

Lake Fischer Estates Homeowners Association, Inc.  
Amendment to Architectural Guidelines

This Amendment to Architectural Guidelines for Lake Fischer Estates Homeowners Association, Inc. ("Amendment") is entered into this 17<sup>th</sup> day of May, 2011.

WHEREAS, the Lake Fischer Estates Homeowners Association, Inc. (the "Association") adopted its Architectural Guidelines on January 7, 2003 (the "Architectural Guidelines") in accordance with the Association's authority under Article XII of the Declaration of Covenants and Restrictions of Lake Fischer Estates recorded at Official Records Book 5546, Pages 4033-4103, Orange County Public Records (the "Declaration"); and

WHEREAS, the Association has the authority to and desires to amend the Architectural Guidelines by the approval of its Board of Directors as set forth herein.

NOW THEREFORE, in consideration of the above premises, the Association hereby declares the following amendments to the Architectural Guidelines are hereby enacted (underlined words are additions and ~~stricken-through~~ words are deletions):

**Article II, Section H of the Architectural Guidelines is hereby amended to read as follows:**

H. Implementation of Approved Plans: All work must conform to approved plans. If it is determined by the Reviewer that work completed or in progress on any Lot or Property is not in compliance with these Architectural Guidelines or any approval issued by the Reviewer, the Reviewer shall, directly or through the Board, notify the Owner and Builder, if any, in writing of such noncompliance specifying in reasonable detail the particulars of noncompliance and shall require the Owner and/or Builder to remedy the same. If the Owner and/or Builder fails to remedy such noncompliance or fails to commence and continue diligently toward achieving compliance within the time period stated in the notice, then such noncompliance shall be deemed to be in violation of the Covenant and these Architectural Guidelines.

1. Time to Commence.

a. Construction. If construction or modification of a structure, swimming pool or other improvement to real property requiring a building permit does not commence on a modification for which plans have been approved within ~~one year~~ one-hundred and eighty (180) days (unless stated otherwise on application) of such approval, such approval shall be deemed withdrawn, and it shall be necessary for the Applicant to resubmit the plans to the appropriate Reviewer for reconsideration.

b. Non-construction work. If work not involving the construction or modification of a structure, swimming pool or other improvement to real property requiring a building permit (including by way of example, not limitation: landscaping, landscape curbing,

landscape lighting, landscape ornamentation, painting, and driveway modification), does not commence within ninety (90) days of such approval, such approval shall be deemed withdrawn, and it shall be necessary for the Applicant to resubmit the plans to the appropriate Reviewer for reconsideration.

2. Time to Complete:

a. Construction. Once construction is commenced, it shall be diligently pursued to completion. Completion of all construction and modifications of a structure, swimming pool or other improvement to real property requiring a building permit shall take place within one year after commencement unless otherwise stated on the approved plans.

b. Non-construction work. Once work is commenced, it shall be diligently pursued to completion. Completion of all work not involving the construction or modification of a structure, swimming pool or other improvement to real property requiring a building permit (including by way of example, not limitation: landscaping, landscape curbing, landscape lighting, landscape ornamentation, painting, and driveway modification), shall take place within ninety (90) days after Reviewer approval.

c. Lot in Violation. If at the time an application is being considered by the Reviewer, the Applicant and/or the Lot that is the subject of the application is in violation of the Covenant, the Applicant shall commence and complete work approved by the Reviewer relating to or concerning the Covenant violation at issue within forty-five (45) days after Reviewer approval.

d. Extension. The Applicant may request an extension of such maximum time period for commencement and/or completion not less than three days prior to the expiration of the applicable maximum time period, which the Reviewer may approve or disapprove, in its sole discretion.

e. Violation. If construction or other work is not completed on a project within the period set forth above, or within any extension approved by the Reviewer, the approval shall be deemed withdrawn, and the incomplete construction shall be deemed to be in violation of the Covenant and these Architectural Guidelines.

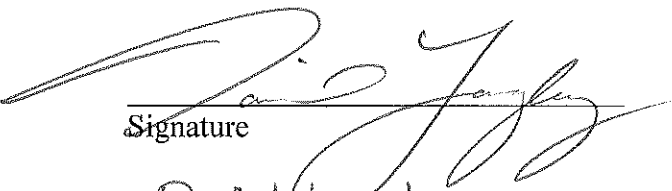
**Article IV, Section C of the Architectural Guidelines is hereby amended to read as follows:**

C. Easement Plantings: No modifications or plantings shall be made to an easement area without the appropriate Reviewer's approval. All plantings in an easement area (the area adjacent to a Lot between the common area sidewalk and the roadway curb) that have been previously approved and installed shall be properly maintained by the Owner of the Lot adjacent to such area. Sod shall be properly maintained within easement areas by the Owner of the Lot adjacent to such area, subject to the following conditions:—Annuals and ground cover planted in the easement area shall be less than 18" in height and shall be maintained at such height or less. Beginning May 17, 2011, no trees shall be

approved or planted within easement areas, unless expressly authorized by the Board of Directors. — Only single-trunk trees shall be allowed to be planted in the easement area. Palm trees must have a five (5) foot clear trunk before the fronds start and be the type that will reach a height of at least 12 feet. These trees are to be planted no closer than twenty-five (25) feet apart. A variance must be obtained from the Architectural Review Board for trees planted closer than 25 feet apart. Plant hangers and pots will not be allowed in the easements. Poured curbing will not be allowed in the easements. An approval granted by the Reviewer for modifications and plantings within an easement area is automatically conditioned upon the Lot Owner's/Applicant's perpetual compliance with the requirements of this section.

This Amendment to Architectural Guidelines have been prepared and duly adopted by the Board of Directors of Lake Fischer Estates Homeowners Association, Inc. on this 17<sup>th</sup> day of May, 2011

**Lake Fischer Estates Homeowners Association, Inc.**

  
Signature

Daniel Langley  
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Its: President