

Amendments to Declaration of Covenants, Conditions, Restrictions and Easements for Farmington Village at Schramm's Crossing HOA  
Original Document dated 21 Oct 1997.

1. Article II Covenants, Conditions and Restrictions

2.1 Administration: Architectural Review Committee, Sentence number 6 ("The Declarant hereby grants to the Architectural...") is deleted in its entirety and replaced with the following sentences:

"The Declarant hereby grants to the Farmington Village at Schramm's Crossing HOA Board of Directors the right to establish architectural design criteria for the Community (the "Design Guidelines") which shall be made available to all members, and to waive such portion or portions of the Covenants numbered 2.3 through 2.28 of this Article II as the Board of Directors, shall deem advisable and in the best interests of the Community as the Board is given the oversight responsibilities for the Community. The Declarant hereby grants to the Architectural Review Committee, its successors or assigns, the right to review, inspect, approve of, disapprove of, or seek additional information concerning all applications submitted by the membership for proposed changes to their lots and improvements thereon, in accordance with current "design guidelines" set by the Board of Directors. The Architectural Review Committee members, as appointed by the Board of Directors, shall seek the guidance from the Board for all unresolved questions concerning applications from the membership requesting approval of changes to their property. The Board of Directors has final authority in approving or disapproving architectural change petitions submitted from the membership."

2.2 Architectural Review

Paragraph c. Sentence number 3.

("In the event...") is deleted in its entirety and replaced with the following sentences:

"In the event the Architectural Review Committee fails to respond to a member concerning a design change or fixture replacement application within 35 (thirty-five) days after documented receipt of the application by the ARC or designated representative/agent, it is the member's responsibility to contact the Architectural Review Committee or its appointed representative/agent, to ascertain the status of the application. If no response is received, the Member may petition the Board of Directors for assistance in gaining approval of the submitted application. If an application is hand delivered in person to the ARC or its designated agent/representative, and hand receipt shall be given to the Member annotating the time and date that an application was submitted in order to provide proof of submission. In no case will an application receive automatic approval. A Member must have a completely and correctly filled out application, signed by the ARC approving the proposed action, in hand, in order to commence the designated changes to their property."

2.10 Yards

The following sentences are added:

"Holiday decorations, appropriate for the Season, are exempted from this paragraph. However, it is the intent of the Association to maintain a proper presentation of the

Community. Holiday decorations shall be allowed, but must be displayed in a tasteful manner and not cause a nuisance to the property's surrounding Owners or neighborhood. All Holiday decorations must be removed from sight within 2 (two) weeks after an event's conclusion. In the case of December holiday decorations, displays will be allowed no earlier than the Monday prior to Thanksgiving, through the last Monday of January (following the end of the December holiday season), and must be removed from sight no later than that date."

#### 2.12 Neat Appearance

Sentence 2 is amended to replace certain language with the addition of (additions in italics) the following:

"If, in the opinion of the Architectural Review Committee, *after consultation with and approval from the Board of Directors*, any owner..."

#### 2.21 Trash and Other Materials

Sentence 3 is amended to replace certain language with the addition of (additions in italics) the following:

"If trash or other refuse is to be disposed of by being picked up and carried away on a regular and recurring basis, containers may be placed in the open for pickup *no earlier than 5pm the evening prior to the scheduled pick up day*, at such a place on the Lot as to..."

#### 2.25 Tree Removal

The following sentence is added to the end of the paragraph.

"Trees that are deemed to be dead and are no longer producing leaves, buds or similar evidence of viability do not need to approval of the Architectural Review Committee for removal from within a Lot."

#### 2.29 Miscellaneous

Paragraph b is deleted in its entirety and replaced with the following sentences:

"Adult or children's recreation/play equipment shall not be allowed to remain outside on any portion of the front or side of a Lot, or within the Common Areas overnight. No play equipment may be stored on public access areas and will be subject to the current local governmental rules and regulations regarding public access encumbrances and their removal. No play equipment, including, and without limitation, basketball backboards or hoops, or other equipment associated with adult or juvenile recreation, shall be attached in any manner to the front or sides of any dwelling."