

Fountainhead Recreational and Maintenance Corporation
4714 Fountainhead Drive, Houston, TX 77066-2637-(281) 893-4820
Architectural Control Committee (ACC)-Application for Architectural Approval

INSTRUCTIONS: Please read this entire application before attempting to complete it. **All applications must be fully completed and accompanied by all required documents and information** (see Section VI) **before the application will be considered.** The ACC is authorized to adopt and modify guidelines applicable to specific types of improvements setting forth particular procedures and requirements for obtaining ACC approval. Applicants are encouraged to contact the ACC to obtain current guidelines prior to submitting an application. Except for signatures, please type or print. Mail the completed application to the address above or **drop in the brick mailbox in front of the clubhouse.**

I. Applicant:

Name _____
Fountainhead Property Address _____
Daytime Phone or Cell# _____ Evening Phone# _____

II. Owner (if different from Applicant):

Name _____
Fountainhead Property Address _____
Daytime Phone or Cell # _____ Evening Phone # _____

Owner's Signature Approving Proposed Improvement

Date Signed

III. Description of Proposed Improvements:

IV. Certification:

This is to certify that (i) all documentation and information set forth or submitted with this Application is complete, true and correct; and (ii) applicant(s) has/ have read and understand(s) all of the Conditions for Approval (Section VI) and Terms of Approval (Section VII) set **forth on the back of this Application**, and agree(s) and consent(s) to both.

Signature of Applicant

Date Signed

Signature of Co-Applicant

Date Signed

V. ACC Action(s):

Date Received: _____ Received By: _____

Response Date: _____ Response By: _____

ACC Decision(circle one): Approved Conditionally Approved Denied

Conditions of Approval or Reasons Disapproved: _____

VI. Conditions for Approval

A. General Procedures: Each Applicant shall submit each proposed improvement for which architectural approval is requested to the ACC in writing using a completely filled out Application for Architectural Approval form. Oral requests will not be considered. Applicants must include with each Application for Architectural Approval (i) a lot survey plat indicating the location of all existing easements, structures and improvements (a survey plat of your lot should be among the documents obtained when you purchased your home, otherwise, one may be obtained by contacting the title company which issued the title insurance policy covering your home), (ii) details indicating on the lot survey

plat the exact location of the proposed improvement(s) including distances from the closest two (2) lot lines, (iii) formal plans and specifications for or detailed drawings or sketches of, and a list of materials for the proposed improvement(s) which must include (a) a detailed description of each proposed improvement, (b) all exterior elevations (including height, width, length, size, shape and color), (c) a detailed list and description of all materials (including as applicable, paint chip samples, type and grade of lumber, type and color of brick, etc.), and (d) the intended use of each improvement; (iv) if a proposed improvement will affect existing drainage patterns, then a proposed drainage plan, and (v) upon review of an Application, such additional documentation and information as may be required by the ACC.

B. ACC Actions: Within thirty (30) days after receipt by the ACC of a complete Application (including all additional data required to be submitted as described above), the ACC shall mail or deliver its written decision(s) to the Applicant at the property address. If approval of an Application is denied, the Applicant is free to request reconsideration if new or additional information to clarify the request or demonstrate its acceptability can be provided. The Applicant may appeal any decisions by the ACC within thirty (30) days to the Board of Directors by giving written notice regarding the specific decision being appealed to both the ACC and the Board of Directors.

C. Inspections: Upon reasonable notice to the Applicant, ACC representatives may enter the Applicant's property at any reasonable time without liability for trespass for the purpose of inspection of work in progress and/ or the completed project.

VII. Terms of Approval

A. Conditions Covering All Applications: Decisions of the ACC are confined solely to those set forth in its written decisions, and to each of the following: (i) any approval is subject to all conditions, if any, set forth in the approval; (ii) work covered by an Application must commence within thirty (30) days after approval and be completed within ninety (90) days after work commences unless otherwise authorized by the ACC in writing; (iii) ACC approval is expressly limited to the specific proposed improvement(s) approved, and to construction and completion thereof in strict and complete compliance with the documentation and information actually submitted and approved; and (iv) all work shall be performed in a safe, sanitary and good, workman-like manner. Failure of the applicant to comply with each and all such conditions shall render approval of the proposed improvement null and void.

B. Compliance With Restrictions and Governmental Laws: Applicant shall be solely responsible for ensuring that nothing contained herein or in any written decision of the ACC shall be construed as a representation that the proposed improvement(s) is/ are in compliance with: (i) applicable governmental laws, ordinances or regulations (including permit and licensing requirements); or (ii) the reservations, restrictions and covenants for Fountainhead or ACC guidelines (other than ACC approval provisions), nor constitute a waiver or modification thereof except to the extent of specific variances expressly granted in writing.

C. Approval Required Prior to Commencing Work: No work of any kind on a proposed improvement shall be commenced or completed by Applicant or on behalf of Applicant before obtaining specific written ACC approval thereof. If any proposed improvement is commenced or completed prior to obtaining approval and the Application covering same is not approved, in whole or in part, Applicant (and all other owners or residents of the affected property) may be required to modify or remove same or otherwise return the property to its former condition at Applicant's (and such other owner's or resident's) sole expense, and to pay all legal and other expenses incurred to obtain compliance.

D. Hold Harmless Agreement: Applicant (and all other owners or residents of the affected property) shall unconditionally indemnify and hold harmless Fountainhead Recreational and Maintenance Corporation, the ACC and their respective directors, officers, agents and employees, from any and all claims, suits, actions, expenses and damages which they may at any time suffer or incur or become liable to pay by reason of any accidents, damages or injuries to persons or to property or both in any manner arising from any work performed in connection with any Application for Architectural Approval or the acts or omissions by any of the foregoing in connection therewith.