

Windbrooke Townhomes Association

C/O RS Fincher & Co., LLC

P.O. Box 1117

Apex, NC 27502

(919) 362-1460 ♦♦♦ Fax: (919) 362-1462

ARC Mission Statement:

The goal of the Architectural Review Committee (ARC) is to represent the common interest of homeowners (Owners) in achieving and maintaining architectural compatibility and continuity which will enhance the overall quality and value of the Windbrooke neighborhood. The ARC will strive to supervise compliance with the rules in a fair, reasonable and equitable manner, while maintaining the integrity and aesthetic quality of the community. The ARC shall be guided by the architectural vision of Windbrooke Townhome Association (HOA) as indicated in the Architectural Guidelines document which is based on governing documents including Articles of Incorporation and the Declaration of Covenants, Conditions and Restrictions (Declaration). The Declaration is filed with the Register of Deeds in Wake County. The Declaration runs with the land and is binding on all Owners.

As indicated in the Declaration, ARC approval must be obtained in writing by the Owner before any change is made to the exterior of the unit and/or to any change in landscaping.

Code of Conduct:

ARC members will be required to sign this Code of Conduct. All members will be expected to use their principles of reasonable judgment, fairness and respect when reviewing Owner's requests, or dealing with any Owner on any matter involved in the ARC process.

Responsibilities:

The ARC will be responsible for approval/disapproval of Owner requests for any and all exterior modifications by following the Architectural Guidelines. If the ARC makes a decision that is not consistent with the Architectural Guidelines, the Board has the right to review and possibly reverse the ARC decision. The ARC will strive for consistency when evaluating requests. While the Declaration allows for a 60-day approval turn-around, the ARC will do its best to accommodate shorter turn-around times, when possible. The ARC will also be responsible for post project evaluation.

ARC membership:

The ARC shall be comprised of five (5) volunteer homeowner members. The members must live in Windbrooke; must be in good standing with the Windbrooke Townhome Association and have no unresolved violations or unpaid charges to their account. There will be at least one representative from each area of Windbrooke – 1) Upper Windbyrne; 2) Middle Windbyrne; 3) Lower Windbyrne; 4) Upper Windward and 5) Windward Circle. The term of each member will be for one year. ARC members can be reappointed each year by the Board. Only one owner from one household can participate on the ARC. Should a member of the committee resign or become unable to serve, the Board shall appoint a replacement. The ARC serves at the will of the Board of Directors who may reconfigure the ARC at any time.

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Selection of Members:

Openings for the ARC will be announced via email and/or at an HOA meeting. Applications for the ARC can be emailed to the community management company or sent by mail to the address above. An interested candidate will provide a written statement to the Board as to why they feel they would be an asset to the ARC. The Board will vote on all candidates for the ARC. The criteria for selection will be relevant past experience and level of expressed enthusiasm, as well as a desire to work as part of a team. After the Board has voted, the applicants and the ARC will be notified by e-mail. The Board will appoint a chairperson for the ARC who will chair the ARC for one year.

Committee Organization & Meetings:

The ARC will hold a meeting as close to the beginning of the year as possible to meet each other and discuss the Architectural Guidelines. The ARC may choose to recommend ARC requests and conduct other business via e-mail and/or meet on an "as needed" basis to support their goals. An ARC member who has their own modification or modification of a relative before the ARC may not vote regarding the modification.

Processing ARC Requests

1. An ARC request begins with an Owner application that is sent to the community management company.
2. The community management sends the ARC request to the ARC.
3. The ARC review and discuss the request, and either approve or disapprove the ARC request. The ARC chair will forward all information, including the disposition of ARC requests to the community management, and will work closely with the community management to make sure that the Owner requests are processed in a timely manner. The ARC will further strive to keep communication open with the management company and alert them if there are any homeowner issues that might need the disapproval attention of the Board.
4. If the ARC request is approved, the community management informs the Owner.
5. If an application is disapproved (rejected), the written decision of the ARC must include an explanation of why the application was disapproved and cite the clause in the Architectural Guidelines as the basis for their decision. The community management will provide a description of the procedure through which the Owner may request reconsideration (appeal) of the decision. (*Civ. Code § 4765(a)(4).*) Appeals are heard by the Board.

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ARC Member: *I have read this description of the Code of Conduct and the Architectural Guidelines for Windbrooke. I agree to follow all rules therein.*

ARC member - Name Printed Date

Signature

Board President Date

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APPLICATION FOR SERVING ON THE

WINDBROOKE ARCHITECTURAL REVIEW COMMITTEE

Name: _____

Address: _____

Home Phone: _____ Cell Phone: _____

Email address: _____

Please explain why you think you would be an asset to the ARC: _____

Do you have any experience that would be helpful to this position? If so, please explain: _____

It is strongly recommended that you read the Architectural Guidelines posted on the HOA website or the community management company website so you are aware of the responsibilities of being a member of the ARC. A member must live in Windbrooke; must be in good standing with the Windbrooke Townhome Association and have no unresolved violations. The term of each member will be for one (1) year. ARC members can be reappointed each year by the Board. Only one owner from one household can participate on the ARC. The ARC serves at the will of the Board of Directors who may reconfigure the ARC at any time.

Signature _____

Print name: _____

Address: _____

Date: _____
