

RAINTREE LAKE PROPERTY OWNERS ASSOCIATION ARCHITECTURAL REVIEW BOARD GUIDELINES FOR ARCHITECTURAL CONTROL

The Architectural Review Board of the Raintree Property Owners Association has been charged with the responsibility of preserving and enhancing property value at Raintree. The Board meets this responsibility by the following actions:

- 1) Approval of plans and specifications of all proposed new construction at RAINTREE.
- 2) Approval of plans and specifications for all improvements of property at RAINTREE.
- 3) Determination that grounds and building maintenance at RAINTREE are satisfactorily performed.

No new construction nor improvements to an existing structure may be initiated without approval of the Architectural Review Board.

While legal documents of the Raintree Property Owners Association permit up to thirty (30) days for approval or rejection of submitted plans, the Board has established ten (10) working days as a goal for completion of the review process.

All applications for construction and/or improvements to lots, multi-family residential units and/or commercial units shall have all assessments, fines and/or liens paid to date before construction and/or improvement application shall be placed on the Architectural Review Board agenda.

The application of this policy with regard to Article VII, Section 4, of the Covenants and By-laws of the association shall not affect the thirty (30) days ARB limit.

NEW CONSTRUCTION APPROVAL

To maintain the quality of RAINTREE, certain criterion for new homes has been established by the Architectural Review Board. This criteria for new homes may vary between specific areas within RAINTREE and may change from time to time within a specific area but will always be set in a fashion to maintain a quality residential atmosphere.

GENERAL RAINTREE REQUIREMENTS FOR NEW HOME CONSTRUCTION

The general Raintree new home requirements are set forth below:

Square Footage

All sections of single-family residences at RAINTREE have minimum square footage areas which will vary by type of home.

- (A) Split level homes or split foyer with garage under (side to side) shall have a minimum of 1,200 square feet on the ground and above the garage area, combined. It shall have an additional 250 square feet of finished living area either finished above or below the primary living area. Primary meaning area finished over the garage and area opposite garage, a total of 1,450 square feet with not less than a two-car garage. The primary structure, not to include wing or walls or overhang porches or decks shall have an overall length of not less than 46 feet.
- (B) Two-story houses must have 800 square feet on the first floor and at least 1,400 square feet on both levels with an attached garage or carport.
- (C) Ranch type homes shall have at least 1,200 square feet with an attached garage or carport.
- (D) Ranch type homes with drive under garages shall have at least 1,400 square feet.

The words (for enclosed floor area) as used herein shall mean and include areas of the residence enclosed and finished for all year occupancy, computed on outside measurements of the residence, and shall not mean or included any patio area, basements, garage, porches or attics. A residence containing less than the minimum enclosed floor area provided herein may be erected on any of said lots with the written consent of the Architectural Review Board, it being intended that the foregoing shall serve as a guide for the Board's consideration.

Garages

Each residence shall have an attached or basement private garage for not less than two (2) nor more than three (3) cars. The

driveway on each lot shall contain sufficient paved area for the off-street parking of at least two cars. All garages must be equipped with doors which shall be kept closed as much as practicable to preserve the appearance of the elevation of the house fronting the street.

Frontage

To maintain and promote a quality appearance to new construction in Raintree, a minimum of thirty percent (30%) of the total frontal (street elevation) area of the home shall be of one or more of the following materials: stucco, brick, stone, rock or other masonry products. The balance of material may be wood lap siding, grooved sheathing or a board and baton composition.
Approved 1995

Colors

Outside colors will generally be subdued and consistent with those of the community. *Amended March 24, 2005*

Plans and Specifications

To properly review new construction proposed for RAINTREE, the Board has established the following types of plans and specifications which must be submitted for approval in duplicate.

(A) Blueprints will be of professional quality and drawn to a scale of not less than one-fourth (1/4) inch to a foot.

(B) The following blueprints will be submitted for each element of new construction:

- (1) Front elevation
- (2) Rear elevation
- (3) Side elevation
- (4) Floor plan of each floor
- (5) Foundation plan

(C) Specifications of major building materials (exterior)

(D) A plot plan prepared by a registered surveyor will be provided which identifies:

- (1) House and driveway placement on lot
- (2) Location of easements
- (3) Location of proposed fences
- (4) Existing and proposed grades

NOTICE: A SAMPLE PLOT PLAN IS AVAILABLE FOR STUDY AT THE RLPOA OFFICE.

It is highly recommended that the builder, representative or owner be present at the Architectural Review Board meeting when submitting plans for approval.

Completion of Structures

No lot or land may be improved, used or occupied for purpose other than as provided by applicable zoning laws and the restrictions filed of record in relation thereto.

Uncompleted Structures

No building shall be permitted to stand with its exterior in an unfinished condition for longer than five (5) months after commencement of construction. In the event of fire, windstorm, or other damage, no building shall be permitted to remain in a damaged condition longer than three (3) months. No building shall be occupied until the exterior shall have been completed, nor until the landscaping, as approved by the Architectural Review Board, shall have been completed or other arrangements for

completion shall have been approved by the Architectural Review Board.

Area and Width

No residential structure shall be erected on any building plot which plot has minimum lot width in size less than that shown on the recorded plat.

Temporary Structures

Temporary shelter is allowed so long as it is only visible during setup, duration and cleanup of an activity not to exceed seventy-two (72) hours. (Note: This will allow EZ Up Tents and other temporary cover).

All residences and other buildings shall be of initially new construction. No building shall be moved onto any lot or other tract of land.

Amended March 24, 2005

Detached Structures

The Architectural Review Board has determined that detached structure or outbuilding lessens the integrity of the RAINTREE community. No detached structures or outbuildings will be approved except dog pens and play houses which meet the required specifications.

Improvement of Existing Structure or Grounds

The Architectural Review Board must have sufficient information with which to evaluate proposed improvements to existing structures in RAINTREE prior to issuing approval for the commencement of the improvements. All requests for improvements of existing structures will be made to the Board by means of a completed improvements Permit Application, together with the necessary additional information called for below and for each type of improvement.

General Requirements for All Improvements

The applicant shall submit:

- (1) Two (2) copies of a plot plan showing the location of the proposed improvements on the lot, existing grades at the nearest property line with proposed finish grades as applicable to the improvement.
- (2) Two (2) copies of front, rear and side elevations with floor plan structural cross-sections where applicable. Plans or specifications should indicate the type of materials and the color of the exterior.

Rules and Guidelines for Home Additions/Remodels

(1) Any exterior changes or alterations must be submitted and approved by the Architectural Review Board herein referred to as ARB.

(2) Summit Zoning Board Application (copy) must be attached.

(3) Multiple applications may be required depending on changes made.

(4) In the event the Owner shall initiate construction or any improvement or alteration, without prior written approval of the ARB, per "Enforcement of ARB Violation Fines and Structure" Section (b), the member will be assessed a fine of \$200.00. Section (d) states: Upon receipt of the citation either by mail or in person, the member shall cease construction or improvement and Section (f) have ten (10) days following the date of the notice to submit a request of the ARB for review and approval of construction and Section (i) Should the member continue the work in progress without approval or without submission of an application the member will be fined at the initial rate of \$25.00 per week to begin fourteen (14) days following the date of the original notice. This \$25.00 per week fine shall continue each week for a four- (4) week period with notice of each weekly violation. Section (j) Following said four- (4) week period, the rate may increase to the sum of \$50.00 per week to a maximum of \$2,000.00 in total fines.

(5) No building shall be permitted to stand with its exterior in an unfinished condition for longer than six (6) months after commencement of construction. Landscaping or sod is required when ground disturbance is greater than ten percent (10%) in front and/or twenty-five percent (25)% in back/or side(s) of yard.

(6) Storage of dirt and/or building materials on the Common Ground is not permitted. Any use of the adjoining lot must be authorized by the lot owner prior to use.

(7) Any abuse to the Common Ground and/or adjoining lots or building during construction shall be corrected within five (5) working days of notification including grading and sodding.

(8) The owner shall comply with the City of Lee's Summit Ordinance governing erosion control.

(9) The owner agrees to maintain the lot reasonably free of papers, trash, all unusable wood and building debris.

(10) The Board of Directors may approve an extension, based on case-by-case basis. *Board approved on August 12, 2008*

Landscape Improvements

Landscape improvements are considered to be terraces, retaining walls, unusual vegetation covering or dense shelter belts, walks, detached patios or cabanas, etc.

Applicant shall submit:

- (1) Two (2) copies of plot plan showing the location of the proposed improvements on the lot, existing grades at the nearest property line with proposed finish grades as applicable to the improvement.
- (2) Two (2) copies of additional plans as required to evaluate the appearance of the improvements and type of construction including the type of material used, the color of the finished improvement and the type of vegetation, if any.

Fences

Applicant shall submit:

- (1) Two (2) copies of plot plan showing the location of the entire proposed fence on the lot with relation to the lot lines and the outline of the home.
- (2) Two (2) copies of additional plans as required to evaluate appearance and type of construction of the fence including type of material and finished color.

ARCHITECTURAL GUIDELINES

The Architectural Review Board has established the following guidelines for specific types of construction and improvements at RAINTREE.

BUILDING ALTERATIONS, ADDITIONS, AND DETACHED STRUCTURES

General Policy

Any addition to an existing building, any exterior alteration, or change in an existing building, or any new detached structure must have the approval of the Architectural Review Board before any work is undertaken. Examples of such projects include a deck, fireplace, fence, etc.

Any addition, exterior alteration, or change to an existing building shall be compatible with the design character of the original building. Any new detached structure shall be compatible with the parent structure.

Awnings

Awnings, as a general rule, are not felt to enhance the aesthetic qualities of a community and are therefore discouraged by the Board. Exceptional interest in awnings, on the part of a majority of residents, may be considered by the Architectural Review Board, however.

The Board, in its meeting of April 27, 1992, approved the following set of guidelines for commercial marketing activities by developers or builders:

- (1) One (1) awning would be permitted on one (1) model home.
- (2) The duration of the permit for the awning would be six- (6) months and could be renewed upon written request for an additional six (6) month period.
- (3) Size and color of the awning shall be approved by the Architectural Review Board.
- (4) The awning shall only be attached to the home and shall not extend a distance in excess of three (3) feet from the home.
- (5) Any decorative fencing in the front of model homes, shall similarly be temporary and done pursuant to size and standards to be propounded by the Board.

Materials and Color

Only the exterior material existing on the parent structure of compatible with the architectural design character of the community will be approved. Exterior color changes will be approved only if the proposed color is in harmony with the other existing homes in the community or if the color is similar to colors originally employed by the community.

Roofs

All roofs will be of wooden construction unless otherwise approved by the Board.

It is suggested that dormers have sufficient slope to accommodate wood shingles.

No flat roofs will be constructed without approval by the Board. It is generally believed that flat roofs do not enhance the appearance of structures.

Roofs of the following composition materials and colors are considered acceptable, subject to approval through the Architectural Review Board submittal process: GAF Timberline-Ultra in Weathered Wood Color; Tamko Heritage in Weathered Wood Color; Elk Premium in Weathered Wood Color; High Siera in Weathered Wood Color; Owens Corning Oakridge 40 Deep Shadow in Driftwood, Amber, Desert Tan, Brownwood, Teak, Onyx Black, Estate Gray, Quarry Gray, Sierra Gray, Colonial Slate, Harbor Blue and Terra Cotta Colors, all with the 40 year warranty or better. Also exposed brown metal valleys and Mfg. enhanced ridge or double layer single ridge. Malarkey's Legacy laminate shingle in Natural Wood or Weathered Wood color. *Approved June 14, 2005. Amended December 8, 2009*

Tile Roof

Roofs made of slate, tile, concrete or ceramic composition may be approved by the Architectural Review Board if compatible in color with existing roof colors in the subdivision and if the style of the roof is consistent with the architectural design of the house. The Board encourages colored slate to be in gray, weathered wood or generally a color in harmony with other existing homes in the community. The material used in the roofing, if consisting of concrete or ceramic, shall have a slate or barrel design in the above-specified colors. The Board recommends the material be a forty- (40) year warranty equivalent to Westile, Life Tile, Vostile or other approved equal.

Gerard Stone-Coated Steel Roof

Or the equivalent of 26-gauge galvalume steel, coated with corrosion inhibitors, epoxy primers, and other protective layers, earth-stone granules. Colors: Timberwood, Slate Gray, English Suede, Windsor, Barclay, Terra Cotta, Mahogany, Driftwood, Ironwood, Chestnut, Cyprus, Coronado, Barcelona. *Approved March 8, 2005*

Vinyl Siding

New home or replacement vinyl siding shall be embossed wood-grain or smooth finish in subdued color (Glacier White and Snow White are not allowed). Profile to be vertical, flat tongue and groove-type appearance. Horizontal, simulated lap siding is not allowed (except on a case-by-case basis, and then with a maximum total width of 10'-0" for very limited use in ridge or accent areas). At the present time, Wolverine vinyl siding "Perimeter" series and Alside "Charter Oak" series are the only manufacturers and lines presently approved. Vinyl soffits may use the Wolverine "Restoration Beaded Triple 2" or "Universal Soffit Triple 4" or the Alside "Invisible Ventilation" Series. Other manufacturers may be considered for approval as long as the following minimum specifications are met:

- Panel lengths; minimum 8'-0". Properly sealed box channels may be used for breaks in material at similar locations where the typical wood (Masonite, etc.) siding is abutted. Butting or lapping of panels is not acceptable. Trim to match siding in color and material. Window frames may be wrapped in same material.
- 4"- 6' vertical profile with recesses; grooves a min of .438".

- Warranty lifetime transferable.
- Siding to be not less than 44-mil thickness.
- Trim to match siding in color and material.
- Window frames may be wrapped in same material.
- Materials to meet: ASTM D-3679 standard for Rigid Polyvinyl Chloride.
- ASTM D-1435 standard for weathering.
- ASTM D-659 standard for acceptable chalking.
- Tensile strength 7,344 psi.
- E84 fire test rating.
- Deflection temperature 168° F.
- Color shall be throughout material.
- Sealants used to be silicon based and color matched.

Installation to be by a bonded and insured installation company, certified in writing by the manufacturer, and shall be in conformance with The Society of the Plastics Industry, and written manufacturer's instructions.

Installation must be complete with associated weatherproof end and corners closures, etc.

Vinyl siding will not be allowed on the front elevation (street side) of a new home. These should consist of the following; brick, stone, stucco, synthetic stucco, painted lap siding with a minimum of thirty percent (30%) being masonry. Vinyl siding is discouraged for use as replacement siding on the front of existing homes but will be considered on a case-by-case basis.

Prior to any siding being installed, homeowners or builders must submit for approval to the Architectural Review Board. Included in this submittal shall be manufacturer's literature, including detailed specifications, an actual piece of the material to be used, showing profiles, and color and certificate from the installer showing that the contractor who will be installing this siding is approved, bonded, insured, etc. Sketches, showing the home's elevations and indicating the location of any breaks in the material.

Fences, Walls and Screens

The Architectural Review Board's goal is to keep all fencing or screening as harmonious as possible with the architectural character of the community. Any fence or screen must have the approval of the Architectural Review Board before installation is undertaken.

No fence or screen will be approved if this installation will obstruct sight lines for vehicular traffic. Undue obstruction of view of lake or other amenities from adjoining property will be taken into consideration by the Board when reviewing fences for approval.

In general, fences shall not be nearer to the front of the structure than the rear foundation line of the structure. The Architectural Review Board may permit, as an exception, fences not closer than twenty-two (22) feet from the front foundation line in order to permit uniformity with fencing on adjoining lots or for unique circumstances with regard to access or need for fencing on that particular lot.

Fences may be privately installed but must be constructed to professional levels of quality. Nonprofessionally installed fences will be inspected by a representative of the Board after completion to insure that the final product is of professional quality, and final approval of the fence is withheld until successful completion of this final review.

Materials and Finish for Fences

- (A). Wood fencing or screening will be approved if the design is in conformity with the architectural design of the community.
- (B). The Board will not approve an application for the installation of chain link or other galvanized-metal fencing unless it has wood posts and rails.
- (C). All fencing or screening should preferably have finish material on both sides. If only one side has finish materials, that

side must face the public side of the individual lot. The Board recommends rail or picket-type construction. Recommendations include: 1) 48" wood picket with 2-3" spacing between pickets 2) 48" aluminum (either black or white) with spacing between spindles 3) 48" welded steel (either black or white) with spacing between spindles 4) 48" vinyl (white) with spacing between pickets. Shadow box style fences are allowed on arterial roads only. Any variation other than the above will be reviewed on a case-by-case basis. *Board amended July 26, 2006.*

(D). Walls above grade should be constructed of natural stone, masonry, or attractive lumber.

Height Restrictions for Fences

The Board believes that the environmental integrity of the community will be materially lessened if the open nature of the community is damaged by a proliferation of fences of excessive height. The Board will give consideration to a variance in this height limit where the rear line of a lot abuts a major arterial roadway or in other clearly-unique circumstances.

Arterial roadways in RAINTREE have been defined as Ward Road, Missouri 150 Highway, Raintree Parkway, Raintree Drive and Cole Younger Drive.

The Board encourages use of six (6) foot fences around the smaller patio area of the back yard of homes to secure privacy of the immediate patio area while permitting the feeling of spaciousness throughout the open area and back yards of homes. The specific fence height restrictions are set forth below:

(A) Property fencing and walls above grade shall not exceed four (4) feet above grade.

(B) The Board will not consider for approval any proposed fence which exceeds four feet in height unless the rear line of that lot abuts a major arterial roadway or offers some other circumstance clearly unique to that lot.

(C) Patio screens shall not exceed six (6) feet in height.

(D) Fences with wood posts and rails with galvanized wire fencing on the inside are acceptable.

LANDSCAPING AND PLANTING

Landscaping and planting, for existing homes, in general does not require the approval of the Architectural Review Board. *Amended March 24, 2005*

Trees, hedges, and shrubs, which restrict sight lines for vehicular traffic shall be cut back or removed. Shrubs should not be permitted to unduly restrict the view of the lake or amenities from other property.

Special landscaping beyond that normally associated with a single family residence must be approved by the Board prior to its installation.

Decorative trellis and landscaping borders of a fence-like appearance may be installed in front of the foundation line of a residence upon approval by the Architectural Review Board so long as said construction:

(a) Is no greater than thirty-six (36) inches in height.

(b) Is no more than thirty-six (36) feet in length.

(c) Does not entirely enclose any area of the yard so as to constitute fencing.

(d) Is limited to a border or trellis of approved materials, including split rail, wrought iron, or other approved materials not to be of chain link or coated-wire mesh.

(e) Is in conformity with the architectural design of the home and community.

(f) Does not unduly restrict the view of the lake, amenities or other properties and shall not be of solid stockade-type construction.

Full sodding of the entire lot is required for all single-family residence after outside of home is completed.

Exterior Antennas

No television or radio antennas may be erected by any unit owner upon any lot or exterior of a dwelling. The Architectural Review Board has determined that inside attic antennas are technically sufficient to serve residents at RAINTREE and recommends use of these antennas. The Board will not approve a request to install or erect a television or radio antenna on the

exterior of a dwelling.

Wind Turbines, Solar Panels, Weather Stations

Wind turbines, solar panels and weather stations shall be considered on a case-by-case basis before the Board of Directors.
Approved September 8, 2009

Satellite Installation Guidelines

The following guidelines and recommendations were approved by the Board of Directors on September 10, 1996. Amended May 11, 2004

- (1) The diameter shall be no larger than one (1) meter (39 inches).
- (2) No satellite dish shall be installed on Common Ground property.
- (3) The preferred location, allowing for good reception, is the back yard within close proximity of the dwelling.
- (4) The installation should be as unobtrusive as possible and landscaping is suggested to screen the satellite dish so as to maintain some aesthetic qualities.
- (5) Satellite dish shall not be higher than twelve inches (12") above the roofline.

If you have any questions regarding installation, please contact the Architectural Review Board.

Swimming Pools

Permanent-type, back-yard swimming pools must have the approval of the Architectural Review Board before any work is undertaken. Permanent, back-yard swimming pools will be approved by the Board only after careful consideration of the potential effect of such a pool on neighboring property.

Temporary swimming pools above grade having a depth less than twenty-four (24) inches require no such approval.

An application for the construction of a permanent-type, back-yard swimming pool will not be considered unless the application is accompanied by an application for an acceptable fence design. The design shall conform to county or municipal regulations for such fencing. Use of planting in the vicinity of the pool is recommended to soften the effect of sound on adjacent property.

All pool construction should be submitted to the City of Lee's Summit Zoning Board for approval before submitting to the Architectural Review Board.

A swimming pool, spa or other pool of water greater than twenty-four (24) inches in depth shall be separated from adjoining property by a fence at least four (4) feet in height provided with gates which shall be kept locked when the pool or spa is unattended.

Spas, hot tubs, jacuzzis and yard pools must have the approval of the Architectural Review Board before any work is undertaken. The application for such structure will not be considered unless the application is accompanied by an application for acceptable fence designing. The design shall conform to municipal regulations for such fencing. The structure will be approved after careful consideration of the effect on neighbors and property.

Driveways and Patio

Extensions, widening, or rerouting of existing driveways must have the approval of the Architectural Review Board before any work is undertaken.

Parking Pad Guidelines

Minimal parking pads will be considered on a case-by-case basis for approval if the following requirements are strictly adhered to:

1. No free-floating pads will be approved (ie. not attached to existing or proposed construction).
2. The pad must be attached to adjacent slab.
3. Visual screening must be provided (ie, berm, landscaping, etc.)

4. Approximate size must not exceed 8' x 20'.
5. Project or additional work must be approved by the ARB prior to installation to avoid fines. *Amended March 24, 2005.*

Retaining Walls

Any retaining wall must be approved by the Architectural Review Board before installation is initiated.

Retaining walls which divert ground water onto adjoining properties or which otherwise substantially change the existing drainage pattern will not be approved.

Detached Structures

The Architectural Review Board has determined that detached structures or outbuildings lessens the integrity of the RAINTREE community. No detached structure or outbuildings will be approved except dog pens and play houses which meet the required specifications.

Play Equipment

Children's play equipment such as sandboxes, temporary swimming pool having a depth less than twenty-four (24) inches, play houses and tents shall not require approval of the Architectural Review Board provided that such equipment is in good repair (including painting), and every reasonable effort has been made to screen or shield such equipment from view. Equipment higher than fifty-two (52) inches shall require approval as to design, location, color, material and use. Play houses shall not exceed twenty-four (24) square feet and shall not exceed fifty-two (52) inches in height at roof peak. No shed-type roofs will be approved. Play houses shall be of wood material. No metal playhouses will be approved.

Dog Pens

Dog pens or runs may be approved provided they adjoin the rear of the house with the axis, parallel to the rear of the house, not to extend further forward than the rear foundation line of the house and not to extend more toward the side lot line than the rear corner of the house, and is otherwise compatible with standards applicable to fences. The Committee recommends wood posts and all fencing shall be wood on three sides. Pens shall be adjoining the house and the Committee will not approve an application for installation of chain link or other galvanized metal fencing.

The aforesaid pen shall be a maximum of six (6) in width and a maximum of twelve (12) in depth from the rear foundation line of the house. The base shall consist of at least four- (4) inch reinforced concrete with a one- (1) foot drainage ditch containing gravel fill adjoining the base. There shall be no cover on top of the structure. The owner will be responsible for policing of the aforesaid area to insure compliance with nuisance and sanitation standards.

Miscellaneous

Exterior lighting shall not be directed in such a manner as to create an annoyance to adjacent property.

Trash and/or yard waste containers shall not be permitted to remain visible from the street except on resident's day of trash collection. If necessary, these containers may be placed at the curb AFTER DARK the night before collection. Storing of trash and/or yard waste containers (full or empty) shall not be permitted to remain where they are visible from the street at any time. Violations of these rules will result in a warning for the first offense and a fine of \$10.00 for each succeeding violation. Each day may be deemed to be a separate offense. *Amended by the Board of Directors September 14, 2004.*

Garage doors shall be kept closed except during times of actual use of the garage facility.

Collapsible and removable **clotheslines** will be permitted by the Board. Permanent clotheslines will not be approved.

PROJECTS NOT REQUIRING ARB APPROVAL (ADDED 3/17/07)

The ARB and RLPOA Board deems that the following projects may be started and completed in a timely fashion without the need for prior ARB approval.

Doors/Windows/Skylights

1. Exact replacement of doors, windows and skylights.
2. Replacement of wood garage doors with aluminum or steel garage door, so long as the color of the new doors remains the same color as the doors being replaced or white.
3. Replacement of rotted wood around windows with wood or current acceptable material that resembles wood in appearance.
4. Installation of front or back storm door in black, almond, or white.

Guttering

1. Replacement of guttering and repair of soffit with exact same material. Installation of Gutter Cover.

Fences

1. Removal of existing fences, patio privacy screens, slatted sun covers, arbors and play equipment.
2. Hidden fences that are below ground.
3. Exact replacement and repair of existing fences, providing that the height, type, color, material and location of the fence does not change with the exception for non-conforming fences or encroachment of common ground.
4. Staining of natural wood color.

Satellite Dish

The following guidelines and recommendations were approved by the Board of Directors on September 10, 1996. Amended May 11, 2004. Amended March 17, 2007.

1. The diameter shall be no larger than one (1) meter (39 inches).
2. No satellite dish shall be installed on Common Ground property.
3. The preferred location, allowing for good reception, is the back yard within close proximity of the dwelling.
4. The installation should be as unobtrusive as possible and landscaping is suggested to screen the satellite dish so as to maintain some aesthetic qualities.
5. Satellite dish shall not be higher than twelve inches (12") above the roofline.
6. High definition antennas must be mounted to dish or in attic.

If you have any questions regarding installation, please contact the Architectural Review Board.

Spas, hot tubs, Jacuzzis and temporary swimming pools with depth less than 24 inches.

1. Spas, hot tubs and Jacuzzis with locking lid that is placed on deck or patio.
2. Temporary swimming pools with depth less than 24 inches.

Sun Covers

1. Installation of portable metal and canvas suncovers providing the portable canvas suncover is not installed on the deck or patio before March 1 and must be removed by November 1 and is kept in good repair. Solid earth tone colors only. Must be placed on deck or patio or will be defined under the "temporary structure" rule in guidelines.

Landscaping and Planting

1. Landscaping and planting, for existing homes, in general does not require approval.
2. Special landscaping beyond that normally associated with a single family residence must be approved by the Architectural Review Board. Example retaining walls that could not be laid by hand and are greater than 36" in height or more than 36' in length.

Closed Records Policy

Resident Files: All resident files, including but not limited to, phone numbers, bank account information, violations, assessment balances and legal proceedings that have not been recorded.

Legal Correspondence: Legal actions, causes of action, litigation and any confidential or privileged communications between association representatives and its attorneys.

Pending Purchasing Files: Specifications for competitive bidding, until either the specifications are officially approved or the specifications are published.

Sealed Bids: Sealed bids and related documents, until the bids are opened; and sealed proposals and related documents or any documents related to a negotiated contract until a contract is executed.

Leasing or Purchase of Real Estate: Where public knowledge of the transaction might adversely affect the legal consideration during negotiations.

Personnel Files: Hiring, firing, disciplining or promoting of particular employees when personal information about the employee is discussed or recorded. "Personal information" means information relating to the performance or merit of individual employees. This exemption shall not apply to the names, positions, salaries and lengths of service.

Financial Records: Excluding Final Audit Report and Budget/Actual. Financial records requests will be submitted in writing with purpose and intent of usage, binding with affidavit, on a case by case basis, to be reviewed and determined by the Board of Directors.

Executive Session Minutes: Exec sessions encompass legal issues, personnel issues, negotiations of real estate, which if made public would adversely affect the ability of the Board to negotiate.

Professional Services/Consultants: Where public knowledge of provided services might adversely affect the legal consideration during negotiations and/or confidential or privileged communications between association representatives and its auditor. All final audit reports issued by the auditor are to be considered open records. *Board approved July 8, 2008*

ENFORCEMENT OF GUIDELINES FOR ARCHITECTURAL CONTROL

Means of enforcement of RAINTREE'S Architectural Control Guidelines are provided by terms contained in the Covenants, Conditions and Restrictions document filed October 29, 1973, on all property sold thereafter at RAINTREE. (Jackson County, Missouri, Document No. 1-167323)

The Covenants generally provide that the Architectural Review Board has the right and the duty to promulgate and enforce reasonable rules to "regulate the external design, appearance, use, location and maintenance of the properties and of improvements thereon in such a manner so as to preserve and enhance values, and to maintain a harmonious relationship among structures and the natural vegetation and topography".

These guidelines represent specific written interpretations issued by the Architectural Review Board as their means of satisfying their obligation to regulate property use at RAINTREE.

Appeal of Architectural Review Board Findings

Any property owner who believes that the Architectural Review Board has unfairly judged his request for either new construction or an improvement to an existing structure may appeal that finding in writing to the RLPOA Board of Directors. The Board of Directors may, upon two-thirds (2/3) vote of the Directors, overturn the findings of the Architectural Review Board if the Board of Directors believes that the original finding was unfair.

Enforcement

The Covenants provide that the RLPOA, after due notice to the landowner, may enter onto any property being built or maintained in violation of these guidelines and correct the violation. The cost of such correction of the violation will be assessed against the land in violation and, if not paid on a timely basis by the landowner, become a lien on the property.