

Policy 3: Building Plans Policy

1. Purpose

Under the Articles of Incorporation, the purpose of the Association, in part, is to consent, approve, grant permission and otherwise perform all such functions and do any and all things that may be permitted or required by the restrictions pertaining to Apache Shores. The Declaration of Restrictions for each Section of Apache Shores requires that all building plans are subject to approval of the Association. The purpose of this Building Plans Policy is to establish a policy for approval of building plans by the Association.

2. Architectural Review Committee

The Association has established the Architectural Review Committee or ARC to determine if the building plans comply with the Declaration of Restrictions.

3. Procedure

3.1. Submittal Requirements

There are two applications for approval of building plans (collectively, the "ARC Application").

3.1.1. New Home

For approval of building plans for the construction of a new home, including new home (site built), modular home (industrialized housing), relocated home (move-on), and manufactured/mobile home, a Member must submit the Architectural Review Committee Approval Application – New Home along with the following documents:

- (a) A plan showing the location and dimensions of the existing and proposed improvements.
- (b) Design and engineering document(s).
- (c) Permit(s), release(s) and statement(s) issued by governmental entity(ies), including: (1) Travis County Permits (Basic Development, Driveway in ROW, On-Site Sewage Facility), (2) Travis County Water Control Improvement District 17 Permits, (3) City of Austin Permits, (4) Travis County Easement Release, and (5) Texas Department of Housing and Community Affairs Statement of Ownership.

3.1.2. Other

For approval of building plans for the construction or modification of anything other than new homes, including room/garage addition, septic, fence, walkway, driveway, irrigation, solar panel, rainwater collection, deck or patio, pool, storage/accessory building, and playscape, a Member must submit the Architectural Review Committee Approval Application – Other form along with the following documents:

- (a) A plan showing the location and dimensions of the existing and proposed improvements.
- (b) Design and engineering document(s).
- (c) Permit(s), release(s) and statement(s) issued by governmental entity(ies), including: (1) Travis County Permits (Basic Development, Driveway in ROW, On-Site Sewage Facility), (2) Travis County Water Control Improvement District 17 Permits, (3) City of Austin Permits, (4) Travis County Easement Release, and (5) Texas Department of Housing and Community Affairs Statement of Ownership.

3.2. Approval Process

3.2.1. Timeline

The ARC will give final approval or disapproval of the ARC Application within 15 days from the date of the submission of a complete ARC Application. An ARC Application will not be deemed to be complete

until all of the documents and information set forth in Section 3.1 has been provided to the ARC. If the ARC finds a submittal to be in compliance with the Declarations, the ARC will complete the approval on page 2 of the ARC Application. Any delay in approval or disapproval shall not be construed as a waiver of the right to review and approve/disapprove an ARC Application.

3.2.2. Approval Period

The valid approval period begins with the commencement of construction and is valid for six months in accordance with the Declaration of Restrictions for each Section. Construction must be completed in accordance with the approval within the valid approval period. To confirm construction was completed in the approval period, the Member will submit:

- (a) for new homes, all inspection(s) completed by governmental entity(ies), including inspections from (as applicable): (1) Travis County, (2) Travis County Water Control Improvement District 17, and (3) City of Austin.
- (b) for anything else, all inspection(s) completed by governmental entity(ies), including inspections from (as applicable): (1) Travis County, (2) Travis County Water Control Improvement District 17, and (3) City of Austin.

3.2.3. Limitations

Approval of the ARC Application does not give a Member the right to enter upon the property of any other owner or the common area in order to perform the construction contemplated in the approval.

3.3. Member/Builder Responsibilities

3.3.1. Declaration

All improvements must be constructed in accordance with the Declarations applicable to the Section in which the property is located. The Declarations are available on the community website.

3.3.2. Adjacent Lots

Use of an adjacent lot for residential purposes is in accordance with Section 209.015 of the Texas Property Code.

3.3.3. Laws

All improvements must be constructed in accordance with the laws, rules, regulations and building codes of governmental authorities having jurisdiction.

3.3.4. Public Utility Easements

A Member is solely responsible for ensuring that proposed improvements do not encroach upon a public utility easement located on the Property. In the event an improvement encroaches upon a public utility easement located on the property and a public utility provider requires access to such easement, such Member may be required to remove such improvements to the extent they encroach upon or interfere with the use of the public utility easement.