

**VENTURA 21, INC.
HOMEOWNERS' ASSOCIATION**

**ARCHITECTURAL CONTROL COMMITTEE
GUIDELINES**

TABLE OF CONTENTS

PART ONE - ORGANIZATION

- I. MEMBERSHIP
- II. MEETINGS AND QUORUM
- III. OFFICERS
- IV. NOMINATION AND ELECTION OF OFFICERS
- V. DUTIES OF OFFICERS
- VI. DUTIES OF MEMBER
- VII. RESPONSIBILITY AND AMENDMENTS
- VIII. VIOLATION NOTIFICATION AND DUE PROCESS
- IX. APPEALS AND EXTENSION

PART TWO - RULES AND REGULATIONS

- I. AUTHORITY
- II. APPLICATION FOR IMPROVEMENT
- III. ARCHITECTURAL CONTROL RULES AND REGULATIONS
 - A. AIR CONDITIONING UNITS AND ATTIC FANS
 - B. ALUMINUM SIDING -- PAINTING
 - C. ALUMINUM SIDING - REPLACEMENT
 - D. ANTENNA
 - E. AWNINGS
 - F. BALCONIES
 - G. CHIMNEYS
 - H. CLOTHESLINES
 - I. COMMON AREAS
 - J. DECKS
 - K. DOORS
 - L. FENCING
 - M. FIREPLACES
 - N. FLAGPOLES
 - O. FLOWER BOXES, HANGING FLOWER POTS
 - P. GAME EQUIPMENT
 - Q. GARAGE DOORS
 - R. GREENHOUSES

- S. GUTTERS AND DOWNSPOUTS
- T. LANDSCAPING
- U. LIGHTS AND ELECTRICAL FIXTURES
- V. MAIL BOXES AND HOUSE NUMBERS
- W. PAINT COLORS
- X. PARKING AREAS
- Y. PATIOS, PATIO ENCLOSURES AND SUN ROOFS
- Z. PET CONTROL
- AA. POOLS
- BB. REFUSE AND OTHER ITEMS
- CC. ROLLING SHUTTERS
- DD. ROOM ADDITIONS
- EE. SHUTTERS
- FF. SIGNS AND ADVERTISEMENTS
- GG. SKYLIGHTS
- HH. SNOWMOBILES
- II. STAIRCASE, EXTERIOR and ACCESS RAMPS
- JJ. STORAGE SHEDS AND ORNAMENTAL STRUCTURES
- KK. SUMP PUMPS
- LL. SUN SHADES
- MM. WINDOWS
- NN. YARDS

Every effort has been made in this booklet to provide homeowners with complete information as of its publication date regarding allowances for home improvements they may wish to make, as well as the restrictions and guidelines adopted by all residents of Ventura 21.

The Association does not wish or pretend to be a landlord. We are a single community and dependent upon each other for the integrity of our community. The Architectural Control Committee has been charged with maintaining that integrity and does so according to these Guidelines. Amendments to these Guidelines may be adopted from time to time and will be published thirty (30) days before they become effective. If you have any questions, please come to an ACC meeting. Meetings are held at 7:00 p.m. the third Thursday of each month; any schedule changes will be posted at the Clubhouse. You are invited to participate.

**PART ONE
ORGANIZATION**

I. MEMBERSHIP

- A. Architectural Control Committee ("ACC") membership shall be limited to a maximum of twelve (12) members.
- B. An ACC member must be a homeowner/member of the Ventura 21, Inc. Homeowners' Association in good standing.
- C. Joint Membership
 - 1. Co-homeowners may become joint members of the ACC, but shall occupy only one membership position, with only one vote.
 - 2. Joint members may participate freely in discussions.
 - 3. Joint members must declare, at the beginning of each ACC meeting, who will represent the membership position and cast votes during that meeting.
- D. Prospective members shall be accepted by the Committee by simple majority vote at the close of the meeting in which the candidate expresses his/her desire to become a member.
- E. New members of the ACC must be presented to and approved by the Board of Directors and may not vote on any issue before the ACC before such approval is received.
- F. The President of the Board of Directors shall appoint a member of the Board as ACC Liaison, to ensure that the ACC is carrying out its duties as directed by the Board of Directors. The ACC Liaison is not a voting member of the Committee and cannot be considered a part of the quorum necessary to conduct an ACC

meeting. The ACC Liaison does not have the right, during ACC meetings, to question or support decisions made by the ACC.

- G. Membership on the ACC may be revoked by the Committee when any member has been absent from three (3) meetings during one calendar year, by simple majority vote of the remaining members.

II. MEETINGS AND QUORUM

- A. Regular meetings of the ACC shall be held each month at such place and hour as may be fixed from time to time by the Committee.
- B. Special meetings may be called by the Chairperson with advance notice of not less than three (3) days to each Committee member.

Absence at a special meeting shall not contribute to a member's dismissal from the ACC.

- C. A quorum, necessary for the conduct of any ACC business, shall consist of a majority of current members in good standing.
- D. ACC meetings shall be conducted according to "Robert's Rules of Order".

III. OFFICERS

The officers of the Architectural Control Committee (ACC) shall be the Chairperson, Vice-Chair and Secretary.

IV. NOMINATION AND ELECTION OF OFFICERS

- A. The Chairperson and Vice-Chairperson must be active and contributing Committee members for a minimum of six (6) months prior to election. The Secretary must be an active and contributing member of the Committee.

- B. Election of officers will be held each November unless required sooner (item F).
- C. Nominations for officers may be made by Committee members only.
- D. All Officers shall be elected by the Committee, by secret ballot.
- E. Each member (or designated joint member) shall have only one vote.
- F. In the event of a vacancy created by the ineligibility or resignation of an Officer, the Committee will hold an election to fill that vacancy at the first possible meeting.

V. DUTIES OF OFFICERS

- A. Chairperson
 - 1. Establish agenda for Committee meetings;
 - 2. Direct meeting(s); notify Vice-Chairperson to conduct meeting when unable to attend;
 - 3. Prepare and deliver ACC report for monthly Board of Directors' meeting and Annual Homeowners' Meeting;
 - 4. Appoint and direct any sub-committees;
 - 5. Administer processing of homeowner Application for Improvement, including assignment and distribution of applications to ACC members, as appropriate, for follow-up and sign-off as projects are completed;
 - 6. Coordinate processing of ACC violation letters with Association Manager;

7. Perform other assignments as assigned by the Board of Directors.
- B. Vice-Chairperson
1. Perform duties and maintain responsibilities of Chairperson in his/her absence.
 2. Perform duties and maintain responsibilities of Secretary in his/her absence.
- C. Secretary
1. Take minutes of Committee meetings;
 2. Submit completed minutes in required form to Chairperson and Committee for approval and subsequent publication;
 3. Maintain complete file of ACC minutes, Applications for Improvement and Committee correspondence;
 4. Maintain complete file of ACC violations, including letters to homeowners, follow-up actions, administrative or legal expenses charged and all documents supporting resolution of violations.
 5. Notify homeowners of Committee approval or other decision regarding an ACC Application for improvement.

VI. DUTIES OF MEMBERS

- A. Attend Committee meetings or notify Committee officer of inability to attend;
- B. Participate in inspection tours and sub-committee activities as assigned;

- C. Perform inspection of approved homeowner improvements as assigned, complete and return Applications for Improvement for homeowner and Committee files;
- D. Report violations of ACC Guidelines, on authorized form, to the Committee and the Association Manager.

VII. RESPONSIBILITY AND AMENDMENTS

- A. Architectural Control Committee Guidelines, Rules and Regulations are subordinate to the Declaration of Covenants, Conditions and Restrictions and By-Laws of Ventura 21, Inc., and to ordinances and codes enacted by the Village of Roselle, all of which may be subject to change from time to time.
- B. Homeowners must submit an ACC Application for Improvement to the ACC and such Application must be approved by the ACC before construction or installation of any improvement requiring an Application, as specified within these Guidelines.

A homeowner who is uncertain whether the proposed improvement requires an ACC Application should seek clarification from the ACC or the Association Manager before construction or installation.

Construction or installation in violation of ACC Guidelines, Rules and Regulations or Village of Roselle ordinances and Codes is subject to removal or replacement, at homeowner expense.

- C. The Board of Directors of Ventura 21, Inc. or its appointed Architectural Control Committee shall have the right to disapprove an Application for Improvement deemed unsuitable, taking the effect of the proposed improvement on the home's immediate surroundings as well as the outlook from adjacent or neighboring homes, lots and common

areas. All external modifications shall be in keeping with the design and character of Ventura.

- D. The homeowner shall be solely responsible for the maintenance, repair, replacement and any subsequent damages incurred as the result of any improvement, except as otherwise provided in these Guidelines.
- E. This body of Rules and Regulations and Organization may be amended by a two-thirds vote of ACC membership, subject to final approval by the Board of Directors.

VIII. VIOLATION NOTIFICATION AND DUE PROCESS

- A. A homeowner in violation of the ACC Guidelines shall be notified by letter, at the direction of the ACC or the Board of Directors, by the Association Manager. The notice of violation shall identify the violation(s) and a time period within which the violation(s) must be corrected.
- B. If the violation(s) is(are) not corrected within the specified time period, and there has been no written appeal or request for extension filed with the ACC, the Association Manager will mail a second notice of violation to the homeowner or resident, restating the violation(s) and time period allowed for correction of the violation(s). The homeowner will be assessed administrative expenses of \$35.00 (Thirty-five dollars) for the second letter.
- C. If the violation(s) is(are) still not corrected within the specified time period, the ACC is authorized to recommend to the Board of Directors that the violation be submitted to the Association Attorney for legal action and, upon approval of the Board of Directors, the Association Manager will forward the file to the Association Attorney. The homeowner shall be assessed for

administrative and legal expenses a minimum of \$35.00 (Thirty-five dollars) plus any additional costs incurred by the Association.

IX. APPEALS AND EXTENSIONS

A homeowner or resident who receives a notice of violation letter has the following rights of appeal and extension. Failure to file a written appeal or request for extension within the appropriate time frames itemized below will result further action by Ventura 21, Inc.:

- A. The homeowner or resident notified of a violation of these Guidelines may appear in person before the Architectural Control Committee or the Board of Directors at their regular meeting(s) to appeal the Notice of Violation. Such appearance must be within forty-five (45) days of the date of the violation notification letter. Association privileges will not be suspended during the appeal process, unless dangerous or unhealthy conditions exist, as determined by the ACC/Board of Directors.

- B. The homeowner or resident in violation of these Guidelines may request, with good cause, a reasonable extension to correct any violation(s) by submitting an extension request to the ACC, either mailed or delivered to the ACC in care of the Association Manager at the Clubhouse, within seven (7) days of the notice of violation letter. All requests for extension will be considered on an individual basis but will not be granted if dangerous or unhealthy conditions exist. Extensions granted will be annotated on the violation letter and a copy placed in the Association lot file.

PART TWO RULES AND REGULATIONS

I. AUTHORITY

Authority for the creation and activities of the Architectural Control Committee is contained in the:

A. By-Laws of Ventura 21, Inc., Article IX

"The Association shall appoint an Architectural Control Committee as provided in the Declaration, and a Nominating Committee, as provided in these By-Laws. In addition, the Board of Directors shall appoint other committees as deemed appropriate in carrying out its purpose."

B. Ventura 21 Declaration of Covenants, Conditions and Restrictions, Article VIII - Architectural Control

"No building, fence, wall or other structure shall be commenced, erected or maintained upon the Properties, nor shall any exterior addition to or alteration thereof be made (including, without limitation, exterior materials and color scheme) until the plans and specifications showing the nature, kind, shape, height, materials, color scheme and location of the same and the approximate cost thereof and the landscape and grading plan in relation thereto shall have been submitted to and approved in writing by the Board of Directors of the Association, or by an Architectural Committee composed of three (3) or more representatives appointed by the Board. The Board or its appointed Architectural Committee shall have the right to refuse to approve any such plans and specifications deemed not to be suitable or desirable, for aesthetic or other reasons, and shall have the right to take into consideration the suitability of the proposed improvements in relation to the surroundings and their effect on the outlook from adjacent or neighboring Lots. In the event said Board, or its appointed Architectural Committee, fails to approve or disapprove such plans and specifications in writing within thirty (30) days after said plans and specifications have been submitted to it, approval will

not be required and this Article will be deemed to have been fully complied with."

II. APPLICATION FOR IMPROVEMENT

Approval for the construction or installation of any improvement(s) requires completion of an Application for Improvement ("Application") form, available at the Clubhouse and, in most cases, a Building Permit from the Village of Roselle, before such construction or installation:

- A. The ACC Application for Improvement form shall be completed and submitted as specified herein and in the By-Laws and Declaration of Covenants, Conditions and Restrictions.
- B. Applications for Improvement submitted after the current monthly ACC meeting will be considered submitted the following month.
- C. A separate Application is required for each individual improvement.
- D. Incomplete Applications, which fail to provide necessary information (e.g., copy of Plat of Survey, accurate drawing, date), shall be disapproved and returned to the homeowner. The homeowner is responsible for resubmitting the Application with all information required.
- E. Approvals for construction or installations which require a Building Permit from the Village of Roselle are contingent upon such Permit being obtained, without zoning variance.
- F. Approved Applications for Improvement are valid for a period not to exceed ninety (90) days from the date of approval (except room additions), after which time approval is rescinded and the Application must be re-submitted in full. Applications for room additions must include an estimated completion date, which will become the expiration date of the approval.

- G. Any improvement constructed or installed before approval of an Application for Improvement shall be considered rejected and may be considered an ACC violation until such Application is submitted to and approved by ACC.
- H. Maintenance of improvements installed by a homeowner, except in those cases identified in these Guidelines where maintenance of that improvement is added to and increases the home's assessment, become and shall remain the responsibility of the homeowner.
- I. An Application submitted by a member of the Committee must also be approved by a majority vote of the Ventura 21 Board of Directors.

III. ARCHITECTURAL CONTROL RULES AND REGULATIONS

Key to Notations

- Covenants** When a regulation originates in the Declaration of Covenants, Conditions and Restrictions of Ventura 21, Inc., the applicable Article and Section shall be noted within the rule.
- Plat** Particular improvements require a copy of the owner's Plat of Survey and/or an accurate drawing of the improvement. For such improvements, the word(s) Plat and/or Drawing will be noted within the rule.
- Drawing** Accurate drawing, whether by an architect or the homeowner.

A. AIR CONDITIONING UNITS AND ATTIC FANS

- 1. Window and wall air conditioning units and gable fans are not allowed.

2. Applications for installation of attic fans will be considered on an individual basis.
3. Townhomes may have one (1) roof (attic) ventilator fan, single family homes may have two (2).
4. Dimensions of attic fans may not exceed thirty-two inches (32") in width, length or diameter. The height above the roof line must be included in the Application, not to exceed twelve inches (12").
5. The maintenance, repair and/or replacement of an attic fan is the responsibility of the homeowner.
6. Attic fans must be installed on the backside of the roof; no supporting joists may be removed.
7. Any damage resulting from the installation, operation and existence of an attic fan is the responsibility of the homeowner.

B. ALUMINUM SIDING -- PAINTING

Painting of aluminum siding is generally prohibited, but will be considered on an individual basis by ACC, provided considerations of maintenance costs and long-term appearance are included in the Application to paint aluminum siding.

**C. ALUMINUM SIDING -
REPLACEMENT**

Replacement of existing siding requires ACC approval and:

1. Must be installed over one inch by three inch (1" x 3") furring strips fastened horizontally at a minimum of sixteen inches (16") on center.

installed.

2. Minimum material thickness of .024"
3. Textured, not smooth, finish
4. Moisture barrier must be
5. All windows and doors must have a three-quarter inch (3/4") "J" channel.
6. Caulking must be applied between window and door frames and "J" channels.
7.
 - a. Single family home aluminum siding must be double five inch (5") in approved color, to coordinate with existing trim. If trim does not coordinate, homeowner is responsible for painting trim with an approved color within thirty (30) days after siding installation, weather permitting. Thereafter, Ventura will maintain the trim in the new color.
 - b. Townhome siding (Phase III) must be twelve inch (12") vertical single "V" groove, Chestnut Brown in color.
8. All siding replacements must be approved by ACC before installation. Homeowners will have thirty (30) days to correct a siding replacement violation.

D. ANTENNA

1. Radio and television antenna installations wholly within a building are acceptable without ACC approval.

2. No radio or television receiving or transmitting antenna or external apparatus shall be installed on any roof or attached to the side of any home.
3. All satellite dishes require an approved ACC application. Satellite dishes of twenty-four inches (24") or less may be installed only within fully-enclosed back yards, not extending above the fence line.

E. AWNINGS (Refer also to Section LL)

Awnings of all types are prohibited.

F. BALCONIES, FRONT AND REAR PORCHES AND PORCHES OVER GARAGES (Covenants Article III, items D and P)

1. Carpeting (including but not limited to "indoor/outdoor" carpeting) and other types of floor covering are not allowed on any balcony or porch surfaces. Non-compliance which causes damage and/or results in accelerated wear and maintenance shall be the responsibility of the homeowner.
2. Garbage cans, recycling bins, bags and other refuse are not allowed on front or rear balconies, decks or porches.
3. Extension or other alteration of existing balconies must be approved by ACC and will be considered on an individual basis; the extension must be three feet (3') or less and must also be approved in writing by homeowners in all adjacent units.
4. Any damage caused by the alteration or extension of an existing balcony or porch shall be

the responsibility of the homeowner.

5. The owner shall cause a statement to the effect that s/he will be charged by the Association for maintenance, repair and/or replacement of damage and this statement shall be filed with the County Recorder as an attachment to the property Deed. Evidence of such filing prior to the installation shall be forwarded to the Ventura 21 Architectural Control Committee. The increased maintenance expense of an extended balcony shall be calculated and added to the unit's monthly maintenance assessment.

G. CHIMNEYS (Covenants Article III, items D and P) (Refer also to Fireplace)

1. Homeowners may install a fireplace with an external chimney when approved by the Village of Roselle (acquisition of a building permit) and the ACC. Applications for external chimneys will be considered on an individual basis.
2. The external chimney shall be boxed with siding identical to the existing house siding and of a similar size and same color as the existing chimney.
3. The fireplace venting system shall not protrude above the chimney box more than twelve inches (12"), unless Village codes reduce that limit. The top of the chimney box must have a rain-tight sheet metal cover around the flue pipe, with a one- or two-inch (1" or 2") lip over the base of the chimney.

H. CLOTHESLINES

1. Permanent clotheslines of all types are not allowed in unfenced areas. Portable or temporary clotheslines must be removed and stored out of sight when not in use.
2. Clotheslines within fenced areas must not extend or be visible above the fence line.

I. COMMON AREAS

1. Private use of common areas is restricted. No structure or object of any type may be placed in common areas including, but not limited to, picnic tables, play equipment, trash/rubbish, trash containers, grills, clotheslines and pools of all types.
2. Common areas may not be used for private business purposes or activities of any kind.

J. DECKS (Covenants Article III, Items D and P)

1. A Village of Roselle Building Permit and an approved ACC Application for Improvement are required prior to the construction or installation of a new deck or ornamental structure and for the remodeling or alteration of an existing deck or ornamental structure. The Village of Roselle will not issue a Building Permit without an approved ACC Application. ACC Applications will be considered on an individual basis.
2. The Village of Roselle has instituted restrictions as to the square feet of total yard space that may be covered by a deck; homeowners should contact the Clubhouse for information

regarding these restrictions before proceeding with plans for adding or remodeling a deck.

3. The ACC Application for Improvement must include:
 - a. A detailed, accurate scale drawing of planned deck (including pictures, if available).
 - b. Construction materials (only pressure-treated wood or cedar are allowed).
 - c. Finished color of deck. Deck must be left unpainted or painted the same color as the home siding or trim..
4. Lattice material may be used to cover an opening from the bottom of the deck to ground level, not exceeding twenty-four inches (24") in height and the opening from deck hand rail to deck floor not exceeding thirty-six inches (36") in height. Lattice material must match or blend with color of deck.
5. Ornamental structures attached to or part of a deck may not extend one foot four inches (1'4") above the fence line, seven feet four inches (7'4") above ground level.
6. Homeowners are responsible for the repair of any damage to their home or common areas, including grading and landscaping, caused by the installation or construction of a deck. Homeowners are also responsible for clean-up and removal of building materials and other trash during and after deck construction.

7. Homeowners are solely responsible for deck and ornamental structure maintenance, repair and replacement. A statement absolving the Association of any responsibility for deck maintenance shall be filed with the County Recorder as an attachment to the property Deed; evidence of such filing shall be forwarded to the Ventura 21 Architectural Control Committee prior to construction or installation.

K. DOORS - Front, Rear, Patio and Storm

1. Replacement front and rear or new or replacement storm doors must conform to the character of Ventura 21 and require ACC approval.
2. Frames of new or replacement patio and/or storm doors on townhouses must match the color of existing window frames. Wooden storm and patio storm doors are prohibited.
3. Replacement front and/or rear doors on single family homes shall coordinate with the existing house color. Entrance doors on townhouses in Phase I and Phase II must match the siding color. Front doors on townhouses in Phase III may be painted an earthtone color.
4. Maintenance of storm and patio doors is the responsibility of the homeowner; maintenance and painting of front doors in Phase III are also the responsibility of the homeowner.
5. Any damage caused by or resulting from the installation of a new or replacement storm,

entrance or patio door is the responsibility of the homeowner.

L. FENCING (Covenants Article III, items D and P)

1. Privacy fences, whether individual or shared, must remain in place and be maintained by the homeowner(s).
2. Front yard fencing of all kinds is prohibited, including short fences surrounding flower beds. Side fencing, where no back yard exists, may be allowed but will be considered by ACC on an individual basis.
3. Homeowners may be granted approval to enclose the rear portion of their back yard, to build a partial fence and/or to extend a privacy fence to the rear lot line. All fence construction requires approval of ACC.
 - a. All fence material must be pressure-treated wood or cedar.
 - b. Fence posts are to be set at least two feet (2') deep into the ground. Posts set in concrete are not recommended.
 - c. New and replacement fences are to be a height of six feet (6').
 - d. Approved fence styles are traditional, board-on-board and vertical-angle louvered fence. Fence-board tops must be flat or dog-eared. Stockade, ranch timber, picket,

Gothic and other ornate fences are not allowed.

- e. At least one gate must be included in a totally-fenced yard; the gate should be kept closed at all times.
5. Fences shall be left unpainted (natural) or painted the approved Ventura brown (usually identified as "Oxford" brown by manufacturers). Black fences should be repainted brown at the next painting cycle. NOTE: Should Ventura 21 change the current color scheme(s), new guidelines for fence colors will be published.
6. Fence maintenance is the responsibility of the homeowner and includes:
- a. Repair and/or replacement of any loose or damaged boards and/or posts.
 - b. Repair and/or replacement of missing or damaged gate(s).
 - c. Straightening, leveling and painting.
7. Replaced boards and posts must be painted to match the existing fence, to maintain a uniform fence color and appearance.
8. Any fence which, in the opinion of ACC, is unsightly and not repairable must be removed or replaced in entirety by the homeowner.

M. FIREPLACES (Article III, Items D and P) Also refer to "CHIMNEY", Section G

1. Homeowners may receive approval to install a free-standing or constructed fireplace, limited to one fireplace in a townhome. A Village of Roselle building permit, issued without a variance, is required. Each ACC Application for Improvement will be considered on an individual basis.
2. Installation of a constructed fireplace which requires exterior alterations requires, in addition, full plans and a review of these plans by the Maintenance Committee to consider the possibility of a modification of the home's maintenance assessment.
3. Although gas fireplaces are recommended, wood-burning fireplaces may be approved; firewood must be stored in the home's back yard and hidden from view (refer to Section JJ, Storage Sheds).

N. FLAGPOLES

Flagpoles of a reasonable height may be approved; each will be considered on an individual basis.

O. FLOWER BOXES, HANGING FLOWER POTS, BASKETS, LATTICE AND TRELLISES (Article III, Items D and P)

1. Flower boxes must be independent of and not permanently attached to railings; flower boxes attached to homes may not be wider than three inches (3") beyond the window edge, may not extend more than eight inches (8") from the home and may not be more than eight inches (8") deep. They must be constructed of or covered with the same material as the home

and painted a color to match or coordinate with the home. Approval of an ACC Application is required for all attached flower boxes.

2. Hanging flower pots or baskets may be hung from rear soffits or decks and porches as long as plants are growing and/or in bloom from Spring through Fall, and must be removed during Winter months. Homeowners are responsible for maintenance of such items and for any damage caused by their use.
3. Flower or vegetable trellis may be permitted, provided the trellis is painted to match the color of the home or fence; white trellis is prohibited. An approved ACC Application is required.
4. Lattice may be allowed as flower or vegetable trellis within a fully-enclosed yard if painted the same color as the home or fence, not extending above the fence line and not exceeding two feet by six feet in size (2' x 6'). An approved ACC Application is required.
5. Flower bed landscape border trim or landscape ties of one foot (1') or less in height may be allowed, provided they are not used to fence in grass areas or interfere with maintenance of common areas. An approved ACC Application is required and will be considered on an individual basis.

P. GAME EQUIPMENT

No permanent or temporary hockey, soccer, tennis, basketball or other game apparatus or nets shall be erected or installed on or near any garage, driveway,

parking or common area. Portable game equipment must be put away when not in use.

Q. GARAGE DOORS (Installation and Replacement)

1. Maintenance of garage doors is the responsibility of the homeowner. Damaged or dented doors must be repaired or replaced at homeowner expense. Beginning in 1996, the Association will replace garage doors when such replacement is necessitated by normal wear and tear. An approved ACC Application for Improvement is required for all replacement garage doors.
2. The color, style and material of replacement doors must be compatible with existing construction. The Association Manager and ACC Committee can assist homeowners by providing information regarding approved styles.
3. New garage doors must be painted within thirty (30) days after installation, weather permitting. Garage doors on wood-sided homes must be painted the same color as existing siding and the same color as existing trim on aluminum-sided homes.
4. Decals, pictures, wood cut-outs and decorative paint schemes are prohibited.

R. GREENHOUSES (Article III, Items D and P)

1. Greenhouses of all types require an approved ACC Application for Improvement and will be considered on an individual basis.

2. Attached greenhouses will be evaluated in accordance with the guidelines for room additions.
3. Detached greenhouses will be evaluated in accordance with the guidelines for storage sheds.
4. Greenhouse windows will be evaluated in accordance with the guidelines for normal window replacement as to construction and paint colors as well as coordination with and appearance from neighboring properties.

S. GUTTERS AND DOWNSPOUTS
(Article III, Items D and P)

1. Maintenance, including cleaning and painting, of gutters and downspouts is the responsibility of the homeowner. Gutters, downspouts and attachments must match the color scheme of the home.
2. Installation of new and replacement gutters and downspouts requires an approved ACC Application for Improvement. Beginning in 1996, gutters and downspouts which were part of original construction and require replacement because of normal wear and tear will be replaced by the Association.
3. Homeowners are responsible for any damage caused by the installation or removal of gutters and/or downspouts not contracted by the Association.
4. Removal of gutters and downspouts requires an approved ACC Application for Improvement. Homeowners are responsible for any damage caused by removal of existing

downspouts and/or gutters, including painting of siding or trim exposed by such removal.

5. Partial gutters and downspouts are prohibited; splash pans and roll-outs must be placed under each downspout and prevent runoff from flowing over walkways and common areas.

T. LANDSCAPING, FRONT YARD AND COMMON AREAS (Article III, Items D and P)

1. Front yard landscaping requires an approved ACC Application for Improvement and will be considered on an individual basis.
2. Maintenance and replacement of approved homeowner-installed plants and/or shrubbery on homeowner property, including front yards, and within fenced areas, is the responsibility of the homeowner.
3. Maintenance and replacement of landscaping in common areas is the responsibility and at the discretion of the Association.
4. Vines or other plantings which may attach themselves to bricks or siding are prohibited.
5. Plantings on adjoining property lines may not be installed, removed or altered without joint approval of adjacent homeowners and an approved ACC Application for Improvement.
6. Displays of annuals and other seasonal, temporary flowers and plants, in good taste, are allowed without ACC approval.

U. LIGHTS AND ELECTRICAL FIXTURES (Article III, Items D and P)

1. Homeowners are responsible for the maintenance of outdoor electric fixtures, including the replacement of lamps and globes.
2. New or replacement fixtures, if not identical in size, style and placement of existing fixtures, require approval of an ACC Application for Improvement and will be considered on an individual basis.
3. A picture or accurate drawing of the new or replacement fixture must accompany the Application for Improvement; the fixture must be UL approved and of a size and style similar to or compatible with fixtures on neighboring homes.
4. Approval to install floodlights of any kind requires written approval of homeowners in adjoining residences, which must accompany the ACC Application.
5. Approval to install electric bug killers ("zappers") may be granted, based on proposed location, height, size and wattage.
6. Homeowners are responsible for the repair or replacement of any damage caused by the installation of a new or replacement lighting fixture, including plants and shrubbery.
7. Homeowners are prohibited from installing lamps or lighting fixtures in common areas.
8. Seasonal lights and other decorations must be removed within thirty (30) days after the holiday.

9. Outdoor extension cords must be UL approved for outdoor use and stored out of sight when not in use.

V. MAIL BOXES AND HOUSE NUMBERS

1. Missing address numbers must be replaced by the homeowner in a style, color, size and location compatible with neighboring homes.
2. Mailboxes for single family homes must be installed within four feet (4') of the home. Rural-style mailboxes are allowed.
3. Mailboxes for townhomes may be attached to the top railing or side of front porch. Rural-style mailboxes are not allowed.
4. Curbside or end-of-driveway mailboxes are not allowed.

W. PAINT COLORS (Single family homes only)

The Association is responsible for painting all wood exterior siding and trim. Owners of single family homes may choose to change the color of their home and/or its trim by submitting an ACC Application noting the current and requested siding and trim colors. Examples of approved colors and color combinations are available for homeowner examination at the Clubhouse.

1. Owners of single family wood-sided homes may choose to change the color of their home siding when scheduled for painting. The homeowner will pay the cost of any additional coats of paint required to cover the previous color.

2. Owners of single family wood-sided homes may, at their expense, change the color of the trim on their home, to a contrasting color. The responsibility and expense of maintaining a contrasting trim color will remain the homeowner's.
3. Owners of single family aluminum-sided homes may choose to change the color of wood trim when scheduled for painting. The homeowner will pay the cost of any additional coats of paint required to cover the previous color.

X. PARKING AREAS (Covenants, Article X, Section 4) Refer also to Section HH

1. Boats, trailers, commercial, recreational, disabled ("junk") and unlicensed vehicles are prohibited unless completely garaged.
2. All motor vehicles, including (but not limited to) motorcycles, snowmobiles, boat trailers and motorized bikes are restricted to streets, parking areas and paved driveways. Homeowners shall be held responsible for the repair and/or replacement of soil and grass in common areas and adjacent to driveways damaged by themselves or their guests by violation of this restriction.
3. Motor vehicles of all types may not be driven or parked on or across sidewalks or other common areas; parking or storage of such vehicles under front or rear porches or in back yards is not permitted.
4. Phase I and Phase II townhomes shall be assigned two (2) parking

spaces for each unit by the Association; homeowners may park three (3) vehicles in their two assigned spaces if doing so will not infringe on the access or use of the adjacent assigned spaces.

5. Parking in the common area of single family home cul-de-sac driveways is strictly prohibited. Widening of single family home parking areas will be considered on an individual basis.
6. Commercial vehicles bearing a State license plate rated larger than "D" shall not be parked in an assigned parking space, driveway or cul-de-sac. Motor vehicles with a "D" license plate are further restricted to 92 inches (92") in height, 85 inches (85") in width and 216 inches (216") in length.
7. It is the responsibility of each homeowner to inform his/her/their guests of parking restrictions; vehicles parked in violation of these guidelines are subject to being towed at the owner's expense. A copy of the towing policy made effective July 1, 1991, is available at the Clubhouse.
8. Permission may be granted by the Association to exceed the vehicular restrictions (e.g., trucks required for moving) when requested in advance, limited to seventy-two (72) hours per incident and three (3) incidents per year.
9. Homeowners shall be allowed to temporarily relocate vehicles from assigned parking spaces, driveways and cul-de-sacs after a two- to three-inch snowfall

(depending on conditions), for snow-plowing purposes, to Devon Avenue, Granville Avenue or Ventura Club Drive. Vehicles must be returned to authorized spaces immediately after snow removal.

Y. PATIOS, PATIO ENCLOSURES AND SUN ROOFS (Article III, Items D and P)

1. A Village of Roselle Building Permit is required for the construction or installation of any patio, patio enclosure or sun roof. Such permit will not be granted without prior approval of the Architectural Control Committee.
2. All ACC Applications for patios, patio enclosures and sun roofs will be considered on an individual basis and require detailed photographs of existing construction, plans for construction including scaled drawings, materials, color schemes and builder's warranties.
3. The homeowner shall be responsible for the maintenance and repair of such structure; a statement to that effect shall be filed with the County Recorder as an attachment to the property Deed. The homeowner shall be solely responsible for any damage caused by the construction of such patio, patio enclosure or sun roof.
4. The homeowner shall be responsible for any problems or damage caused to adjacent properties or common ground by drainage created by the installation or construction of a patio.

Z. PET CONTROL

1. Village of Roselle ordinances related to animals shall be adhered to by Ventura 21, Inc.
2. No livestock or poultry and no more than two (2) dogs and/or cats over four (4) months of age shall be kept or maintained on any lot. (Covenants, Article X, Section 4.)
3. Pets shall be controlled and leashed at all times and shall not be allowed to run loose in common areas, on the golf course, Clubhouse grounds or other homeowner property.
4. Pet excretion shall be picked up promptly by pet owner; at no time shall it be allowed to accumulate on the homeowner's or any other property. Ventura 21 employees will not mow or trim grass or perform other maintenance functions where pet excretion is present.
5. Ventura 21 shall report pet owners who repeatedly violate these guidelines to the DuPage County Board of Health and/or the Village of Roselle.

AA. POOLS

1. Approval to construct a private swimming pool will be considered by the Committee on an individual basis and requires a Village of Roselle Building Permit.
2. Wading ("kiddy") pools are not allowed in common areas or non-fenced-in back yards. Ventura 21 employees will remove pools found in common areas and homeowners violating this restriction shall be liable for the

repair/replacement of soil and grass damaged by such a pool.

3. Wading ("kiddy") pools within fenced-in yards shall be emptied each night by the homeowner.

BB. REFUSE AND OTHER ITEMS
(Covenants Article X, Section 4)

1. The laws of the State of Illinois and ordinances of the Village of Roselle regarding refuse of all kinds apply to Ventura 21 residents.
2. Trash may not be placed at curbside before 6:00 p.m. the evening before scheduled pick-up.
3. Trash containers (including bags) must be covered and sealed at all times and screened from street view.
4. Trash containers and other refuse, as well as toys, bicycles, garden tools and supplies, brooms, shovels and similar items may not be stored in front or side yards, on porches, balconies or decks, under or on front porches. These items may be stored in back yards if kept in a neat and orderly fashion.
5. By State Law, rubbish removal companies are prohibited from collecting landscaping refuse such as grass clippings, leaves, trimmings from trees and shrubs unless it is placed in special bags, and only between April 1 and November 30. Bags or identifying stickers for landscaping refuse may be purchased from local merchants. Between December 1 and March 31, homeowners must find

suitable means to dispose of these materials.

6. Special arrangements must be made by homeowners for removal of remodeling and construction materials.
7. Homeowners are responsible for the disposal of all hazardous or toxic materials such as automobile batteries, solvents, insecticides, paint, oil and other petroleum-based products. They will not be collected by the rubbish removal company.
8. Empty trash and recycling containers should be clearly marked with the homeowners' name and address and returned to homeowner storage the night of the day rubbish is collected. Trash containers left in common areas will be collected and disposed of by the Association.
9. Seasonal decorations (i.e., Christmas trees) may not be kept in back yards, on balconies or decks, on or under front porches, and will not be picked up by the rubbish removal company. Information as to special pick-up dates for these items is available from the Village of Roselle.

CC. ROLLING SHUTTERS (Covenants Article III, Items D and P)

1. Applications for the installation of rolling shutters will be considered on an individual basis.
2. Installation of rolling shutters will be approved for ground level and rear of building only.
3. Hardware and shutterbox for rolling shutters must be painted the same color as townhomes and

coordinate with house color(s) on single family homes.

4. Patio doors and windows seventy-two inches (72") or more wide must have a two- (2-) shutter panel system installed. Shutter boxes may not exceed seven inches (7") square.
5. Homeowners are responsible for the repair of any damage caused by the installation of rolling shutters.
6. Homeowners are solely responsible for the maintenance of rolling shutters and shall file a statement absolving the Association of any responsibility with the County Recorder as an attachment to the property Deed. Evidence of such filing shall be delivered to the Ventura 21 Architectural Control Committee.
7. It is the responsibility of the homeowner to remove rolling shutters to allow for building (e.g., siding repair) maintenance. Any damage caused by such removal is also the responsibility of the homeowner.

DD. ROOM ADDITIONS

All Applications for the construction of a room addition require approval of the Architectural Control Committee and the Board of Directors of Ventura 21, Inc. as well as a Village of Roselle Building Permit. The Application for Improvement shall include:

1. Copy of homeowner plat showing property lines and existing structure dimensions (a "spotted" survey).
2. Scaled plan drawing of proposed addition, with front and side

elevations of existing structure and addition, including plat and structure dimensions..

3. Names and addresses of architect, builder, contractor and/or material supplier(s).
4. Construction materials to be used, estimated cost of construction and expected time needed for completion.
5. The proposed room addition must be in keeping with the character of Ventura and blend with the existing home and may not exceed 20% of the available, existing rear and side square footage space.
6. Structures meeting Ventura guidelines will be tentatively approved by the Association, contingent upon approval by the Village of Roselle and delivery of a copy of the necessary Building Permit to the Association. Failure to secure a Building Permit from the Village of Roselle will void the tentative approval of the ACC Application.
7. Applications requiring a Village of Roselle Zoning Board variance and submitted to Ventura 21 for approval will not be unduly withheld, provided such variance approval does not impose on adjoining homeowner property or common areas and does not restrict the rights of neighboring properties to construct a similar improvement.
8. The homeowner shall be responsible for any damage caused or created by the construction of a room addition as well as all expenses related to securing a Building Permit,

Zoning Board Variance and/or Exception.

9. The Association will assume responsibility for the exterior maintenance of an approved room addition, in accordance with existing regulations and based upon an increase in the assessments for that residence based on the following formula, regardless of the construction materials used:

$$\frac{\text{Revised total exterior area (incl roof)}}{2 \text{ times current exterior area (incl roof)}} \times \frac{1}{2} \text{ current assessment}$$

The homeowner shall pay the cost of filing an instrument with the DuPage County Recorder of Deeds agreeing to a modified assessment in perpetuity and shall include a check for \$100.00, payable to Ventura 21, Inc., for this purpose with the ACC Application for Improvement.

EE. SHUTTERS

Traditional shutters of all types are prohibited; rolling shutters may be allowed, as provided within these Guidelines.

FF. SIGNS AND ADVERTISEMENTS
(Covenants, Article X, Section 5)

1. No sign, billboard or other advertising device of any character shall be erected or maintained upon any part of any lot or common area, with the exception of one sign for each lot advertising that residence for sale or rent.

2. Signs advertising a residence for sale or rent shall be limited to eighteen by twenty inches (18" x 20"). Real estate "sold" signs may not remain for more than ten (10) days.

GG. SKYLIGHTS (Covenants Article III, items D and P)

1. Applications for the installation of skylights are required and will be considered on an individual basis.
2. Homeowners are responsible for the repair of any damage caused by the installation of a skylight.
3. No supporting joists shall be removed to allow skylight installation.
4. Homeowners are solely responsible for the maintenance of skylights and shall file a statement absolving the Association of any responsibility with the County Recorder as an attachment to the property Deed. Evidence of such filing shall be delivered to the Ventura 21 Architectural Control Committee prior to installation of skylight(s).

HH. SNOWMOBILES

1. The operation of snowmobiles on streets within Ventura is governed by the State of Illinois motor vehicle laws and Village of Roselle ordinances.
2. The operation of snowmobiles is not allowed on any sidewalk, yard, golf course, Clubhouse or other common grounds within Ventura.
3. Parking of snowmobiles and/or snowmobile trailers in yards,

driveways and/or assigned parking spaces is prohibited.

4. Any damage caused by the operation of a snowmobile will be the responsibility of the owner and/or operator of the snowmobile.
5. Persons who violate these guidelines will be reported to the Village of Roselle Police Department and prosecuted to the full extent of all applicable laws.

II. STAIRCASE, EXTERIOR and ACCESS RAMPS (Covenants Article III, items D and P)

1. No floor covering of any type shall be placed on or attached to porches, decks, balconies or exterior staircases.
2. Approval of an ACC Application for Improvement is required for the installation of modification of an exterior staircase and for the installation of an access ramp for physically impaired persons. Each will be considered on an individual basis.
3. Homeowners are solely responsible for the maintenance of exterior ramps or modified staircases and shall file a statement absolving the Association of any responsibility with the County Recorder as an attachment to the property Deed. Evidence of such filing shall be delivered to the Ventura 21 Architectural Control Committee prior to installation.
4. Homeowners are additionally responsible for the removal of ramps and replacement of staircase and landscaping prior to sale of the residence unless

responsibility for maintenance of ramp and removal at sale is accepted in total by new homeowner. A dated and notarized letter stating these conditions shall be written by the homeowner and placed in the lot file for future reference.

JJ. STORAGE SHEDS AND ORNAMENTAL STRUCTURES

(Covenants Article III, Items D and P;
Covenants Article X, Section 2)

1. Approval of an ACC Application for Improvement is required for storage sheds and ornamental structures of all types and will be considered on an individual basis. A Village of Roselle building permit, issued without variance, is also required.
2. Storage sheds and ornamental structures will be approved for fully fenced-in backyards only.
3. The ACC Application must include an accurate drawing or illustration of structure, including construction materials and finished colors (to match or coordinate with home) and placement within yard so structure does not interfere with access to any utility.
4. Sheds and ornamental structures (such as gazebos) may not exceed seven feet four inches (7'4") in height from ground level or extend more than one feet four inches (1'4") above fence line, whichever is less.
5. Storage sheds shall be securely anchored to and built on a concrete slab with a minimum thickness of three inches (3"). Storage sheds and ornamental

structures shall be free-standing and not attached to the home.

6. Shed construction shall provide for adequate ventilation; sheds shall be used for storage only and not as a playhouse or extension of the residence living or work area.
7. Storage sheds for townhomes may not exceed one hundred (100) square feet; sizes for single family homes will be considered on an individual basis.
8. Homeowners are responsible for any damage caused by the construction of a storage shed or ornamental structure. Homeowners are also responsible for the maintenance and appearance of these structures so they do not become eyesores or hazards to adjacent properties.
9. ACC approval for structures specifically constructed to store fireplace wood in rear, unfenced yards may be granted and will be considered on an individual basis.

KK. SUMP PUMPS

1. Sump pump run-off and/or discharge shall not be directed, re-directed or extended so as to create a problem for any adjacent lot or common area. Extensions of sump pump discharge pipes beyond the lot line are prohibited.
2. The Association is responsible for sump pumps installed by the builder in Phase I and Phase II townhomes and for any damage caused by sump pump discharge and/or run-off. All other homeowners are responsible for repair and replacement of pumps and for any damage caused by sump pump discharge and/or run-off.

3. ACC approval to extend sump pump discharge pipes is required and each will be considered on an individual basis. Contact the Association Manager for assistance.

LL. SUN SHADES (See also "Awnings")

1. Approval of an ACC Application for sun shades on the rear of houses, for seasonal use only, will be considered on an individual basis. The Application should include any photographs, literature or drawings available.
2. Sun shades must match, as closely as possible, house color.
3. Sun shades must be maintained in good condition by homeowners and must be removed for Association exterior maintenance as necessary.

MM. WINDOWS

1. Homeowners are responsible for screen and glass replacement (ACC Application not required). Broken windows, clouded thermopane windows and damaged window screens must be replaced by homeowners in a timely manner.
2. An approved ACC Application for Improvement is required prior to the installation of storm or replacement windows.
3. Storm and replacement window frames must coordinate with existing color and design of existing window(s) and with adjacent or adjoining homes.
4. Double-hung and etched, tinted or colored glass windows are

generally not permitted but will be considered on an individual basis.

NN. YARDS

1. Maintenance of landscaping within fenced-in yards is the responsibility of the homeowner.
2. Storage of trailers, cartop carriers, snowmobiles, truck bed caps and other unsightly or hazardous items and materials in unfenced yards is not permitted.
3. Boats of any type are not allowed in back yards, whether fenced-in or open.
4. Storage sheds, play or exercise equipment, dog houses, fountains and ornamental structures may be allowed within fenced-in yards provided they do not extend more than one foot four inches (1'4") above the fence line (refer to Section JJ, Storage Sheds)..
5. Approval to install back yard screening (storage blinds) will be considered on an individual basis. Such screening must be painted the same color as the existing fence or coordinated with house and/or trim colors and must be installed, including gate, wholly within the homeowner's property lines. Maintenance, including painting of back yard screening, is the homeowner's responsibility.

In general, any change, addition, modification or replacement of structure(s) or horticultural planting(s) on private lots, with or without prior ACC approval, which may later prove to create undesirable esthetic, safety or health conditions, or which may create additional costs of maintenance to the Association,

shall be deemed to constitute an ACC violation, to be corrected at the Homeowner's expense, subject to regular enforcement procedures and penalties.

For comparison purposes, the original Ventura 21 ACC Guidelines were:

1. No window air conditioners allowed.
2. Only bronze aluminum storm doors allowed. (House door is insulated, metal clad storm not required.)
3. No exterior TV antennae allowed on any building.
4. No picnic tables or grills in front yards.
5. Village water shut-off box must be kept exposed above grade.
6. TV wire only is installed from the attic to the family room or crawl space, in townhouses.
7. Dryer vents are installed in the exterior wall but must be piped by the owner.
8. No exterior changes, of any kind, without permission of Architectural Control.
9. Fence across back to close yard is allowed if same type used for side yards.
10. All air conditioning compressors MUST be located at electric and gas meter locations for ALL units.