

Addendum to Awbrey Park Design Guidelines
Architectural Review Committee (ARC) Appeal Rules & Procedures

1. Decisions of the Architectural Review Committee shall not be final until fifteen (15) days after the decision is mailed to the applicant. Notwithstanding the foregoing, in the event that an appeal is filed with the ARC during such 15-day period, such appeal shall toll the approval. In that case, the approval shall not be deemed final until the date on which the appeal is finally resolved. The ARC shall use reasonable efforts to hear and decide all appeals within thirty (30) days of the date the same are filed.
2. An applicant may appeal a denial or a condition of approval only if he or she can provide new evidence or cite a specific procedural or substantive error. Non-applicants may only appeal an ARC decision based upon an allegation of a specific procedural or substantive error.
3. Provide your appeal in writing, citing the new evidence and/or error. Direct all appeals to the Awbrey Park Architectural Review Committee, Attn: AP ARC Appeals, c/o Brooks Resources Corp. 409 NW Franklin Avenue, Bend, OR 97701.
4. Upon receipt, the ARC will review the written appeal to verify that it meets the criteria of step one (1).
5. If the ARC determines that the criteria of step one has not been met, the appeal will be denied and the appellant and the applicant (if not the same as the appellant) will be so notified. Upon the mailing of such notification, the decision being appealed shall be determined to be final.
6. If the ARC determines that one or more of the permissible appeal criteria have been met, the ARC will require all construction activity on the subject site to cease. The ARC will then review the previous decision (approval letter(s), application and drawings) and the information provided by the appellant and will render its decision within two weeks. All parties will be notified of the ARC's decision.
7. The ARC's decision shall be final per Article V, Section 5.1, paragraph D, and not appealable to the Board of Directors.

The foregoing was adopted as an addendum to the Awbrey Park Design Guidelines pursuant to Section 5.2 of the Declaration of Protective Covenants Conditions and Restrictions for Awbrey Park (the "CC&R's") by Brooks Resources Corporation, the Declarant pursuant to the CC&Rs on this 10th day of September 2006.

BROOKS RESOURCES CORPORATION,
an Oregon corporation

By: 

Name: Kirk Schueler

Title: President