

**SILVER OAKS VILLAGE  
HOMEOWNER'S  
ASSOCIATION, INC.**

**ARCHITECTURAL REVIEW BOARD  
RULES AND REGULATIONS  
March 2, 2009**

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It has recently been noted that our Silver Oaks Village Homeowners Association, Inc. (hereinafter **SOVH**) and its predecessor entities commencing with the Declaration of Covenants and Restrictions of Silver Oaks Village at the Vines executed on or about July 9, 1990, and any and all amendments, revisions, and modifications thereto, up to, and including the present time do not make provisions for the creation of an Architectural Review Board, hereafter **ARB**.

Accordingly, your current SOVH Board of Directors has created an ARB with the goals of perpetuating in harmony the appearance and structure of all sixty-four (64) existing homes on a present as is basis with particular regard to maintaining uniformity and the aesthetic quality of all sixty-four residences and also to specifically comply with Florida Statute Section 720-3035.

**Members of Committee**

The ARB shall consist of three (3) members appointed by the Board and shall hold office until resignation, term expiration, or removal by vote of the Board.

**Review of Proposed Construction**

No building, fence, wall, or other structure or improvement including landscaping shall be commenced, painted, erected nor maintained within the Silver Oakes Village, nor shall any addition, change or alteration visible from the exterior be made, nor shall any awning, canopy or shutter be attached to or placed upon the outside walls or roofs of the buildings or other improvements until the plans and specifications demonstrating the nature, kind, shape, height, materials and location of same shall have been submitted to and approved in writing by the ARB. The ARB shall approve proposals or plans and specifications only when it deems the construction, alterations or additions contemplated and the locations indicated will not be detrimental to the appearance of the residences as a whole nor contrary in harmony with existing residences and structures. The ARB requires any application for Architectural Review and approval commence with submission of plans for approval including, without limitation, floor, site and drainage plans, elevations, drawings, and descriptions and/or samples of exterior materials and colors.

Upon receipt by the ARB of all required plans and specifications, the ARB shall have thirty (30) days after delivery of all required materials to approve or reject any such plans, and if not rejected within a thirty (30) day period, said plans shall be deemed approved. Any decision of the ARB may be appealed to the Board within fifteen (15) days from the date of the decision of the ARB.

### **Meetings of the ARB**

The ARB shall meet as necessary to perform its duties. The vote of any two (2) members of the ARB shall constitute an act of the ARB.

### **Compensation of ARB Members**

Members of the ARB shall not be compensated for services rendered other than reimbursement for expenses incurred by them in performance of their duties hereunder. The ARB shall have the power and authority to engage the services of professionals for compensation for purposes of aiding the ARB in carrying out its function.

### **Inspection of Work**

Inspection of work and correction of defects shall proceed as follows: Upon completion of any work for which approval plans are required herein the applicant shall give written notice of completion to the ARB. Within sixty (60) days thereafter, the ARB and/or its duly authorized representative may inspect such improvement and if the ARB finds such work was not performed in substantial compliance with the approved plans it shall notify the applicant, in writing of such, specifying the particulars of non-compliance and shall require the applicant to remedy same.

On the expiration of thirty (30) days of such notification the applicant has failed to remedy such non-compliance, the ARB shall notify the Board in writing of such failure. The Board shall then determine whether there is a non-compliance, and if so, the nature thereof, and the estimated cost of the correction or removing same. If a non-compliance exists, the applicant shall remedy or remove same within a period of not more than forty-five (45) days from the date of the announcement of the Board ruling. If the applicant does not comply with the Board ruling within such period, the Board at its option may either remove the non-complying improvements or remedy the non-compliance and the applicant shall reimburse SOVH upon demand for all expenses incurred in connection therewith. If such expenses are not promptly paid by the applicant, the Board shall levy a personal assessment for non-compliance against the applicant for reimbursement.

### **Non-liability of ARB Members**

Neither the ARB nor any member thereof, nor its duly authorized ARB representative, shall be liable to SOVH or any member or any other person or entity for any loss, damage, or injury arising out of, or in any way connected with the performance or non-performance of the ARB duties hereunder unless due to the willful misconduct or bad faith of a member and only that member shall be liable therefore.

The ARB shall review all plans submitted on the basis of aesthetic considerations and the overall benefit or detriment which would result to the immediate vicinity and to the property taking into consideration the overall aesthetic aspects of the architectural designs, placement of buildings, landscaping, color schemes, exterior finishes and materials and shall not be responsible for

reviewing nor approval of any plan or design from the standpoint of structural safety or conformance with building or other codes.

**Attorney's Fees**

For all purposes necessary to enforce the ARB authority, SOVH shall be entitled to collect reasonable attorneys' fees, court costs, and other expenses against the member/applicant, whether or not litigation is instituted and the Board may assess such amounts in the form of the personal assessment for non-compliance.