

ARCHITECTURAL CHANGE/IMPROVEMENT REQUEST FORM

Complete **both** pages of this form; attach plot plan, drawings, photos' samples etc. and submit to:

Heatherstone Homeowner's Association, Inc. Board
200 Apples Way, Batavia, Ohio 45103

Please submit one form for each change or addition planned

Do not start this project until you receive written notice concerning this request. The Architectural Review Committee has 60 days to consider all requests. Every effort will be made to respond to your request as soon as possible.

Homeowners Name: _____

Property Address: _____

Phone Numbers: h- _____ w- _____ c- _____ Email: _____

I am requesting approval for the following change or addition: (please provide written description in addition to attachments. Attach additional sheet if necessary.) _____

GIVE A COMPLETE DESCRIPTION OF WHAT ARCHITECTURAL ALTERATION YOU ARE REQUESTING THE COMMITTEE TO APPROVE. Specify dimensions (including elevations), type of materials to be used, a sketch of the proposed design, colors (if applicable) and a plat of the property showing the change. Use additional sheets of paper and submit maps and/or plats as appropriate.

Type & Nature of Requested Improvement (diagram or picture of improvement required): _____

Color(s): _____ Dimensions: _____ Location: _____

Products to be used: _____

Estimated Construction Dates:

Start date: _____ Finish date: _____

If this request is an item that will be on your property line attach to a neighbor's property, provide approval from the owner of the adjoining property if this is a new non existing structure or item.

A PLAT MAP showing lot lines in relation to your unit and any easements on your lot with the location of all improvements must be submitted and attached to the application to show the exact location and dimensions in relation to your lot lines and unit location.

Conditions for Approval:

I(We) understand the rules concerning the proposed improvement. This improvement in no way encroaches on a neighbor's property or common ground.

I(We) agree to abide by the rules established by the Heatherstone Homeowners' Association, Inc. (hereinafter referred to as the Association) and will be solely liable for any upkeep required by this improvement. I(we) further understand I am to obtain all licenses and/or building permits and to meet all legal requirements for building codes.

I(We) agree to indemnify the Association against any and all acts or claims arising in connection with the Improvement, including, but not limited to, any and all acts, omissions, or claims arising in connection with the approval, construction, operation maintenance, repair, use, or removal of the Improvement, including attorney's fee and costs of litigation in connection therewith.

I(We) will be responsible for all future maintenance and repairs of the improvement or change resulting from this change or improvement. The Association will NOT be responsible any maintenance resulting from this improvement or change.

I(We) will be responsible for all repairs and/or damage resulting from this repair or improvement. In the event the construction of the requested improvement or change causes damage to any other property within the community, I will bear the full responsibility for that damage.

I(We) understand that all necessary permits and approvals from municipalities or other jurisdictions are my sole responsibility, and that the Association Board or Committee approval of this application in no way negates that obligation(s).

All applications, denied or approved, are further subject to the Association governing documents; Declaration of Covenants and Restrictions and By-Laws and Articles of Incorporation and/or Rules of the Association. **Any improvement which, although mistakenly approved by the Board of Directors and/or the Architectural Review Committee (hereinafter referred to as the ARC), is in contravention of a provision of the Declaration of Covenants and restrictions and By-Laws, and/or Rules of the Association or any governmental code, regulation, statute or ordinance is deemed denied regardless of the consent previously given and such consent shall not be a waiver of the Association's right to enforce said covenant, rule or regulation as if the request for the improvement had been denied.**

I (We) will contact the HHOA for a final inspection when the improvement or change is complete and I authorize entry onto my property for exterior inspection. Failure to notify the ARC or refusal to allow inspection shall result in the withdrawal of the ARC's approval of my request.

I(We) will be responsible for the Association's reasonable attorney fees and costs related to my failure to obtain approval or to properly complete the improvement regardless of whether my request or application is later approved.

If the improvement as built or completed does not conform to the improvement as approved by the ARC, upon written request of the ARC, I will at my own expense and cost, promptly correct any unapproved issues, or submit an additional request form to the ARC for review, which may ultimately be denied, and I will at my own expense, correct the issue.

HOLD HARMLESS ACKNOWLEDGEMENT

There shall be no liability on the Board of Directors, the Architectural Review Committee nor any authorized committee representative of the Association for any loss, damage or injury arising out of, or in any way connected with, the performance of the duties of the ARC.

I agree to hold harmless the Board of Directors and/or the Architectural Review Committee in their review of any matter submitted to such Committee. Neither the ARC nor the Board of Directors is responsible for passing on safety, whether structural or otherwise, on conformance with building codes or other governmental laws and regulations, nor shall any such Committee's approval of an improvement of property be deemed approval of such matters.

I (We) have read the Declarations of Covenants and Restrictions and By-Laws and the Rules of the Heatherstone Homeowners' Association, Inc. and understand my (our) obligations thereto.

THE UNDERSIGNED AGREES TO THE ABOVE CONDITIONS:

Owner's Signature(s):

_____ Date: _____
_____ Date: _____

Do not write below this line, for ARC use only

Architectural Review Committee Action:

Date Application Received _____

Approved as submitted _____

Approved subject to _____

Disapproved _____

Reason for Disapproval:

Signature: _____ Date: _____

(Heatherstone HOA Officer)

Approval of the improvement or change by the Association DOES NOT constitute approval by local governmental entities, including but not limited to local building or zoning departments; nor drainage design, nor structural soundness.