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\$65.00 \$11.00 \$21.00 \$10.00 \$8.00

**RECORDING COVER SHEET** (Please print or type)

This cover sheet was prepared by the person presenting the instrument for recording. The information on this sheet is a reflection of the attached instrument and was added for the purpose of meeting first page recording requirements in the State of Oregon, and does NOT affect the instrument. ORS 205.234

**AFTER RECORDING RETURN TO:** ORS 205.234(1)(c)

*Starwood Association*  
*P.O. Box 235*  
*Bend, OR 97709*

**1. TITLE(S) OF THE TRANSACTION(S)**

ORS 205.234(1)(a)

*CC & RS - ARC Guidelines*  
*Covenant, Conditions & Restrictions*

**2. DIRECT PARTY(IES) / GRANTOR(S)**

ORS 205.234(1)(b)

*Starwood Association*

**3. INDIRECT PARTY(IES) / GRANTEE(S)**

ORS 205.234(1)(b)

-

**4. TRUE and ACTUAL CONSIDERATION**

Amount in dollars or other value/property ORS 205.234(1)(d)

\$ \_\_\_\_\_ ☐ Other Value ☐ Other Property

Other value/property is Whole ☐ or Part ☐ of the consideration

**5. SEND TAX STATEMENTS TO:** ORS 205.234(1)(e)

**6. SATISFACTION of ORDER or WARRANT**

Check one if applicable: ORS 205.234(1)(f)

☐

FULL

☐

PARTIAL

**7. The amount of the monetary obligation imposed by the order or warrant:** ORS 205.234(1)(f)

\$ \_\_\_\_\_

**8. If this instrument is being Re-Recorded, complete the following statement:**

ORS 205.244(2)

Re-recorded at the request of \_\_\_\_\_

to correct \_\_\_\_\_

\_\_\_\_\_ previously recorded in

Book/Volume \_\_\_\_\_ and Page \_\_\_\_\_, or as Fee Number \_\_\_\_\_

# **Starwood Association**

## **ARCHITECTURAL RULES**

(Revised and effective February 2016)

Starwood Architectural Review Committee

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**Starwood Architectural Review Committee**

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## **Starwood Architectural Review Committee**

# **OBJECTIVES AND PROVISIONS**

### ***OBJECTIVE:***

The need to preserve the site integrity of Starwood has led to the establishment of certain rules and regulations.

### ***FUNCTION OF ARC:***

The ARC shall exercise the functions for which it is given responsibility. The ARC is responsible for the approval of plans and specifications for the development of Starwood, and for the modification, and enforcement of its rules governing the use and maintenance of homesites and the improvements thereon.

### ***MEMBERS:***

The ARC is a committee of three to five persons who are appointed by the Starwood Association Board of Directors. Members of the ARC may be replaced and removed at any time by the Starwood Association Board of Directors.

### ***ACTION:***

Except as otherwise provided herein, any two members of the ARC have the power to act on behalf of the committee without the necessity of consulting the remaining members of the committee.

### ***EFFECTIVE DATE:***

These rules and regulations have been revised, and are effective as of April 15, 2008. All homes starting construction at this date will comply with these guidelines as outlined. See addendum at the rear of packet.

## **Starwood Architectural Review Committee**

# **ARCHITECTURE REVIEW COMMITTEE RULES**

The Architectural Review Committee has as its objective to create a planned community designed to maintain an aesthetically pleasing environment. Therefore, it is necessary to impose requirements on the location, size, materials, color, design and landscaping of each structure placed upon any lot. All improvements must be approved by the Architectural Review Committee.

To assure maintenance of property lines the ARC may at times require a survey of appropriate property lines prior to approval.

## **HOUSES:**

### **BUILDING SETBACKS**

The following building setbacks apply: 20 feet from front property line, 5 feet from side property lines and 10 feet from rear property line, exclusive of roof overhang, steps, porches, decks, etc.

### **CHIMNEYS**

All Chimneys are to be enclosed; spark arrestor and caps must be enclosed with a shroud. No visible metal pipe, or smoke stacks are permitted. Chimneys may be enclosed with wood, brick, or rock.

### **EXTERIOR COLOR**

Colors must be earth tones and all are subject to approval by the Committee. All reflective metals must be painted to match or blend with surrounding colors.

### **EXTERIOR SIDING**

T1-11 siding is not allowed. Stucco, tile or brick may be used as accent trims, but an entire house may not be constructed out of these materials. Cottage siding is allowed only when runs are 16 feet or less from corner to corner.

### **GARAGES**

Style and color of garage is to be coordinated with the house. A minimum of a 2 car garage is required.

### **MOUNTAIN VIEWS**

Every effort will be made to preserve westerly mountain views of any existing residence or what is determined by the Committee to be the Westerly Mountain view of future residences. It is recognized that this will not always be possible and the Committee is the sole judge of what is feasible and fair.

### **ROOF**

3-Dimensional ridge is required. Contemporary or high quality design roof lines are required. Shingles, tile, Architecture Etched 80 (or others of similar quality) are acceptable roofing materials. Three-tab Composition Roofing is not allowed.

## **Starwood Architectural Review Committee**

### **SIZE REQUIREMENTS**

There is a 1,400 square footage minimum for dwelling, exclusive of garage. The majority of homes are one-story homes. However, split-level and two story houses may be appropriate on a few select lots, subject to ARC approval.

### **TIME OF CONSTRUCTION**

Construction of a building shall be completed within 12 months of the date construction is commenced. Any delays caused by acts of God beyond the control of the builder are accepted.

### **WINDOW COVERINGS**

No sheets, blanket or other temporary coverings are to be used.

### **WINDOWS & FRAMES**

Window and doorframes must be painted to match or blend with surrounding colors. Colors are subject to approval by the Committee.

### **EXTERIORS:**

#### **ANTENNAS**

Antennas of any type visible from streets or neighboring properties are not permitted.

#### **CLOTHESLINES**

Exterior clotheslines must be located in fenced service yards and must not be visible from streets or neighboring properties.

#### **DRIVEWAYS**

All driveways shall be concrete, asphalt or similar material (i.e. paving stones). Cinders may not be used for any purpose.

### **EXTERIOR LIGHTING**

Exterior lighting that can be seen from roads or neighboring homesites must be indirect.

1. The light source must be visible (smoked, frosted or painted globes are not permitted). Beams of light must bounce off or reflect from the bulb's enclosure upward or downward and not to the side or to the front. The fixture needs shielding top and bottom so there is no forward or side emitted light.
2. Fixtures may be purchased commercially or custom built by builder or cabinetmaker. Fixtures and exterior lighting scheme must be submitted to ARC for review and approval prior to installing.
3. Security lights must be indirect. Indirect landscape lights are permitted.

## **Starwood Architectural Review Committee**

### **FENCING**

Lot perimeter fencing is prohibited. Rear and side yard fencing is permitted. Courtesy fencing is required. Fences shall not block mountain views of future residences. A survey will be required if the survey markers are not present. Fences shall not block mountain views. Cedar and redwood fencing is encouraged. However, at the discretion of the ARC, other materials may be acceptable where appropriate. Decorative wood rail fences will also be allowed. Maximum height of fencing is 6 feet. Absolutely no metal or wire fencing is allowed. If metal posts are used, they must be painted to blend with the fence.

### **GUTTERS & DOWNSPOUTS**

All gutters and downspouts shall be designed as a continuous architectural design feature. Exposed gutters and downspouts shall be colored to match the house color.

### **HEATING & COOLING SYSTEMS**

All exterior elements of heating and/or cooling systems must be screened from the view of neighboring property and roads. Where applicable the screening must be designed to reduce noise transmission to acceptable levels at adjoining properties.

### **LANDSCAPING**

It is not the intent of the Committee to make it necessary to obtain permission to place or remove each and every plant. However, a general landscaping design must be submitted within 6 months of final completion of the exterior of the house. The procedure for approval is the same as for all other improvements. All landscaping for each lot must be completed within one year after the completion of the exterior of the house.

All yards and grounds in connection with an improved lot shall at all times be kept in a neat and attractive condition. Grounds shall be cultivated and planted to the extent necessary to maintain an appearance in keeping with that of typical improved lots in the subdivision. All tree and large shrub planting must be approved by the Committee so that as trees and shrubs grow, they do not block or hinder any neighbor's views or cause safety concerns.

#### **Tree Planting/Tree Maintenance**

The ARC committee will not approve tree plantings that, upon full grown height, will exceed the home's roofline. As a guideline, for single level homes, this is approximately fifteen feet.

- Invasive and/or spreading tree species (ie aspens, bamboo, etc ) are not approved for landscape plantings.
- Invasive shoots and suckers shall be removed from homeowner properties to contain their spread.
- Stumps and/or suckers shall be treated to inhibit growth.
- Dead or dying trees/branches shall be removed immediately, and stumps/suckers treated to inhibit growth.



## **Starwood Architectural Review Committee**

### **Tree Removal/Trimming – Homeowner Lots**

No tree removal shall begin without approval from the ARC.

Homeowners are encouraged to communicate with each other and compromise regarding requests for tree trimming or removal on other owner's property. All homeowners are responsible for resolving issues of trees that encroach upon and/or damage adjacent properties.

### **Tree Removal/Trimming – Common Area**

Requests for tree removal or trimming in common areas are to be made to the ARC using the following procedure:

The homeowner with a request for tree removal, trimming or vegetation removal in common areas shall provide a written proposal to the ARC for review and approval.

- All requests for tree removal or trimming must include reason for request.
- A cost estimate is to be part of the proposal and shall be made by an arborist/landscape firm selected by the homeowner from a list of approved companies maintained by the ARC.
- The homeowner is responsible for all costs associated with the work.
- The requesting homeowner shall communicate with all adjacent and/or affected homeowners to ensure homeowners are aware of the request.

If approved, the ARC will oversee the work of the approved landscape company.

The requesting homeowner will pay the landscape firm for all costs of the work.

The ARC may approve the request in whole or in part,

The ARC will notify the requesting homeowner in writing of the approval or denial of the request.

### **Landscaping – Common Area**

Landscaping of the common area is the responsibility of the Starwood Landscape committee. Homeowners shall not plant, trim or remove trees or vegetation in the common areas without prior written ARC approval.

## **MAILBOXES**

Mail and paper boxes are restricted to designated areas for community use.

## **MAINTENANCE OF PROPERTY**

Each lot and all of its improvements shall be maintained in a clean and attractive condition, in a state of good repair, and in such a fashion as not to create a fire hazard, visual or odor pollution. Trees and shrubs should be maintained and pruned as to not block or hinder neighbor's views or create safety concerns.

No cargo trailer, utility trailer, boat trailer, incapacitated or antique vehicle, snowmobile, or off road vehicle shall be parked or stored outdoors on any lot or commons area unless screened from view. There is a 48 hour grace period for RVs at homes in order to facilitate loading, unloading and cleaning.

## **Starwood Architectural Review Committee**

### **SEPARATE STRUCTURES**

Separate structures must not be constructed on a lot without prior approval from the Architectural Review Committee. Style and color is to be coordinated with the house. Metal structures and not permitted.

### **DEFINITION OF RECREATIONAL UTILITY & VEHICLE ENCLOSURE**

An enclosed area appropriate for recreational, utility, and unused vehicle storage is an enclosure which prevents the vehicle from being seen from roads and/or neighboring lots.

### **SERVICE YARDS**

When not provided by other structures, each residence shall have an enclosed service yard, for garbage and trash containers, clothes drying apparatus, bicycles, outdoor maintenance equipment, firewood and so forth. None of these shall be placed where they will be seen from the roads or neighboring lots.

### **SIGNS**

Temporary "For Sale" signs or a sign used by a developer, builder, realtor or homeowner to advertise lots and/or residences during the construction or marketing period may be placed on any lot. All signs must be of a professional quality. Homemade signs are not permitted. Maximum size is 18" x 34".

## **SUBMITTAL AND APPROVAL PROCEDURE**

### **PURPOSE**

The purpose of the approval procedure is to give the ARC an opportunity to review designs at the preliminary stage, to guarantee that they are in keeping with the total concept of Starwood, and to advise the homeowner of changes, if needed, that will be required before additional amounts of time and money have been expended.

### **ARCHITECTURAL REVIEW FORM**

This is the form to be submitted for approval by all home owners prior to building on or making improvements on any site. This includes: new homes, addition to existing homes, fences, landscaping (major improvements) including tree removal and tree planting, and paint colors.

### **NEW HOMES, REMODELS AND ADDITIONS**

Application fee of five hundred dollars (\$500.00). The submittal fee of \$500.00 is to assure satisfactory completion and compliance with ARC Rules. Up to \$425.00 of the deposit is refundable upon satisfactory completion of construction as approved and final approval is received. However, if ARC action is required to identify a violation for correction, a \$50.00 fee will be assessed and deducted from the refundable monies for each violation.

Two (2) completed sets of plans including site plans must be submitted for approval. Upon approval, the ARC will return (1) signed, stamped, "approval" plan to be submitted to the County.

Site plan must include:

- Property lines
- Building location including: garage, decks, porches & fences
- Set backs (distance from property lines) and all easements
- Utility lines & connections
- Driveway and parking
- Height of ridge measured from street grade
- Scale

### **SITE PREPARATION**

- Locate all pins, stake and string property perimeters (a survey may be required)
- Stake and string house perimeter including garage and driveway
- Ribbon all trees proposed to be removed

### **TREES**

Prior to the removal of any tree, it must be identified on the site plan, located and marked with a ribbon on the lot and its removal is subject to approval by the ARC.

## **Starwood Architectural Review Committee**

### **FOOTING INSPECTION**

Footings are to be inspected by the ARC prior to pouring. Call any member of the ARC for simultaneous county inspection.

### **UTILITIES**

All utilities are located underground, with hook-ups at each lot line. Electric power is available from Pacific Power and Light (PPL). Avion water lines are extended to the property boundaries of each lot. Cable television is available from Bend Broadband. No septic installation is needed, since the Starwood sanitation system is in place. No utilities are to be above ground.

### **COUNTY BUILDING REQUIREMENTS**

Deschutes County has adopted the Uniform Building Code with the State of Oregon modifications. All government-building requirements are applicable. The county requires that a building permit be obtained prior to beginning construction of any improvement or making additions or changes to an existing structure.

Deschutes County has also adopted solar setback standards, which may have an impact on the design and siting of residences.

### **ARCHITECTURAL RULES**

Each homeowner is responsible for complying with Architectural Rules. Before plans are reviewed for approval, all materials must be submitted.

### **EXPIRATION DATE OF APPROVAL**

The approval shall be given (or denied) within 15 working days of receipt of all required materials. The approval shall be valid for a period of six months, at which time it shall expire.

At any time before construction begins, all changes to the "Architectural Rules" will apply.

Should an extension be required beyond the six months expiration period, due to extenuating circumstance, a written request for extension of time may be considered by ARC.

### **SEVERABILITY**

If any section, subsection, paragraph, sentence, clause or phrase of these Rules and Regulations is for any reason held by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remaining portion of these rules

Starwood Architectural Review Committee

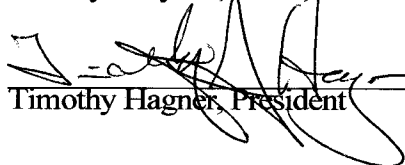
**NONWAIVER**

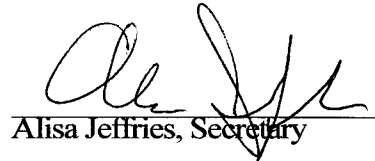
Consent by the ARC to any matter proposed to it or within its jurisdiction, or failure by the ARC to enforce any violation of the Rules, shall not be deemed to constitute a precedent or waiver impairing the ARC's right to withhold approval as to any similar matter thereafter proposed or submitted to it for consent, or to enforce any subsequent of similar violation of these Rules.

**SUBMIT PLANS AND COMPLETED FORMS TO:**

**Starwood Association, ARC  
64915 Starwood Drive  
Bend, OR 97701**

"Architecture Review Committee Rules were adopted by the Architectural Review Committee and by unanimous vote of the Board of Directors of Starwood Association, Inc. on December 15, 2015. The Architectural Review Committee and the Board of Directors may, from time to time, adopt, amend and repeal these rules and regulations. These Rules supersede those recorded in Deschutes County May 16, 2008, Document 2008-21455."

  
Timothy Hagner, President      2-12-16  
Date

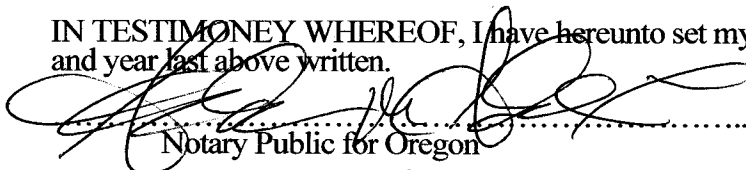
  
Alisa Jeffries, Secretary      2/12/16  
Date

STATE OF OREGON

County of Deschutes..... } ss.

BE IT REMEMBERED That on this 12 day of February, <sup>2016</sup>~~2008~~, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named Timothy Hagner and Alisa Jeffries known to me to be identical individuals described in and who executed the within instrument and acknowledged to me that they executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

  
Notary Public for Oregon

My Commission expires April 11, 2016

