Architectural control and enforcement.

To pay for administrative costs, including correspondence and record keeping, an administration fee will be charged for all applications. In order to pay for architectural consultant services, a plan review fee will be charged for Qualifying New Construction or Alteration. In addition, a conditionally refundable deposit for all Qualifying New Construction or Alteration will be required. The McNary Estates Architectural Committee will administer this policy. Refer to ARTICLE 2 of this Manual and Appendices A, B and C in the back of this Manual for instructions, forms and fee schedule.

## **ARTICLE 1. ARCHITECTURAL COMMITTEE RESPONSIBILITIES AND POLICY**

**1.01 Responsibilities.** In accordance with Article IV of the CC&Rs recorded in the records of Marion County, Oregon, an Architectural Committee shall be appointed whose primary duty shall be to supervise and control the external design, appearance, location and maintenance of all improvements on the property and all landscaping changes thereon in accordance with the provisions of the CC&Rs and this Architectural Manual of McNary Estates.

In carrying out its primary duties, the Architectural Committee shall review all submittals and apply the policy, procedure, standards and design guidelines as set forth in this manual. The Committee shall retain the authority to overrule a recommendation of an architectural consultant. The Committee shall keep records and shall maintain a plans file of all construction for a period of not less than two years after initial occupancy.

**1.02 Policy.** As of March 8, 2001, the McNary Estates Homeowners Association will require that construction of a home (single family living unit) on a lot within McNary Estates must begin within three (3) years of the date of purchase (agreement) from an owner or the developer (declarant).

All new home starts or alterations for single family dwelling units in McNary Estates will require a pre-construction meeting between the Architectural Committee and the prime contractor and/or owners prior to the beginning of any work. The meeting will be to review the construction documents (house plans, materials lists, site plan, colors, landscaping plan, etc.) with the contractor/owners to ensure compliance with the design requirements, policy and procedures of the Architectural Design Review Manual. A meeting may also be required for other proposed improvements as the Committee deems necessary.

No building, fence, wall, patio, deck or other structure or improvement shall be commenced, erected, or maintained upon the property; nor shall any exterior addition to, or change or alteration therein be made; nor shall any landscaping of any portion of the property be commenced until plans and specifications have been submitted to and approved in writing by the Architectural Committee.

The Architectural Committee will not consider or assume responsibility for the structural integrity, safety features, mechanical operation, or building code compliance of the proposed improvement or structures including those defined in Article 3 herein. General land use requirements and building codes are established by the City of Keizer, Marion County and other agencies.

**1.03 Committee Discretion.** It is recognized that this Manual does not contain specific requirements for every situation that may require Committee approval. The Committee will necessarily exercise discretion in many instances in approving or disapproving a specific proposal. It is further recognized that a proposal may deserve consideration on its own merit, even though it does not meet a specific standard set forth in this manual; therefore, the Committee acting jointly with the Board of Directors of the McNary Estates Homeowners Association (hereinafter the Board) is authorized, and without establishing precedence, to approve a proposal notwithstanding that the proposal may conflict with a standard set forth in this Manual.

## ARTICLE 2. ARCHITECTURAL REVIEW APPLICATION PROCEDURES

**2.01 Procedure.** All proposals for construction or alteration of any structure or landscape, or improvement on any lot must be submitted to the Committee in the form of a Complete Application.

There are two categories of review, Qualifying New Construction, and Exterior Changes and Improvements.

- a. Qualifying New Construction means a new home start, major home addition or exterior alteration, and add-on of a porch, deck, patio cover, sunroom or solarium.
- b. Exterior Changes and Improvements include fences and walls; alteration of porches, decks and patios; gazebos; retractable awnings, sunscreens; replacement of faulty siding; repainting existing structures a different color; all items listed under section 3.13 service areas; satellite dishes; new mailboxes; golf ball screens; and alterations or improvements to existing landscaping including plantings, ponds/fountains, statuary, and irrigation systems.

A Complete Application, to be submitted to the Committee at least 30 days prior to the start of the proposed action, shall mean:

- a. For Qualifying New Construction (see Appendix A)
  - i. Two copies of construction documents (plans and specifications) complying with the published checklists of the Committee,
  - ii. Two copies of landscaping plans demonstrating compliance with the Minimum Landscaping Standards,
  - iii. Two completed application forms (page ##) and two completed checklists (pages ## through ##),
  - iv. Two copies of the Construction Agreement (page ##), and
  - v. Fees and Deposits Submittal forms (pages ## and ##).
  - vi. Application Administration Fee, Plan Review Fee, and if applicable, Conditionally Refundable Deposit.
- b. For Exterior Changes and Improvements (see Appendix B)
  - i. One copy of the Architectural Review Application Form
  - ii. One copy of the project description, site plan and material samples as described on the Architectural Review Application Form
  - iii. Application Administration Fee

The Committee shall have thirty days to review an application, and will respond to the applicant in a letter indicating;

- Approved – project approved as submitted.
- Approved as Noted – approval contingent on applicant’s acceptance of conditions noted.
- Not Approved – reasons for not being approved noted on drawings and/or forms, resubmittal required.

After review, one copy of the application will be retained by the Committee for their files. The second copy of a Qualifying New Construction application will be returned to the applicant along with the letter.

An incomplete application will not be reviewed and will be returned to the applicant marked “Not Approved.” There will be a charge for each additional Qualifying New Construction review if the returned application is marked “Not Approved.”

It shall be the owner’s responsibility to apply for and pay all fees for permits and inspections required by the governing authorities and codes.

**2.02 Standards.** Each owner and/or designer shall apply the applicable PUD standards established by the CC&Rs for density, building type, set-back requirements, utilities and placement, and other exterior characteristics, and the design criteria of this Architectural Manual which require and preserve high quality in external appearance and design, and compatibility with existing structures in McNary Estates.

All plans and drawings shall be of professional quality with sufficient detail to clearly define the proposed project. Plans for new home starts shall be designed by architects or other professional building designers and shall also include elevation drawings of the front, sides, and rear of the proposed structure. All plans will be stamped with the name, address, and telephone number of the firm or individual responsible for creating them.

**2.03 Completion.** Approved projects must be commenced within three months of Committee approval. Failure to begin work may cause approval to be rescinded and resubmittal will be required. All construction shall be completed in a timely and continuous manner.

New home construction shall be completed within nine months after issuance of a building permit. Failure to complete the work within the prescribed time may result in penalties as prescribed in the CC&Rs and Supplemental Resolutions, and may also result in forfeiture of deposits. An “Approved” final inspection will determine completion (see Appendix A). The Committee may grant an extension due to extenuating circumstances.

**2.04 Appeal.** There is no automatic right of appeal of a decision of the Architectural Committee. An applicant who so desires may petition the Board for a review of the decision of the Architectural Committee by submitting a written statement to the President or Secretary of the Board, explaining the alleged problem and the applicant’s proposed solution. The President or Secretary will provide copies of the written statement to the members of the Board and the Chairman of the Architectural Committee. A majority of the Directors of the Board must agree that a review is appropriate before review may be granted. The Board will notify the applicant within 30 days after the applicant’s statement is received by the President or Secretary of the acceptance or denial of the petition, and any

conditions thereon. The Board may set procedural limitations for the review, including restricting the scope of the review to specific issue and limiting the time that the applicant may speak. If an appeal is granted, the appeal is subject to a two-tier appeal process as follows:

- a. Mediation before the Board. This process consists of a review by the Board with the participation of the applicant and a member of the Architectural Committee. Applicant may present evidence to the Board. No third-party may participate or present evidence or argument to the Board. If a satisfactory solution is not reached among the parties at this level, the applicant may petition for:
- b. Evidentiary Hearing before the Board. The applicant may present evidence to the Board. An applicant may be represented by and attorney only at this level. The Homeowners Association may be represented by its attorney. If retention of the Homeowners Association attorney is necessary, the Association may charge the applicant a hearing fee based upon the attorney fee charged to the Association the Homeowners Association attorney.

**2.05 Enforcement Process.** Violation of Architectural Manual rules and regulations may be reported by anyone by writing to The Management Trust, P.O. Bo 23099, Tigard, OR 97281-3099, or by emailing the Community Manager.

- a. Community Manager Enforcement. The Community Manager will process violations as follows:

The Community Manager will inspect the alleged violation(s).

If the Community Manager determines that the alleged violation(s) require corrective action, two letters (second by registered mail) seven days or more apart, will be sent to the violator. The letters will clearly state the nature of the violation and the proposed corrective action to be taken.

If no satisfactory response is received within fourteen days of the second letter, the Community Manager will turn the matter over to the Board for further action as provided in the CC&Rs and Supplemental Resolutions.

- b. Board Enforcement. The Board may elect to process violations as provided by its own Rules of Enforcement or, in the event that the violation is a violation of Section 3.21 of this Architectural Manual (Basketball Backstops), issue a citation to the alleged violator in accordance with the Board's Rules of Enforcement after one prior oral notice has been given to the alleged violator to correct the violation without appropriate response.

### **ARTICLE 3. DESIGN GUIDELINES**

**3.01 General.** Living units shall be of an attractive and high quality architectural design that is compatible in external appearance, design and quality with existing structures in McNary Estates. Each new home shall be unique in design and placement on the lot. Period architecture from a different era or stylized architecture from a different country or geographic area will not be permitted.

- a. Design. No two houses on the same street or in view of each other may have the same floor plan (including flipped plan) or the same street-front elevation.

b. Setback. No more than two consecutive homes (side by side) may be constructed at the same set-back distance from the street, measured from the farthest frontal projection of the structure. A variable setback distance of at least two feet is required and shall avoid a repetitive pattern.

**3.02 Building Sites.** All structures shall be constructed within the following setback requirements:

- Street front – twenty feet from property line.
- Side – five feet from property line.
- Rear – non-golf course lots – fourteen feet from property line, golf course lots – ten feet from property line.
- Corner lots – twenty feet on the driveway side, twelve feet on the adjacent street side.

**3.03 Drainage.** Roof gutters will be required on all structures and must be properly drained to direct all water into the street at the curb lines of the lot.

**3.04 Driveways.** Driveways shall be of concrete slab construction only. It is recommended that the drive surface be finished with a broom finish or exposed aggregate. The Committee must approve all other materials and special artistic effects including colors.

Circular driveways or other driveway configurations will be considered on a case-by-case basis. All driveways shall permit a full size car (20 feet) to be parked in the driveway and not interfere with the sidewalk.

**3.05 Impervious Surfaces.** Not more than 70% of any lot shall be covered with an impervious material. Impervious materials include all structures, decks, patios, pools, walkways, driveways, and other permanent materials.

**3.06 Garages.** A single family detached living unit shall include a garage designed to enclose a minimum of two vehicles and shall not have more than three separate garage doors. Garage doors shall be of standard solid panel construction, which will conceal the contents of the garage. Garage doors shall be kept closed except when access or an activity requires them to be open. The structure shall interrelate to the living unit on the lot in respect to character, material, and finish. Carports and unattached garages are not permitted.

**3.07 Fences and Walls.** The Architectural Committee and the McNary Estates Homeowners Association has selected several designs and material for fences and walls that are pre-approved for McNary Estates. The Committee and the Association will consider other designs and materials only on a case-by-case basis. The pre-approved designs and materials will be furnished on request. The Committee must approve all fences and walls.

a. Non-golf course Lots. Fences shall be constructed principally of wood, ornamental iron or aluminum. Other materials such as chain link or vinyl will require special approval by the Committee. Walls shall be of brick or stone masonry, or stucco. Masonry or stucco pilasters may be used in conjunction with fences but shall not exceed six feet in height.

The maximum height of any fence shall be six feet above ground level and set back a distance of five feet from the front corner of the living unit. Due to deed restrictions on file with Marion County, the

maximum height of fences constructed on all non-golf course lots within Phase 18 are restricted to three feet. All other conditions identified in subsection a. apply to fences constructed in Phase 18. Fences constructed on golf course lots within Phase 18 are subject to the same conditions spelled out in subsection (b) below.

The maximum height of any masonry or stucco wall shall be three feet. Masonry or stucco walls used in conjunction with a landscaping plan, may extend beyond the front line of the Living Unit but may not extend into a street right-of-way or closer than five feet to a sidewalk.

All fences or walls shall be finished equally on both sides, or shall have the finished side facing out and the exposed framing facing the interior of the lot. Where fences or walls adjoin with others on adjacent lots, every attempt shall be made to match or blend designs, and maintain the top line of sight.

Fences or walls along a street side-yard of a corner lot shall be set back at least five (5) feet from the sidewalk to permit landscaping between the fence or wall and the sidewalk. Landscaping shall be as specified under Article 6 - Minimum Landscaping Requirements.

If a fence is to be constructed of wood, only cedar or redwood will be allowed. All wood fences must be treated with a quality preservative or clear stain designed to preserve the structure and integrity of the wood. If the fence is to be painted or stained with a solid color, the Committee must approve the color.

Metal fences shall be vinyl coated or painted black or other dark colors to blend with landscaping and the neighborhood. The Committee must approve all color selections.

b. Golf Course Lots. All Fences and Walls shall comply with the requirement of Non-Golf Course Lots with the following exceptions:

1. All rear yard fences constructed nearer than ten feet to a golf course property shall not exceed three feet in height. Acceptable fencing materials include ornamental iron, aluminum and chain link. Materials such as wood or vinyl will not be permitted.
2. Fences that are constructed directly adjacent to a golf course property shall be set back at least three feet to allow landscaping between the fence and the golf course property. Such landscaping shall include a planting area for shrubs, flowers and ground cover in accordance with Section 6 - Minimum Landscaping Requirements, and shall be maintained and not allowed to overgrow the golf course property or exceed the fence in height. Fences shall be painted black or other dark colors to blend with the landscaping. The Committee must approve all color selections.
3. Masonry or stucco walls constructed directly adjacent to a golf course property shall be set back a distance of one foot from the golf course property line. Acceptable materials are brick, stone or stucco matching or compatible with the dwelling unit.
4. Retaining walls constructed along rear or side property lines shall comply with the paragraph above except that acceptable materials shall include cast-in-place concrete and block masonry

landscaping units. The three foot height limitation may be waived if site conditions require a higher wall. Wood retaining walls will not be permitted.

**3.08 Porches, Decks and Patios.** All porches, decks and patios, if approved, shall have an appearance consistent with the exterior of the Living Unit. No porch, patio or deck shall extend nearer than eight feet of any boundary line of the Lot. Porches or decks, which are constructed above grade (off the ground), must be finished to the ground with materials compatible with the deck or the Living Unit and screened with landscaping.

- a) No porch, patio or deck within eight feet of any boundary line of the Lot shall be more than 30 inches above finish grade. In those instances where a Living Unit is located closer than eight feet from the adjacent lot line, the Committee will consider requests for waivers of the eight feet limit.
- b) Patios shall be concrete slabs on grade, or as approved by the Committee.

**3.09 Porch, Deck, Patio Covers and Railings.** All permanent porch, patio or deck covers must be of a design that is complementary to the Living Unit and must be approved by the Committee.

a. New Home Starts. All permanent porch, patio or deck covers with solid roofing must be constructed of the same materials, have the same roofing materials and the same roof pitch as the Living Unit.

b. Add-on Porch, Patio and Deck Covers. Wherever structurally and functionally possible, all permanent porch patio or deck covers with solid roofing shall meet the same requirements as New Home Starts with the exception that the roof slop may be as low as 4/12.

Where not structurally or functionally possible, add-on permanent porch, patio and deck covers with solid roofing shall be professionally designed (pre-engineered/pre-fabricated) with horizontal fascias (parallel to the ground) that effectively conceal the slope (if any) and the solid roof material from a vantage point at ground level.

c. Sunscreens. Permanent sunscreens must have no roof and shall be professionally designed with horizontal fascias only.

d. Awnings. The Committee must approve all awnings. Fabric type retractable awnings must be compatible with the Living Unit and will be considered on a case-by-case basis. The fabric must be of a color compatible with or match the field or trim color of the Living Unit

Retractable window and patio awnings (whether temporary or permanent, fabric or solid) shall not have pole supports to the patio, porch or deck below.

e. Sunrooms, Solariums and Free-Standing Gazebos. All such structures must be approved by the Committee and must be of a design that is compatible to the Living Unit. Only pre-engineered/pre-fabricated or otherwise professionally designed structures will be considered. Committee criteria will include location, function, shape, size, material, color, placement and visibility from adjacent properties.

Free-standing fabric (tent type) structures will not be allowed except on a temporary basis (seven days maximum) for special occasions such as weddings, birthday parties, reunions, etc. Seven days prior notice to the Committee is required.

f. **Perimeter Railings and Screens.** On Lots adjacent to the golf course, all perimeter railings shall not exceed three feet in height, shall be constructed only of wood or ornamental iron, and shall not create a solid barrier between the patio and golf course. No solid perimeter screens of any height shall be permitted except when needed to comply with the requirements of Section 3.13 for hot tubs.

**3.10 Exterior Walls.** The front elevation of each Living Unit shall have significant architectural features that are consistent with other homes in McNary Estates. Approved wall materials are wood or simulated wood products such as beveled siding, shakes, and tongue and groove vertical siding; brick or stone veneer; and stucco. Plywood as a finish siding is not permitted. Combinations of wood products and masonry or stucco are encouraged. Other siding materials will be judged on their merit after a review of samples. Side and rear elevations shall be of the same or compatible materials as front elevations.

**3.11 Exterior Colors.** All exterior colors must be approved by the Committee. Monochromatic or analogous color schemes are recommended. Complementary or Triad color schemes will be considered on a case-by-case basis. Only colors in subdued or neutral tones will be considered for the field (siding) color. Bright or high intensity colors, and black, will not be permitted for the field color. Accent colors may be somewhat bolder but must be compatible with the field color. Repainting with the same color does not require Committee approval.

**3.12 Roofs.** As of April 15, 2010, approved roofing materials for new construction and for replacing existing roofs include cedar shakes (medium or heavy thickness); clay or concrete tile; high-end (or layered) architectural composition materials (40-year or lifetime warranty) which provides a three dimensional sculptured appearance through the use of varying thickness and shadowing (examples of such material include ELK Domain Ashford or Winslow or the equivalent); metal materials such as Metro Shake or Shingle or the equivalent; synthetic polymeric shake or tile such as Royal Dura-slate or Seneca Shake Tile or the equivalent. It is intended that all roofing materials to be installed shall be aesthetically compatible with existing homes in McNary Estates. Applications, plans, and material samples for replacing existing roofs must be submitted to the Architectural Committee for approval before any work begins. The minimum roof pitch allowable is five inches rise in twelve inches horizontal projection.

**3.13 Service, Activity and Recreational Areas.** The location of the following types of service areas shall be approved by the Committee and shall be reasonably screened from public and neighboring view in accordance with Section 3.22. Service areas include storage and accessory buildings or areas, such as dog houses, tool sheds, firewood storage, garbage enclosures, and affixed outdoor furniture such as swing sets or other playground equipment, basketball hoops, picnic tables, barbecues, arbors, pools and hot tubs. Sanitation and recycling containers shall be kept in a service area or otherwise screened from public and neighboring view.

**3.14 Poles and Antennae.**

a. **Exterior Poles.** Towers and other apparatus for radio or television antennae are not permitted. Exterior poles and towers for flags or clotheslines are not permitted.

b. **Satellite Dishes.** Where optimum reception does not preclude the location, all satellite dishes shall be mounted below the first floor eave line and in a location that is not readily visible from the street or public view. Ground installations shall be screened or disguised by trees, shrubs, rocks or other means when feasible. Satellite dishes larger than one meter in any dimension are not permitted.

**3.15 Climate Control.** Outdoor air conditioning units shall be placed to minimize noise to adjacent living units and shall be screened from public and neighboring view in accordance with Section 3.22. Use of solar heating systems is acceptable provided the panels or collectors are integrated into the structure with regard to the overall appearance and design.

**3.16 Building Size.** Design considerations for a new living unit shall include maintaining compatibility to the natural setting without dominating the surrounding Living Units and areas. All Living Units shall be no higher than two stories above finished grade level with a maximum thirty foot high ridgeline. The minimum size for a Living Unit, excluding garage, shall be as follows:

- Single family detached Living Units (one story) – 1,500 square feet
- Single family detached Living Units (two stories) – 1,800 square feet

**3.17 Mailboxes and Newspaper Receptacles.** Mailboxes and newspaper receptacles shall be of the standard design initially approved for McNary Estates. All replacements shall be of the same design, or as close as possible, and shall be the same color as existing. Security-type (lockable) mailboxes must be approved by the Committee and the U.S. Postal Service.

**3.18 House Numbers.** House plans must show a location and style for house numbers. The house numbers must be clearly readable from the street, but not so large as to be out of proportion to the structure, and compatible to the overall design of the structure.

**3.19 Exterior Lighting.** Type and placement of exterior lighting devices must be approved by the Committee. The concern is to eliminate glare and annoyance to adjacent property owners and passersby.

**3.20 Golf Ball Screens.** All improvements for the purpose of providing protective screening from errant golf balls must be reviewed and approved by the Committee prior to construction. Screening shall be of a design and material which will complement the Living Unit and meet the general criteria described in Figure 1 (page 18).

**3.21 Basketball Backstops.**

a. A permanent basketball backstop (also known as a backboard or hoop) is one that is mounted in a permanent fashion, on a pole or post embedded in concrete or like material, or on a garage, shed or other permanent structure.

A permanent basketball backstop on any Lot shall be reasonably screened from public and neighboring view in accordance with Section 3.22. The location and screening of permanent basketball backstops are subject to approval by the Committee. Because driveways cannot be effectively screened from public and neighboring view, a permanent basketball backstop may not be installed on or adjacent to a driveway.

b. A portable basketball backstop (or backboard or hoop) is one that is mounted on a wheeled (or otherwise portable) device allowing it to be moved by one or two individuals. A portable basketball backstop may be placed on a Lot in public or neighboring view during actual use. Actual use means use for playing basketball on the day of set-up. While not in actual use, the portable basketball backstop must be removed and stored in a manner that is reasonably removed from public and neighboring view.

c. Playing basketball shall be limited to daylight hours only and in no case before 8:00 a.m. or after 8:00 p.m.

**3.22 Reasonably Screened from Public and Neighboring Views.** As used in this Manual (Sections 3.13-3.15, 3.21, & 6.03), “reasonably screened from public and neighboring view” means the use of a form of concealment such as shrubs, acceptable trees or a pre-approved fence planted or constructed by the homeowner that will prevent the object from being seen from the vantage point of a McNary Estates street, sidewalk, neighboring yard (at ground level) or golf course fairway.

**3.23 Utility Easements for Storm Drains.** No permanent structure shall be constructed within the boundaries of an established utility easement for storm drains. A utility easement includes the defined area at ground surface as appears on approved plots of Marion County and City of Keizer, as well as all air space above this defined ground area.

**3.24 Solar Collection Systems.** The application for the installation of any solar collection system must be accompanied by professional construction drawings for the proposed installation, including the name of the installation contractor. They should be drawn to show the location and number of collectors, means of attachment to the roof structure, and location of any other exterior components. The installation must adhere to the following guidelines:

- A sample or illustrated brochure of the proposed solar unit, which clearly depicts the unit and defines the materials used, must be submitted with the application.
- Solar units must be mounted on the roof and professionally installed according to the local jurisdiction’s requirements. Any such structure may need to be concealed from neighbor’s view when possible.
- Aluminum trim, if used, must be anodized or otherwise color treated.
- Solar collectors must be installed on the plane of roof material and may not extend above the ridge line of the roof.
- Solar collection units must be firmly secured to the roof in accordance with local building codes.
- All exterior plumbing lines must be painted in a color scheme consistent with the structure and materials adjacent to the pipes, i.e. pipes and conduits on walls must be painted the color of the walls while roof plumbing must be the color of the roof.
- Calculations shall be provided showing the number and coverage area of the collectors required.
- Collectors must be a contiguous unit (no gaps).
- The height of the top surface of collectors shall not exceed 12 inches above the roof surface.

## ARTICLE 4. LANDSCAPING POLICY

**4.01 Landscaping Design.** All Lots shall be landscaped in a manner that is harmonious and compatible with the overall landscaping policy as noted herein.

**4.02 Landscaping Maintenance.** Each Owner shall maintain the landscaping and yard area in an attractive appearance and free from insects and diseases. Each Owner shall provide for the timely replacement of lost plant life, bark dust or ground cover, and trimming and pruning of plants to prevent an overgrown look. Landscaping changes, including but not limited to addition or removal of trees, large shrubs, planting beds, or lawn areas will require Architectural Committee approval.

**4.03 Street Trees.** The Declarant shall provide and plant street trees as required by Ordinance of the City of Keizer. Such trees will be planted on or adjacent to such Common Property tracts and Lots along the street frontage as ordinance shall determine, no later than six months from the date of the last Lot in a particular development phase has a Living Unit constructed thereon. The Association and each Owner will accept the placement planting of street trees. If a street tree is planted on or adjacent to nay Owner's Lot, the Owner shall thereafter be responsible to maintain the tree. If it should become diseased or die, the Lot Owner shall promptly replace it with the same size and species (or as similar as possible). Similarly, the Association shall maintain and replace any street trees planted on Common Property tracts.

**4.04 Sidewalks.** Each Owner of a Lot shall construct a sidewalk along the street frontage of their Lot in the Location and to the specifications determined by the Architectural Committee and the Homeowners Association. The sidewalk shall be constructed in conjunction with the Living Unity and prior to the occupancy or sale of the Living Unit. Thereafter, the Owner shall maintain and repair the sidewalk to ensure it remains clean and structurally sound. Additionally, the Declarant shall construct sidewalks on common property where there are breaks between owner properties as is deemed applicable to the landscaping scheme of the McNary Estates Common Areas.

## ARTICLE 5. LANDSCAPING PLAN SUBMITTAL PROCEDURES

Landscaping plans shall be submitted to the Committee for approval. Landscape plans for new home construction must accompany the plans for the Living Unit. Plans shall include a site plan to scale (min. 1/8 inch = 1 foot) showing property lines, above ground structures, planting areas, location and description of plantings, including species. Requests for approval of walls, fencing, or storage sheds shall include design drawings or photos to ensure quality construction and compliance with other requirements of the Manual. Submittals to the Architectural Committee shall be handled as set forth in Section 2 of this Manual.

## ARTICLE 6. MINIMUM LANDSCAPING REQUIREMENTS

**6.01 Lots with Living Units.** All front, rear and side yard areas shall be planted with any of the following: trees and shrubs (conifer or deciduous), ground cover and lawn areas. Each landscaping plan shall contain substantial plant materials to create a mature effect at the time of installation. Extensive areas of sparsely planted shrub beds covered with bark dust or similar materials will not be permitted.

Colored rocks for ground cover will not be permitted. At a minimum each yard shall include:

- Two trees of 1-3/4" to 2" caliper
- Twelve 5 gallon plants
- Ten 1 gallon plants
- Ground cover and annual flowers in any flowerbeds.

Mounding of planting beds and lawn areas will be permitted if graded to blend with adjacent property and/or landscaping. Special care shall be taken to ensure proper surface drainage to prevent water runoff onto neighboring property. The use of brick or stone masonry walls and raised planter beds is encouraged.

Owners are required to give these requirements to their landscape designer, architect and/or contractor prior to implementation of the work to facilitate and ensure compliance. Any damage caused to the Common Property or Golf Course by the installation landscaping or sprinkler systems on a Lot by an Owner or a contractor engaged by an Owner will be the sole responsibility of the Owner.

All New Home Starts shall have the yards landscaped in compliance with these requirements prior to being sold or within 30 days of completion or occupancy (whichever occurs first), unless the Committee grants a written waiver. Paragraph 6.02 shall apply during this interim period.

**6.02 Vacant Lots.** Weeds and grass shall be kept mowed and not allowed to grow to a height of more than 6 inches. All lots that are not properly maintained will be maintained by the Homeowners Association at the Lot owner's expense, and will include any applicable fines assessed by the Association. All vacant Lots and Lots with partially constructed improvements shall be kept clean of construction materials, equipment, and other debris such as grass and shrub clippings that would be unsightly or prevent or hinder mowing.

**6.03 Yard Ornamentation.** Excessive yard ornamentation will not be permitted. Excessive numbers (as ruled by the Committee) of items such as figurines, plastic flowers, colored lights, windmills, bird baths and feeders shall either be screened from public and neighboring view or be approved by the Committee. This section shall not apply to seasonal holiday decorations, which shall be removed within two weeks after the holiday.

## **ARTICLE 7. CONSTRUCTION STANDARDS**

**7.01 Common Property and Golf Course.** Owner, his contractor and any other person associated with the construction or remodeling of the Living Unit or associated structures, may not disturb the surface of the Common Property or Golf Course during construction, or use any portion of the Common Property or Golf Course for storage or other activities relating to construction. Roadways and adjoining Lots shall be kept clean and free of debris on a daily basis (and roadways free of mud) arising from construction activities on a Lot.

**7.02 Construction Sites.** Owners, contractors and others shall keep a clean construction site. All construction debris, lumber remnants and scrap materials shall be removed from the site after each phase of work such as foundations floors, walls, roofs, etc. and in no case allow the accumulation of more than one week's debris. In lieu of removal from the site, the Committee may authorize the use of a "dumpster" if placed on the Lot. Chemical toilets shall be placed on the construction Lot, not in the

street or on the sidewalk. Dogs, drugs, alcohol or loud radios are not permitted on the job site. Violators will be required to leave.

**7.03 Noise Control.** Contractors, Owners and others shall restrict all loud noise-producing construction activities to the following hours:

- Monday through Saturday, 7:00 am to 5:00 pm
- Sundays and holidays, 9:00 am to 5:00 pm.

**7.04 Enforcement.** If, as a result of construction activities on a Lot, violations of 7.01 or 7.02 occur, then in addition to any other remedies permitted by the CC&Rs, Supplemental Resolutions and law, the Association may correct the violation, charge the Owner of the Lot (or the perpetrator) for the cleanup (which may be payable on demand), and place a lien on the Lot to secure payment. See also (Conditions of Forfeiture, Appendix A).

## **ARTICLE 8. REVISION OF ARCHITECTURAL MANUAL**

Pursuant to Article IV, Section 3 of the CC&Rs, the Board may, from time to time, amend, modify or revise provisions of the Architectural Manual, including the procedures for submitting, reviewing and approval of the Architectural Committee outlined herein; provided, however, that no such amendment, modification, or revision shall be binding upon the Owners until notice of the same has been given to the Owners by the Board, and no such amendment, modification or revisions shall affect structures, improvement, or landscaping approved prior to the enactment of such amendment, modification, or revision.

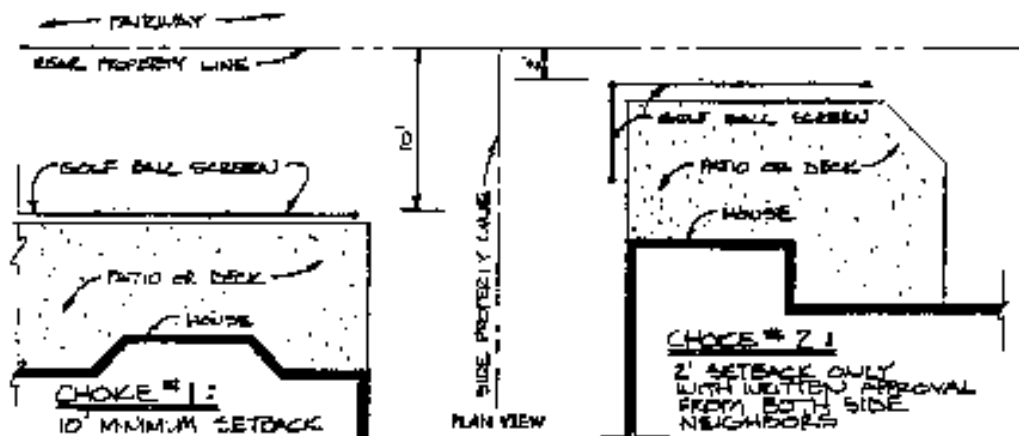
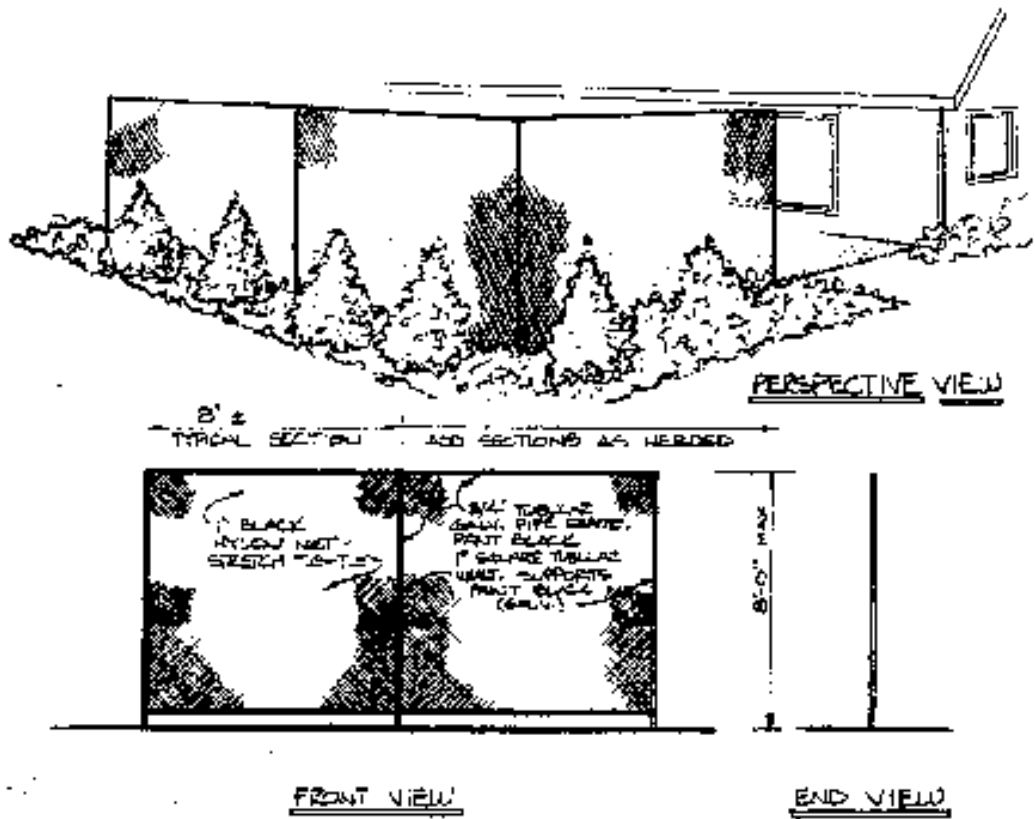


Figure 1 Golf Ball Screen

## McNARY ESTATES ARCHITECTURAL COMMITTEE

### APPENDIX A

#### ARCHITECTURAL REVIEW APPLICATION PROCESS FOR QUALIFYING NEW CONSTRUCTION

##### New Construction that requires payment of the Plan Review Fee and a Construction Deposit

All construction that requires new poured in place concrete foundations, solid roofing, mechanical equipment (heating/cooling), and electrical work such as New Home Starts, and Additions or Exterior Alterations to existing living units.

##### New Construction that requires payment of the Plan Review Fee Only – No Deposit

All construction that requires new exterior walls and/or solid roofing, but not new foundations, mechanical equipment, or electrical work (i.e. Porch, Deck and Patio Covers, and Sunrooms or Solariums).

##### Submittal Process for Qualifying New Construction

Submit “A Complete Application” (two copies) as outlined in ARTICLE 2 in the Architectural Manual. Make separate checks in the appropriate amount for the Application Administration Fee, the Non Refundable Plan Review Fee and the Conditionally Refundable Deposit (if required), payable to McNary Homeowners Association.

Mail or deliver plans, materials lists, application forms, samples, deposits, etc. to the Community Manager at least seven days prior to the next Architectural Committee meeting. After the plans have been reviewed, the Architectural Committee will schedule the mandatory pre-construction meeting.

Submittal for Plans Review will not be reviewed until the Architectural Committee has received payment of fees and deposits. **NOTE: Fees and deposits will double if any construction is begun prior to obtaining Committee approval.**

**McNARY ESTATES ARCHITECTURAL COMMITTEE**

**QUALIFYING NEW CONSTRUCTION**

**APPLICATION AND SUBMITTAL FORM**

The Architectural Committee, as provided for in the CC&Rs recorded in Marion County, exists to maintain high standards for design, development and maintenance of Living Units and Lots. When an Owner wishes to construct a Living Unit or remodel an existing Living Unit, application is made to the Committee using this form. (Two copies are required.) Completion of the following pages will provide the Committee with the information necessary to review the proposed construction for compliance with the Architectural Design & Review Manual and the CC&Rs.

Lot Number \_\_\_\_\_ Street \_\_\_\_\_ New Address (if known) \_\_\_\_\_

Submittal Date \_\_\_\_\_ Anticipated Start Date \_\_\_\_\_

Square footage of Lot \_\_\_\_\_ Square Feet of Living Unit \_\_\_\_\_

Property Owner(s) \_\_\_\_\_

Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Home Phone \_\_\_\_\_ Business Phone \_\_\_\_\_

Architect/Designer \_\_\_\_\_ Business Phone \_\_\_\_\_

Contractor/Builder \_\_\_\_\_ Business Phone \_\_\_\_\_

Type of Submittal ( ) New Construction ( ) Including Landscaping ( ) Alterations

Description of Proposed Work \_\_\_\_\_

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# McNARY ESTATES ARCHITECTURAL COMMITTEE

## QUALIFYING NEW CONSTRUCTION

### SUBMITTAL CHECKLIST

The following is a list of items which must be included in Submittals for review by the Committee. Applications must be submitted to the Committee 30 days prior to the anticipated start date. Please check off each item. If an item is not included, it may be necessary for the Committee to reject your entire submittal and require a re-submittal.

#### A. SITE PLAN (Include the following information)

- Check  1. Minimum Scale 1 inch = 8 feet.
2. Building location(s) using perimeters of buildings greatest extension, such as overhangs. Show all detached houses, garages, decks and patios.
3. Property lines – and distances to structures.
4. Tree locations – sizes, species, those to be removed.
5. Topography – existing and proposed changes with drainage improvements if any.
6. Utility service locations – TV, telephone, water valves, hydrants, gas meters.
7. Driveways, walks and parking. Indicate material/finish/color.
8. Privacy screening, fences and walls. Indicate materials/finish/color.
9. Outdoor lighting.
10. North Arrow.
11. Special setbacks or easements.
12. Construction staging and access areas.
13. Temporary structures locations.
14. Service areas and permanent outdoor furniture and accessories. (See Section 3.13, Architectural Design & Review Manual)

**B. FLOOR PLAN(S)**

- Check \_\_\_\_\_ 1. Minimum Scale  $\frac{1}{4}$  inch = 1 foot.
- \_\_\_\_\_ 2. Exterior door and window openings.
- \_\_\_\_\_ 3. Exterior walls and partitions.
- \_\_\_\_\_ 4. Exterior stairways.
- \_\_\_\_\_ 5. Exterior lights.
- \_\_\_\_\_ 6. Decks, patios and porches.
- \_\_\_\_\_ 7. Electrical meter location (recessed base and approved enclosure required).
- \_\_\_\_\_ 8. North arrow.
- \_\_\_\_\_ 9. Trash receptacles (location, how screened and access).
- \_\_\_\_\_ 10. Type and location of heating and cooling system, location of outdoor unit.

**C. ELEVATIONS**

- Check \_\_\_\_\_ 1. Scale: front (street) elevation, minimum  $\frac{1}{4}$  inch = 1 foot  
All others,  $\frac{1}{8}$  inch = 1 foot.
- \_\_\_\_\_ 2. All exterior features: doors, windows, roof, siding, trim, foundations, railings, house numbers, etc.
- \_\_\_\_\_ 3. Note all materials, finishes and colors.
- \_\_\_\_\_ 4. IMPORTANT: Show proposed finish floor line and elevation, and proposed finish grade elevation. Indicate height of roof from finish grade (maximum of 30 feet).

**D. TEMPORARY STRUCTURES to be used during construction.**

- a. Temporary storage, dumpster, construction shack \_\_\_\_\_  
\_\_\_\_\_
- b. Temporary toilets \_\_\_\_\_  
\_\_\_\_\_
- c. Temporary staging and materials storage areas \_\_\_\_\_  
\_\_\_\_\_

E. SITE WORK

- a. Walks and drives; material, finish and colors \_\_\_\_\_  
\_\_\_\_\_
- b. Plantings; provide landscaping plans demonstrating compliance with Minimum Landscaping Requirements \_\_\_\_\_  
\_\_\_\_\_

F. BUILDING MATERIALS

- a. Exterior siding, dimension to the weather and pattern \_\_\_\_\_  
\_\_\_\_\_
- b. Trim materials \_\_\_\_\_
- c. Brick, stone, stucco – color and pattern \_\_\_\_\_
- d. Roofing – type, material and color \_\_\_\_\_
- e. Exterior openings:
  - 1. Doors (materials, finish) \_\_\_\_\_
  - 2. Window (materials, finish) \_\_\_\_\_  
(no mirrored glass)
  - 3. Skylights (materials, finish) \_\_\_\_\_
  - 4. Garage doors (materials, finish) \_\_\_\_\_
- f. Exterior: paint, stain, type-finish, color (provide color chips)
  - 1. Siding \_\_\_\_\_
  - 2. Trim \_\_\_\_\_
  - 3. Garage Doors \_\_\_\_\_
  - 4. Swing Doors \_\_\_\_\_
  - 5. Exterior light fixtures (vendor description, name) \_\_\_\_\_  
\_\_\_\_\_
  - 6. Heating/Cooling system (include type and location if using solar panels or other exterior equipment)  
\_\_\_\_\_  
\_\_\_\_\_

**McNARY ESTATES ARCHITECTURAL COMMITTEE**

**QUALIFYING NEW CONSTRUCTION**

**CONSTRUCTION AGREEMENT**

As a McNary Estates property owner and/or prospective homeowner, I/We have read the current Architectural Design & Review Manual and the application forms and fully understand the requirements contained therein.

I/We understand that any external changes to the approved plans must be submitted to and approved by the Architectural Committee prior to implementing the change.

I/We understand that by signing this agreement, specific permission is granted to the Architectural Committee and/or its agents to enter the property at reasonable times to inspect for compliance.

I/We understand that We may not disturb the surface of the Common Property or Golf Course during construction, or use any portion of same for storage or other activities relating to construction without the written permission of the Homeowners Association and the Golf Course owners.

I/We understand that if mud or debris is allowed to accumulate on the street, adjoining Lots, Common Property or Golf Course as a result of the construction, I/We must remove it on demand of the Homeowners Association. We further understand that if it is not removed promptly, the Association may have it removed and the cost thereof charged to Me/Us as Owners, and the Association may place a lien on My/Our property if said costs are not paid promptly.

I/We understand that to enforce its standards, the Association may seek injunctions from a court of law and pursue other legal remedies.

Lot number\_\_\_\_\_

**SIGNATURES**

(all Owners' signatures required)

Owner\_\_\_\_\_ Date\_\_\_\_\_

Owner\_\_\_\_\_ Date\_\_\_\_\_

Owner\_\_\_\_\_ Date\_\_\_\_\_

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**REPRESENTATIVE OF PROPERTY OWNER**

I certify that I am a duly authorized representative of the above named property Owner and have the power to act in his/her/their behalf. In addition, I have made the Owner(s) aware of all the above stated requirements.

Signature\_\_\_\_\_ Date\_\_\_\_\_

**McNARY ESTATES ARCHITECTURAL COMMITTEE**

**QUALIFYING NEW CONSTRUCTION**

**NON-REFUNDABLE PLAN REVIEW FEE**

Detach this page and enclose with appropriate fee(s) Make check payable to McNary Estates Architectural Committee. Mail to: The Management Trust – Northwest, P.O. Box 23099, Tigard, OR 97281-3099.

Owners Name (print) \_\_\_\_\_ Phone \_\_\_\_\_

Current Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

New Address (if known) \_\_\_\_\_ Lot # \_\_\_\_\_

Brief description of proposed work \_\_\_\_\_  
\_\_\_\_\_

Contractor/Builder Name \_\_\_\_\_ Phone \_\_\_\_\_

Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

- | <u>Type of Submittal</u>   | <u>Plan Review Fee</u> |
|--|------------------------|
| ( ) New Home Start.....  | \$500.00               |
| ( ) Major Home Addition,<br>Exterior Alteration.....               | \$250.00               |
| ( ) Add On – Porch, Deck or Patio Cover,<br>Sunroom, Solarium..... | \$100.00               |
| ( ) Additional Review.....   | \$50.00                |
| (When submittal returned “Not Approved”)                           |                        |

| <b>FOR COMMITTEE USE ONLY</b> |             |
|-------------------------------|-------------|
| Fee \$ _____                  | Rcvd. _____ |
| Fee \$ _____                  | Rcvd. _____ |
| Fee \$ _____                  | Rcvd. _____ |
| Fee \$ _____                  | Rcvd. _____ |

I/We, the undersigned, understand and agree to all provisions and requirements of the Covenants, Conditions and Restrictions of McNary Estates, with emphasis applied to Article IV, Architectural Control. I/We, the undersigned, understand and agree to comply with all provisions and requirements of the Architectural Manual.

**SIGNATURES**

Owner(s) \_\_\_\_\_ Date \_\_\_\_\_

Owners Representative \_\_\_\_\_ Date \_\_\_\_\_

**McNARY ESTATES ARCHITECTURAL COMMITTEE**

**QUALIFYING NEW CONSTRUCTION**

**CONDITIONALLY REFUNDABLE DEPOSIT**

Detach this page and enclose a separate check for Conditionally Refundable Deposit. Make check payable to McNary Estates Architectural Committee. Mail to: The Management Trust – Northwest, P.O. Box 23099, Tigard, OR 97281-3099.

Lot # \_\_\_\_\_ Street Address (if known) \_\_\_\_\_

Owner(s) \_\_\_\_\_ Address \_\_\_\_\_ Phone \_\_\_\_\_

Builder \_\_\_\_\_ Address \_\_\_\_\_ Phone \_\_\_\_\_

| <u>Type of Submittal</u>                             | <u>Deposit</u> |
|--|----------------|
| ( ) New Home Start.....                              | \$500.00       |
| ( ) Major Home Addition,<br>Exterior Alteration..... | \$250.00       |

| FOR COMMITTEE USE ONLY |             |
|------------------------|-------------|
| Deposit \$ _____       | Rcvd. _____ |
| Deposit \$ _____       | Rcvd. _____ |

Enclosed is a check in the amount of \$ \_\_\_\_\_ for the above (checked) required conditionally refundable deposit.

When all construction including landscaping has been completed, the Owner/Builder shall request a final inspection by the Architectural Committee. If no forfeiture has been imposed due to violations (see Conditions of Forfeiture, page 30), and the Final Inspection is approved, the full deposit amount will be refunded to the deposit payer within 15 days of Final Inspection.

I/We, the undersigned, understand and agree to construct the proposed project in accordance with the approved plans and the designated time limit, and that any deviation from the approved plans or time limits must be approved by the Architectural Committee in writing prior to implementation. I/We understand and agree to keep the construction site and streets clean, and in a neat and orderly condition at all times during the construction process, and that all adjacent lots used during construction will be left in a clean and neat condition after construction is completed. **I/We, the undersigned, further agree that if any of the aforementioned terms and conditions are not fully complied with, the entire deposit amount may be forfeited.**

**SIGNATURES OF THE OWNER AND BUILDER (required)**

Owner(s) \_\_\_\_\_ Date \_\_\_\_\_

Builder \_\_\_\_\_ Date \_\_\_\_\_

**RECEIPTS**

Your canceled check(s) will be your receipt. If you wish separate written receipts for Fees or Deposits, please enclose a self addressed stamped envelope.

## **McNARY ESTATES ARCHITECTURAL COMMITTEE**

### **APPENDIX B**

#### **ARCHITECTURAL REVIEW APPLICATION PROCESS FOR EXTERIOR CHANGES AND IMPROVEMENTS**

Use the instructions and form on the next two pages for Exterior Changes and Improvements.

Exterior Changes and Improvements include fences and walls; alteration of porches, decks and patios; gazebos; retractable awnings, sunscreens; replacement of faulty siding; repainting existing structures a different color; all items listed under section 3.13 Service Areas; satellite dishes; new mailboxes; golf ball screens; and alterations or improvements to existing landscaping including plantings, ponds/fountains, statuary, and irrigation systems.

Mail or deliver the forms, samples, and Application Administration fee to the Community Manager at least seven days prior to the next Architectural Committee meeting. Large samples can be delivered in person to any Architectural Committee member.



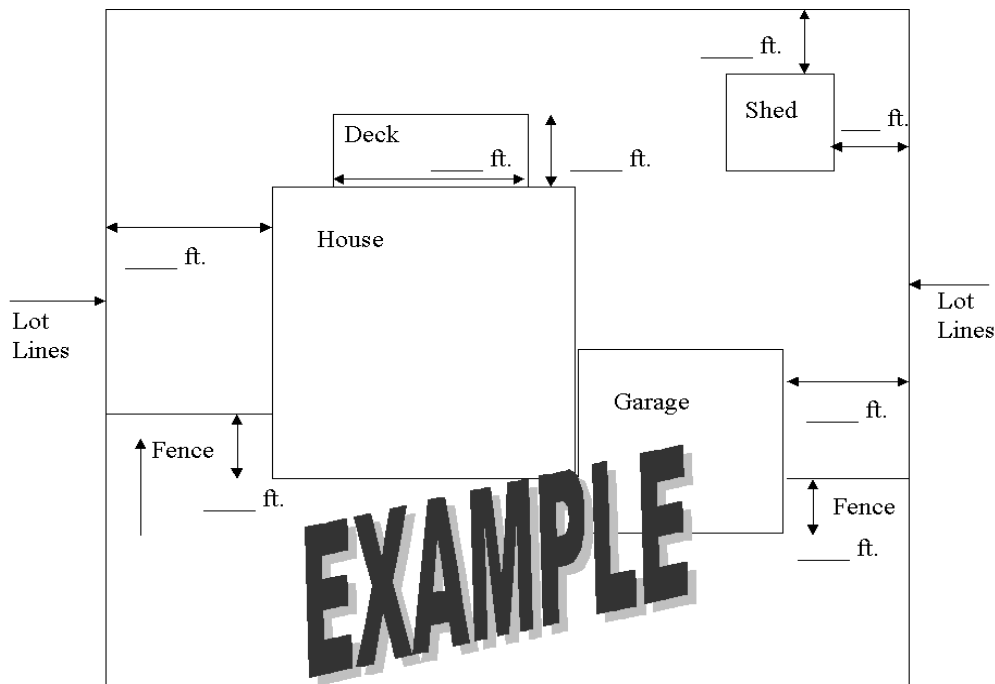
## Architectural Review Application Form

Dear Homeowner,

Some necessary regulations have been incorporated into the Association's Covenants, Conditions, and Restrictions (CC&R's) to protect the harmony and tranquility of the community. In addition, these rules help maintain the curb appeal, which helps to enha

As a reminder to new members, the Architectural Review Committee (ARC) must approve any exterior improvements (including back yard renovations and satellite dishes), prior to commencement of work. Additional forms are available at [www.managementtrust.com/](http://www.managementtrust.com/)

- Application:** Please complete the attached application
- Description of the project(s):** This will need to include a complete description of the materials to be used and the finished dimensions. Also include a color description and sample if your project includes painting/staining.
- Site Plan (see example below):** This will need to include but is not limited to, location of project(s), dimensions, distances in conjunction with other items on the Lot, and setbacks from the Lot line.
- Submit:** You can mail, fax, or email the completed application along with any additional items. If being sent by way of email, the available programs are Microsoft Word, Works, Publisher, Corel Word Perfect, and Adobe Acrobat.



CONNECTING PEOPLE TO THE PROMISE

17700 SW Upper Boones Ferry Road, Suite 120, Portland, Oregon 97224  
MAIL: P.O. Box 23099, Tigard, Oregon 97281-3099  
PH: 877-852-8100 FAX: 503.670.0775  
managementtrust.com/nw

**Community: 925 McNary Estates Homeowners Association, Inc.**

**TO AVOID DELAY, PLEASE BE SURE TO ENTER YOUR COMMUNITY NAME IN THE SPACE GIVEN ABOVE**

Architectural Review Application Form

c/o The Management Trust - Northwest  
P.O. Box 23099 Tigard, OR 97281-3099

TOLL FREE PHONE: 877-852-8100 FAX: (503) 670-0775 E-MAIL: info@managementtrust.com

Date Submitted \_\_\_\_\_

Applicant Name \_\_\_\_\_

Address \_\_\_\_\_

Lot # \_\_\_\_\_ Phase \_\_\_\_\_

Day Phone \_\_\_\_\_ Fax \_\_\_\_\_ E-Mail Address \_\_\_\_\_

Modification Type Landscape Construction Other: \_\_\_\_\_

Expected Completion Date \_\_\_\_\_

Additional Information \_\_\_\_\_

Please include along with this application, a simple foot print drawing of where the work will be located on your lot in relation to your lot lines and home. If you plan to build any structures, please LIST THE TYPES OF MATERIALS you plan to use, as well

Note that all construction and installation of any improvements shall comply with local, state, and federal building and land use regulations. Compliance with these regulations is the responsibility of the homeowner. This review and approval is not a re

Building, electrical, or plumbing permits may be required. The determination of the necessity of any permits is the responsibility of the homeowner. Obtaining any necessary permits is the responsibility of the homeowner.

Changes to the proposed plan necessitated by permits or compliance with local, state, or federal building or land use laws are subject to additional review by the Architectural Review Committee (ARC).

Please submit this application to the Management Company 30 days prior to beginning your project. The ARC will do all it can to have your application reviewed in a timely manner so as not to impede the timely completion of your project.

*Homeowner -- do not write below this line.*

|  |  |                                      |
|--|--|--------------------------------------|
| <b>Architectural Review Decision</b>       |  |                                      |
| <input type="checkbox"/> Approved          | <input type="checkbox"/> Approved w/conditions | <input type="checkbox"/> Disapproved |
| <b>Comments or Conditions to Approval:</b> |  |                                      |
|  |  |                                      |
|  |  |                                      |
| <b>SIGNATURE:</b> _____                    | <b>DATE:</b> _____                             |                                      |

**McNARY ESTATES ARCHITECTURAL COMMITTEE**

**APPENDIX C**

**SCHEDULE OF FEES AND DEPOSITS**

**NON REFUNDABLE PLANS REVIEW FEES**

|  |          |
|--|----------|
| ALL APPLICATIONS Application Administration Fee.....                     | \$40.00  |
| New Home Starts (including landscaping).....                             | \$500.00 |
| Major Home Additions or Exterior Alterations .....                       | \$250.00 |
| (Any structure requiring new foundations, mechanical or electrical work) |          |
| Porch, Deck and Patio Covers, including Sunrooms & Solariums.....        | \$100.00 |
| (Not requiring new foundations, mechanical or electrical work)           |          |

**CONDITIONALLY REFUNDABLE DEPOSITS**

|  |          |
|--|----------|
| All New Home Starts.....   | \$500.00 |
| Major Home Additions or Exterior Alterations.....                        | \$250.00 |
| (Any structure requiring new foundations, mechanical or electrical work) |          |

**CONDITIONS OF FORFEITURE**

**Of Conditionally Refundable Deposit**

All or a portion of the Conditionally Refundable Deposit may be declared forfeited by the Architectural Committee upon a finding by a majority of the Committee, that the Owner and/or Builder has materially violated the terms and provisions of the Owner and Builder covenant signed at the time the deposit was made. Such violations shall include unauthorized changes (from the “Approved” Construction Documents) during construction, including landscaping. When violations are noted during construction, the Committee will notify the Owner and Builder verbally and in writing of the specific violation and the remedy required. The violation must be remedied with five days of written notification or risk forfeiture. Should the violation be significant, “that which would cause irreversible damage to adjacent properties or be detrimental to the health, safety, and welfare of the community,” the Committee may, in addition to declaring forfeiture, issue a “Stop Work Order.”

For violations noted during Final Inspection, the Owner (and Contractor if applicable) shall have 30 days to complete or remedy the violation without forfeiture.

The Owner may seek appeal and review of a forfeiture decision of the Architectural Committee only as provided in and limited by Section 2.04 of the Architectural Manual. Otherwise, the decision of the Architectural Committee shall be final.