

RAINMAKERS ARC REVIEW PROCESS OVERVIEW

It is strongly recommended that an Owner retain competent, experienced professional services for planning and design. A thorough analysis and understanding of a particular Lot and the Owner's special needs, and the skill to translate this into building form, as well as the ability to convey the concept and design of a proposed residence or other improvement, to the Architectural Review Committee are all elements critical to the design and review process. If an Owner elects to do his own design or to obtain non-professional services, and the result in either case is not approved by the Architectural Review Committee, the committee has the right to require the Owner thereafter, to use professional design services.

The design review process was developed to provide adequate checkpoints in an effort to minimize time and money spent on residential designs which do not adhere to the Design Guidelines, or to the overall philosophy of Rainmakers. An attempt has been made to streamline this process and eliminate excessive delays. Nevertheless, each Owner is himself responsible for complying with the Design Guidelines as well as all the rules and regulations of any governmental authority, in order to bring the design review process to a speedy and satisfactory conclusion.

In general, the design review process is divided into three phases:

1. The Preliminary Submittal.
2. The Review.
3. The Final Submittal.

All drawings must be submitted in duplicate.

The Preliminary Submittal

The ARC may require, as a minimum, the following: (see CC&R's pages 62-67)

1. Certified plot plan to scale of entire site with buildings located and elevation of floors shown above or below a designated point on the street.
2. Floor plans of each floor level to scale.
3. Elevations to scale of all sides of the Dwelling or Structure.
4. One major section through Dwelling or Structure.
5. A perspective (optional)
6. Specifications of all outside materials to be used on the exterior of Dwelling.

The Review

In reviewing each submission, the ARC may consider quality of workmanship and design, visual and environmental impact, ecological compatibility, natural platforms and finish grade elevation, harmony of external design with surrounding structures and environment, and location in relations to surrounding structures and plant life. The ARC will require protection of native plants within the construction site, the installation of a drip irrigation system for the landscaping, zeriscape landscaping and the inclusion of natural plant life on the Lot/Unit as a condition of approval of any submission.

Approval by the ARC shall not constitute approval of or waiver of approvals or reviews required by the Developer, or any other governmental agency or entity having jurisdiction over architectural or construction matters. The ARC shall within thirty (30) days, unless extended in writing, advise the party submitting the Plans, in writing, at an address specified by such party at the time of submission, of (1) the approval of Plans, or (2) the segments of features of the Plans which are deemed by the ARC to be inconsistent or not in conformity with this Declaration and/or the Design Guidelines, and the reasons for such finding, and suggestions, if appropriate, for the curing of such objections. In the event The ARC fails to advise the submitting party by written notice within the period specified of either the approval or disapproval, and any suggestions for curing the objections of the Committee, approval shall be deemed to have been given. Notice shall be deemed to have been given three (3) days after the envelope containing such notice, properly addressed, and postage prepaid, certified and deposited with the U.S. Postal Service, given that said envelope has been properly addressed and not lost by the U.S. Postal Service. Personal delivery of such written notice shall, however, be sufficient and shall be deemed to have been given at the time of delivery to the submitting party.

The Final Submittal

The ARC may require, as a minimum, the following: (see CC&R's pages 62-67)

1. Certified plot plans prepared by a licensed surveyor to scale showing the entire site , building, garages, walks, drives, fence, carriage lights, retaining walls, with elevations of the existing and finished grade and contours including those at the outside corners of the buildings and at the adjacent property lines and street fronts, and elevations of floors from a designated point on the street.
2. Detailed floor plans.
3. Detailed elevations, indicating all materials and showing existing and finished grades.
4. Detailed sections, cross and longitudinal, and all other drawings required by the permitting governmental agency, i.e., the Lincoln County Building Department, e.g., foundation plan, floor(s), framing plan, roof plan, etc.
5. Details of cornices, porches, windows, doors, garages, garden walls, steps, patios, fences, carriage lights, etc. Specifications shall give complete description of materials to be used with supplements, addendums or riders noting the colors of all materials to be used on the exterior of the Dwelling.
6. Items 2, 3, 4, and 5 shall be prepared by a registered New Mexico architect or engineer.

The ARC, as a part of the Plan approval, will require that construction in accordance with approved plans be commenced and/or completed within a 12 month period, unless previously approved in writing. In such an event, if construction is not commenced or completed in a timely manner, then such approval shall be deemed withdrawn, and it shall not be necessary for the Owner to resubmit the Plans to The ARC for reconsideration. If construction is not completed on a Proposed Improvement for which Plans have been approved within such period, such approval shall be deemed withdrawn and such incomplete construction shall be deemed to be in violation of this Declaration.