

Approved by ACC
Adopted by POA B.O.D.

September 10, 2015
October 19, 2015

ARCHITECTURAL CONTROL COMMITTEE
RULES

Emory Creek Ranch Property Owners Association

State Hwy 248 and Emory Creek Blvd
Branson, MO

OCTOBER 19, 2015

INTRODUCTION

Protective covenants and restrictions serve to ensure that subdivisions are aesthetically pleasing and help property values stay as high as possible by requiring all property owners to follow the same set of rules. Protective covenants and restrictions for Emory Creek Ranch titled the Declaration of Covenants, Conditions and Restrictions for Emory Creek Ranch (hereafter the "Declaration" or "CCRs") were recorded by the Developer in the office of the Taney County Recorder.

The Architectural Control Committee ("ACC") is appointed by the Board of Directors to monitor and enforce compliance with the CCRs. Committee members must own property in Emory Creek Ranch.

Pursuant to the authority provided by the CCRs, the POA Board of Directors may adopt, amend, and repeal Rules. **These Rules in no case may make the Declaration LESS restrictive.** Rules may be updated periodically. Please check with the POA for the most recent edition.

The ACC has the authority to issue two types of permits: 1) a construction application for new construction homes and 2) a project permit for exterior structures and other projects requiring prior ACC approval (See CCRs Article VI, Section 6.2).

The ACC is not responsible for technical design accuracy, quality of workmanship, or conformance with building or other codes. In the event that these Rules conflict with those of government authorities, the stricter of the rules and regulations will apply.

The Board and ACC acknowledge that every situation is different, that any set of rules cannot contemplate every circumstance, and that any written document cannot address every possible contingency. ACC members exercise their best judgment to see that all improvements, construction, landscaping, and alterations on properties in the subdivision conform to and harmonize with existing surroundings and structures. All questions concerning the CCRs or this document should be addressed to the POA Board or ACC.

The Rules published herein shall have the same force and effect as if they were set forth in and were part of the Declaration and may be enforced in the same manner as any violation of the Declaration.

PURPOSE

The purpose of this document is two-fold:

- 1) to incorporate into one document a record of the changes to the CCRs made by the Developer prior to January 2011, and
- 2) to document ACC policies and practices established to supplement and support the Declaration. These Rules are intended to provide guidance to current and future ACC members thereby ensuring consistency in applying the CCRs from year-to-year despite changes in Committee and Board members.

ARCHITECTURAL CONTROL COMMITTEE RULES

The following Architectural Control Committee Rules supplement and support the protective covenants and restrictions outlined in the Declaration (CCRs). These Rules document established ACC policies and practices.

BE SURE TO READ THIS DOCUMENT ALONG WITH A COMPLETE COPY OF THE CCRs.

**PROJECTS APPROVED BY THE ACC AND COMPLETED PRIOR TO THE DATE OF BOARD ADOPTION OF THESE RULES
NEED NOT BE REVISED TO COMPLY WITH RULES STATED HEREIN.**

SEWER SERVICES – SECTION 3.5

Ozarks Clean Water Company no longer provides sewer services for the subdivision. This responsibility was transferred by the Developer to the Emory Creek Ranch Property Owners Association in October 2009. At the same time, the Developer set sewer fees at a flat rate of \$40.00 per month.

For all new construction, the sewer system on each lot in all Phases of the subdivision except Phase 6 shall utilize a Septic Tank Effluent Pumping (STEP) system with a minimum 1,500 gallon STEP tank, sewage effluent pump, and corresponding control and alarm panel (or equivalent system). The Owner of each lot shall be responsible for payment of the cost (including installation) of the components of the STEP system on the Owner's lot, including the collection line running to the street.

EXTERIOR FINISH MATERIAL / COLORS – SECTION 5.1

EXTERIOR STRUCTURES – SECTION 1.14

ROOFS - SECTION 5.25

Complementary color schemes can add value to the community which helps to retain current owners, attract new owners, and showcase the community as a desirable place to live.

All exterior finish materials and color schemes require ACC approval prior to installation.

Exterior finish colors for siding and trim shall be natural tones such as tans, grays, and browns. Subdued gray-green, gray-blue, and other softened shades of traditional residential colors may be considered.

Any contractor or home owner, desiring to do exterior home maintenance painting or siding replacement that involves a change to the existing color scheme shall obtain approval from the ACC prior to painting or siding replacement.

The same color requirements shall apply to Exterior Structures as defined by the CCRs in Article 1, Section 1.14 which includes, among other things, decks, outbuildings, retaining walls, storage sheds, playhouses, swing sets, and other play structures.

Roofing shingles shall be shades of brown, grey or black as approved in advance by the ACC. Metal, tile, slate, and wood shake roofs will not be approved.

FENCES – SECTION 5.18

This section is intended to elaborate on the requirements and specifications for fences within the subdivision. All conditions of 'Section 5.18 – Fences' of the CCRs continue to apply.

Fenced areas adjoining houses shall be used to conceal above-ground propane tanks and may be used to conceal trash cans, trailers, wheelbarrows, yard carts, grills and other similar yard items from the View from Neighboring Properties and/or the street. A project permit shall be reviewed and approved by the ACC prior to installation of fences regardless of size.

All fences shall be constructed of wood or composite fence materials that look like wood such as those manufactured by Trex. Pickets (the vertical boards) shall be dog-ear style (no pointed ends), 6 feet high, and constructed in a shadow-box design. Wood fences shall be finished with a natural wood-tone stain or sealed.

Fences may be placed on property lines (front lot line excluded) or set back three feet or more from the property lines. When placed on property lines, a professional staked survey is required.

PROPANE TANKS - SECTION 5.35

In 2009 the Developer relaxed the CCR requirements concerning propane tanks to allow above ground propane tanks provided they are concealed behind a fence that is in compliance with Section 5.18 of the CCRs.

Small propane tanks located behind the house may qualify for an exception depending on the location of the lot and View from Neighboring Properties. ACC approval is required.