

TIERRA MAR ASSOCIATION, INC.

ARCHITECTURAL REVIEW GUIDELINES

(Approved May 16, 2018)

HOMEOWNER SUMMARY

1. A homeowner planning to make a material change to any part of their dwelling visible from Common Areas or from the property of a neighbor, or a change within the dwelling that creates Continuing Noise must seek approval from the Tierra Mar Association (and the Pelican Bay Foundation and Collier County, as applicable) for approval for such a change. It is the intent that repairs or decorating that do not create Continuing Noise or constitute a Major Project, as defined herein, do not require ARC approval. With respect to seeking approval from the Tierra Mar Association, the homeowner should obtain a Tierra Mar Architectural Review Committee Request Form from the Property Manager of the Association or download the form from the association website (www.tierramar-pelicanbay.com). The Board shall discuss, at its discretion, annually whether any amendments are appropriate to the Architectural Review Guidelines. Any proposed changes to the Guidelines will be mailed or electronically delivered to the owners at least 14 days prior to the Board voting on any such changes.

2. Once complete, the application form, together with complete plans and specifications of the proposed change, should be submitted to the Tierra Mar Property Manager. The plans and specifications should be in the same format and size as those presented to the County for approval or as otherwise requested by the ARC. The Property Manager will forward these documents to the Chair of Architectural Review Committee (the ARC) of the Tierra Mar Association who will share the documents with the committee. The ARC will review the proposal, and within a period of thirty (30) days may request further information from the homeowner, may request a site visit, may request the contractor, engineer or other project manager explain the project at a committee meeting and/ or may recommend approval or disapproval of the project to the Tierra Mar Board of Directors. The ARC shall make a recommendation on the application no later than thirty (30) days from the later of receipt of all requested information, site visit or contractor hearing.

3. Upon receipt of the ARC's recommendation, the Board of Directors will consider the proposal and make a decision of approval or disapproval at its next scheduled meeting after the recommendation is received from the ARC, assuming notice of the Board meeting can be still properly given by law and not earlier than 14 days from the date of receipt of the recommendation. If the Board votes for approval, the project documents can be submitted to the Pelican Bay Foundation for their review, as applicable. The Board may vote for disapproval if, in the sole discretion of the Board, the project does not conform to the Architectural Review Guidelines or to the Governing Documents of the Tierra Mar Association.

INTRODUCTION

General

The Tierra Mar Association, Inc. (the "Association ") is governed by, among other things, (1) the Homeowners Association Act, Chapter 720, Florida Statutes, (2) the Amended and Restated Declaration of Covenants, Conditions and Restrictions for Tierra Mar (the "Declaration"), (3) the Amended and Articles of Incorporation of Tierra Mar Association, Inc., (4) Amended and Restated Bylaws of Tierra Mar Association, Inc., (5) resolutions and rules adopted from time to time by the Board of Directors, (6) these Architectural Review Guidelines authorized by Article VIII of the Declaration and adopted by the Board of Directors and (7) the Amended and Restated Declaration and General Protective Covenants for Pelican Bay (the "General Covenants for Pelican Bay"). All of these documents can be located on Tierra Mar's web-site : www.tierramar-pelicanbay.com

Article VIII of the Declaration grants the Association's Architectural Review Committee (the "ARC") authority to issue an advisory opinion (hereinafter "Recommendation") to the Board of Directors of the Association to approve or disapprove a proposed change and grants the Board of Directors the authority to approve the erection and alteration of all buildings, Structures or other improvements within the Tierra Mar community (the "Community"). Specifically, Section 8.01 of the Declaration provides that no improvement visible from outside of any Perimeter Wall or Privacy Wall shall be made, including both additions or removals of improvements, nor shall any structure of any kind be constructed, including without limitation, any building, fence, wall, screen enclosure, drain, or disposal system, nor shall any addition, change, alteration, repair or replacement thereon or thereof be made which changes the appearance, use or function of the Lot, or of any improvement upon the Lot, unless plans, specifications and the location of the same shall have first been approved in writing by the Association. All plans and specifications shall be evaluated as to harmony of external design and location in relation to surrounding structures and topography and their consistency with any Association approved design guidelines.

As set forth in Section 6 of these Guidelines, requests for improvements and/or changes to any of the following must be presented to, and receive initial written recommendation from the ARC, approval from the Board of Directors, and final approval from the Pelican Bay Foundation, if applicable: any building or other Structure or improvement, addition or change of any nature, including, but not limited to, swimming pools, screen enclosures, exterior fixtures on the home or Lot, shutters, hurricane protection, exterior apparatus, exterior lighting, swales, driveway surfaces or treatments, roofs, paint colors of party walls, exterior walls, building walls, gates, fences, sculptures visible from common areas or neighboring properties or other improvements or changes of any kind (even if not permanently affixed to the land or to other improvements).

Each building, wall, fence, or other Structure or improvement of any nature, together with landscaping, shall be erected, placed, relocated, changed or removed only in accordance with the plans and specifications and plot plan so approved by the ARC, the Board of Directors and applicable governmental permits and requirements. Any change, modification, alteration, addition or improvement in the exterior appearance of any building, wall, other structure, or other additions

requiring approval herein, shall be deemed an alteration requiring approval, unless specifically exempted.

In addition to Tierra Mar's Architectural Review Guidelines, projects must also be approved by the Pelican Bay Foundation ("Pelican Bay"), Tierra Mar's Master Homeowners Association, in accordance with the General Covenants for Pelican Bay and Pelican Bay's guidelines and procedures which are set forth on its website, www.pelicanbay.org. Pelican Bay has more extensive procedures for projects which it regards as "Major Exterior Projects." To the extent that Pelican Bay does not approve a project, any approval obtained from Tierra Mar shall be automatically rescinded unless and until Pelican Bay approval is obtained.

1.1 DEFINITIONS:

1.2 ARC: Architectural Review Committee are defined in Article 8.02 of the Declaration.

1.3 ARC Recommended Approval: Advisory written approval from the ARC to the Board of Directors regarding any action for which approval is required.

1.4 Architectural Control: The Association's right to require approval or disapproval from the ARC as to the installation or alteration of any building, Structure, or other improvement; or any grading, excavation, landscaping, change of exterior color, or other work which in any way materially alters the exterior appearance of any Structure, Lot, or Living Unit. (Reference Section 8.01 of the Declaration)

1.5 AHJ: Authority Having Jurisdiction (by way of example and not limitation, as to fire pits and fire places, the AHJ is the local Fire District).

1.6 Association: The Association, the Tierra Mar Association, Inc.

1.7 Board: The Board of Directors of the Tierra Mar Association, Inc.

1.8 Change: Any alteration, addition, modification, improvement, work, construction, project or undertaking of any nature involving single family homes, multi-family dwellings, the appurtenances thereto, auxiliary structures, yards, or any portion of the Community that is visible from the exterior of the premises from any vantage or any alteration/addition whose work creates Continuing Noise.

1.9 Codes: All applicable federal, state, county and local laws and ordinances affecting the Community.

1.10 Guidelines: These Design Review Guidelines, as amended from time to time.

1.11 Continuing Noise. Noise which continues for more than one (1) day, is unreasonably disturbing and penetrates the Living Unit and/or Lot to neighboring properties or common areas requires approval from the Board after consultation with the adjacent neighbors to the property where the Continuing Noise will occur. Specifically, for purposes of this criteria, it is disturbing noise related to a project, such as jackhammering, tile cutting, sawing or other construction noise

not merely incidental to the day-to-day maintenance of a Lot or Living Unit. The Board may further require, as a condition for approval of a project that certain equipment is used, prohibited or limited in time used, to avoid noise penetrating to other properties. At the time of application, details concerning the method that may be used to perform certain work and the time frame, such as demolition, shall be disclosed to the Board. What is considered Continuing Noise is to be determined by the Board in its sole discretion.

1.12 Major Project. A project that will take more than thirty (30) days to complete and involves exterior changes to an existing home, additions to a home or addition of a free standing structure, or a material change to a lot that is visible from the Common Areas or from another property or any alteration/ addition whose work creates Continuing Noise as defined herein. A Major Project usually will require the services of an engineer or architect or the presence of a dumpster. A Major Project is defined further in the Rules and Regulations of the Pelican Bay Foundation and in Section 10.1 herein.

1.13 Minor Project. A project that involves interior work within the dwelling or courtyard not visible from Common Areas or from another property, and which is able to be completed within thirty (30) days of commencement. Replacement or repair of existing walls, addition of landscaping sculptures/statuary, gates and fences may also be regarded as Minor Projects.

1.14 Any undefined terms used in these Guidelines shall have the same meaning as found in the Declaration or Chapter 720, Florida Statutes, both as amended from time to time or, if not, as found in Webster's dictionary. In case of any conflict or ambiguity between the provisions of these Guidelines and the Declaration, the Declaration shall control.

2.0 ARCHITECTURAL REVIEW GUIDELINES:

These Architectural Review Guidelines have been created to help maintain the integrity of the Community as developed by its builders. It is not the intent of these Guidelines to judge what is beautiful or not beautiful, but to coordinate, encourage and maintain architectural compatibility within the Community.

These Guidelines are intended as an overview of the process to be followed by the ARC and the Board whenever a proposal to change an existing Lot, Living Unit, Structure, building, or other improvement is submitted. Further requirements and restrictions on the use of Lots and/or Living Units are contained in Article 9 (Use Restrictions) of the Declaration, which should be referred to as well.

3.0 THESE GUIDELINES COVER, AMONG OTHER THINGS, THE FOLLOWING ASPECTS OF YOUR LOT OR LIVING UNIT:

a) Lot and Living Unit: Your Lot and Living Unit based on its orientation and natural features. Specific directions are provided as to the hardscape and landscape elements involved in making any changes to Lot or Living Unit that require approval.

b) **Architectural Standards:** Items to consider as they relate to the style, building materials, detailing and colors should you choose to make exterior changes to your current Lot or any Structure located thereon.

c) **Construction Standards:** Directions to be followed to assure the quality of materials and workmanship for any additions and/or changes to the Lot and Living Unit.

4.0 ARC REVIEW:

a) Owners are required to submit to the ARC complete plans and specifications for any building, Structure, or any other improvement proposed to be erected or altered, or any proposed grading, excavation, installation, or other work which materially alters the exterior appearance of any Living Unit, Structure, building, other improvement, or Lot, or any Change of any nature. It is not the intent of this criteria to require ARC approval for the installation of landscape plantings or trees within the confines of a Unit's privacy wall. The Landscape Committee has advisory authority over plantings within the rest of Tierra Mar according to Declaration Section 8.03.4.

b) Any project that makes changes to the Lot or Living Unit which is visible from the Common Elements or another property, or any alteration/ addition whose work creates Continuing Noise, requires prior ARC recommendation of approval and approval from the Board; see the General Introduction section of these Guidelines.

c) To assist in the review process, an application form entitled Architectural Request Form ("Request Form") can be downloaded from the Association's website or obtained from the Association's property manager. This form furnishes the ARC with the basic information it needs to review, and also functions as a checklist so that all design aspects can be inspected upon completion. A copy of the Request Form is attached to these Guidelines as Addendum A.

d) Any questions in reference to these Guidelines should be submitted to the ARC. The ARC will make every effort to clarify the Guidelines and interpret the applicable provisions.

5.0 THE ARC REVIEW PROCESS:

The ARC will meet as required and at the call of the Chair, to carry out its duties and functions.

The ARC will attempt to meet no later than thirty (30) days after the Association's Property Manager receives a completed ARC Request Form from a homeowner. Requests must be submitted using the ARC Request Form which is available from the Association's Property Manager, or the Association's website (www.tierramar-pelicanbay.com). Requests must include a site drawing showing the proposed changes, construction detail information as applicable, color information, contractor's license, and liability insurance.. Measurements of the location in reference to the Lot/Living Unit, easements, and property line are required. The plans and specifications should be in the same format and size as those presented to the County for approval including no smaller than 10 pt. font. The ARC may request larger, legible plans at its discretion as necessary in order to review the application.

A member or members of the ARC shall endeavor to review the requests within fifteen (15) days of receipt to identify requests that may need more information, or need a site visit for clarification of request, to need the contractor, engineer or other project manager explain the project at a committee meeting and to determine if the request is in compliance with the Guidelines. Any forms considered incomplete, or where additional information is required, in the sole discretion of the ARC, will be identified, and the person submitting the request will be notified so all appropriate information is available to the ARC. The ARC may, in its discretion, defer consideration of requests which are not complete in the initial submittal or which require further information.

Records of all ARC submittal forms will be kept in the Official Records of the Association and be available for inspection and copying by Association members upon a written request to do so.

The following is a suggested set of steps Owners should take in preparing to submit an ARC application for consideration:

Step 1: If deemed appropriate by the Owner, the Owner should secure the services of an architect, designer, landscaper, contractor or whomever the Owner has decided to employ to accomplish the changes desired. Seeking professional advice on the work to be done is left to the discretion of the Owner. The ARC may require that certain types of requests (by way of example, and not limitation, a home addition) can only be reviewed by the ARC if supporting materials from an appropriate professional have been provided with that professional attending a meeting of the committee to clarify any matters. The Owner, with or without the assistance of a professional, should outline a plan or concept for the changes and obtain a written design plan for such changes. To the extent that the ARC requires the retention of certain experts in order to review and provide opinions on the plans, that cost must be borne by the owner. The ARC shall advise the owner in advance if retention of such an expert is necessary and the owner shall have the ability to withdraw their application rather than incur such cost.

Step 2: Preliminary Review: Sometimes it may be advisable to schedule a preliminary review of the Owner's conceptual ideas and drawings with a representative of the ARC. While not required, if the Owner would like to review the proposed plans with an ARC member prior to a formal submittal, he or she may do so by contacting the Association's Manager or the Chair of the ARC to set up a time to meet.

Step 3: Final ARC Review: When drawings and specifications are complete, they must be submitted to the ARC through the Association's Property Manager for ARC review. Owners must include all applicable full working drawings, site improvement plans, site grading and landscape plans. No work may be started until written approval is received from the Board. Following the ARC meeting, the ARC will provide a recommendation to the Board regarding the ARC request. The Board will address the ARC request at its next meeting, assuming notice of the Board meeting can be still properly given by law and not earlier than 14 days from the date of receipt of the recommendation. The Board may delegate the authority to approve Minor Projects, as recommended by the ARC, to the Association manager, President, or other Board Member(s).

Step 4: Approved/Denied ARC Requests: The Property Manager will send a copy of the “Approved/Disapproved” ARC form along with a cover letter which sets forth the Board’s decision to the homeowner. An approved project must begin within six (6) months of the final Board approval and must be pursued diligently towards completion and completed in a most expeditious timeframe, not later than seventeen (17) months from the earlier of the issuance of the permit (if required), commencement of the work or the approval by the ARC, inclusive of the December through April moratorium on certain work as contained herein. The Association may require a cash surety to insure completion in a timely manner and compliance of the owner with the plans and specification as approved by the ARC and the Board. The amounts of any surety shall be set by the Board.

6.0 ARC STANDARDS FOR RECOMMENDED APPROVAL

In determining whether to recommend approve of a proposed building, structure, enclosure or other improvement (a "Change"), the prevailing standards shall be whether the proposed Change will be in harmony of external design and location in relation to surrounding structures and topography and will be in compliance with the Tierra Mar Covenants and these Architectural Review Guidelines. The following factors will be considered by the ARC, and ultimately the Board, in making this determination:

- a) Whether the proposed Change has an architectural style, use of materials, scale, shape, color and appearance that is consistent with the surrounding structures and topography and the overall design of Tierra Mar, as more specifically delineated herein.
- b) Whether the proposed Change will violate any restrictive covenant or encroach upon any easement or building set back lines or the Common Area, or interfere with or be a source of annoyance to the quiet use and enjoyment of any other occupant of a villa in Tierra Mar; and
- c) Whether the proposed Change could result in a reduction in property values of any villa in Tierra Mar (provided that the opinion of a qualified professional , such as a real estate agent or appraiser has been obtained), or diminish the use or enjoyment of any portion of the Tierra Mar community, and
- d) Whether the individual or company intended to perform the work is acceptable to the ARC and the Board, based on qualifications, experience and appropriate licensing; and
- e) Whether the proposed Change is necessary and desirable to avoid undue hardship and inequity
- f) Whether the Change is in compliance with specific architectural standards, criteria and specifications in the Tierra Mar Covenants, these Architectural Review Guidelines or adopted from time to time by the Board of Directors or requirements of Pelican Bay.

In evaluating a proposed Change, the ARC will consider the wishes of an applicant and the effect of the proposed Change on the appearance of Tierra Mar and any potential adverse effect on close neighbors. Support of a proposed Change by close neighbors will be positively considered by the ARC but will not guarantee recommendation to the Board.

In some cases, architectural features and procedural matters allowed in the past have not proved satisfactory to community values or are otherwise undesirable and have been modified. Applicants should not rely on previous projects as guidelines for present and future use.

In order to assure compliance with the Tierra Mar Covenants and these Architectural Review Guidelines or for any other good and sufficient reason, the ARC may recommend and the Board of Directors of Tierra Mar may impose conditions, restrictions or limitations upon any approval of a proposed project

7.0 THE ASSOCIATION AND THE ARC, IN ISSUING AN APPROVAL OF A PROJECT, MAKE NO REPRESENTATIONS OR WARRANTIES AS TO THE PROPOSED WORK. THIS INCLUDES NO REPRESENTATION OR ENDORSEMENT OF THE FOLLOWING:

- a) The structural adequacy, capacity or safety features of the proposed improvement or variance.
- b) Soil erosion, un-compactable or unstable soil conditions.
- c) Acquiring necessary permits from state and local authorities, and compliance with any or all building codes, safety requirements, governmental laws, regulations, or ordinances.
- d) Performance or quality of work of any contractor, or subcontractor.
- e) Hazardous waste regulation compliance is a requirement and responsibility of the Owner.

THE ARC AND BOARD'S SOLE ROLE IS TO DETERMINE THE CONSISTENCY OF THE PLANS AND WORK WITHIN THE GOVERNING DOCUMENTS OF THE ASSOCIATION AND THESE GUIDELINES.

f) 8.0 COLOR

Continuity of design within Tierra Mar must be maintained by the use of paint and color hues the same as those used currently and consistently thereafter throughout Tierra Mar, specifically the Dover White and Tierra Mar Chocolate color scheme which is present on all structures and walls within Tierra Mar. Any change in color requires ARC recommendation, Board recommendation and a vote of approval the Owners prior to any other color being considered or allowed. Owners may custom paint the walls of interior court yards, atriums, and patios that are not visible from the exterior of the Lot any color without Board approval. However, at the periodic painting of the walls and buildings by the Association, the painting of any custom painted walls must be the responsibility of the Owner.

9.0 BUILDING SETBACK LINES, SIZE OF BUILDING, SITE RESTRICTIONS AND BUILDING HEIGHTS:

All Structures must conform to the requirements of the Codes, Rules and Ordinances of Collier County, all provisions of the Pelican Bay Documents and the Governing Documents with respect to all setbacks.

Further, in order to demonstrate harmony of external design and location, the size and proportions of a proposed project must be in an appropriate relationship to surrounding structures, the Common Areas and the neighborhood. Size of changes will be limited by the ARC and Board's understanding of the original design intent of Tierra Mar in terms of appearance, villa size, placement, distance between villas and effect on the Common Areas, green space and landscaping.

With respect to the height of the unit buildings in Tierra Mar, those units which are one level in style are not permitted to add another level on the unit or to alter the profile of the roof lines. Those few units which were originally constructed with a second floor are not permitted to increase either the height of the unit or the footprint of the second floor area.

Adjoining homes may be combined, however, the exterior of the Structure may not be altered in such a way as to change the number of entryways, garages, etc. Any tear-down may not be reconstructed in a manner which increases its footprint, alters its height, increases its impervious surfaces, or modifies or changes the architectural style, proportionality or the exterior materials, from the original construction.

Building of structures or other improvements in the Common Areas, including the placement of propane tanks, water tanks, or any other facilities for the private use of an Owner is not permitted unless approved by the Board of Directors and the Membership of the Association, as applicable.

10.1 CONSTRUCTION:

Unit Owners may commence a Major Project only with prior written approval of the Board of Directors. Any Major Project's exterior construction work and work causing Continuing Noise should be completed only during the months of May through November, inclusive. Finishing work within the dwelling or courtyard remaining after December 1, may be treated by the Board, in its sole discretion, as a Minor Project. In event of delays in exterior construction caused by severe weather or Acts of God, the Board in its sole discretion will determine if this work may be completed after December 1. A Major Project shall be as defined by the Board of Directors from time to time, but, whether so defined or not, shall include, but not be limited to, activities involving the following:

- Activities resulting in the creation of Continuing Noise
- Activities rendering the Unit uninhabitable during the performance of the work.
- Activities requiring the storage of materials or equipment on the premises outside of the home, including but not limited to dumpsters.

- Activities involving the presence of work crews for more than thirty (30) days.
- Activities requiring the use of scaffolding, booms, or other forms of exterior access.

The Board may waive the prohibition against such work being done in the months of December through April in the case of an emergency, in de minimus cases, or in hardship situations, as determined by the Board, and may permit the temporary staging of scaffolding and other work required for installation or maintenance and repair of hurricane shutters or other hurricane protection. The intent of this exemption is to allow required repairs to damaged areas caused by casualty events or other events outside the control of an owner without restriction as to time of year. Elective repairs, even in conjunction with required repairs above, should be performed within the May to November time period.

If at any time a dumpster is required to be kept on the Lot, such dumpster may only remain on site for two (2) consecutive weeks total for the duration of the project. Any extensions to the two (2) week limit require prior written approval of the Board. Such dumpster must be kept in compliance with any requirements of the Pelican Bay Foundation and all local Codes and Ordinances. No dumpster or other construction materials may be placed on the Common Areas.

Upon approval of the project, it is the responsibility of the Owner and their Contactor that all Common Areas around the Unit will be free of debris at all times, and that the Unit and Common Areas be maintained by all work crews continuously until completion of the project activity.

All Major Projects shall require the Owner or an Owner's Representative, who shall be identified in writing to the Association, to be onsite at the end of each workday to inspect and be responsible for ensuring the job site Common Area is clean and free of debris. The job site common area shall include the roadway directly in front of the property as well as the area between the roadway and the homeowner's property wall or fence. The name and contact information of the representative shall be included on the TM construction application form. Should there be a need to appoint an interim representative, the name and contact information shall be submitted by the Owner to the Tierra Mar property manager within 24 hours of the transfer of responsibility.

Construction Work, whether extensive/heavy or otherwise, may only be performed Monday through Friday from 8A.M. to 5P.M., all work crews must be offsite by 5P.M. No work may be performed on any Holiday, or as further limited by the Board.

11.0 ENCLOSURES:

Screen enclosures may be installed, with Board approval, as long as construction materials used match those materials used in the construction of the residence. The construction must conform to all applicable Codes and be permitted by the County.

12.0 FENCES and WALLS:

Perimeter walls that were part of the original construction of the Community (e.g. following Pelican Bay Boulevard and the roadways of Tierra Mar) are part of the Common Areas of the Community and can only be modified or removed following a vote of the Membership of the

Association. The Association is responsible for the maintenance and repair of these perimeter walls. The gates and slatted fences in the front perimeter walls of each Lot are the property and maintenance responsibility of the Owner and must be kept in good condition. These fences and gates must be either slatted or shadow-box style and may either be wood or aluminum as specified in Appendix D. The rear of Lots that do not terminate in an Association owned and maintained perimeter wall may be unfenced, fenced, walled, or be a combination of the foregoing. Fences on the rear of a Lot that is not bounded by an Association owned and maintained perimeter wall may be either be shadow-box, slatted or picket style as defined in Appendix D. Fences on the rear of the Lot may be replaced with a solid wall or solid wall segments painted in accordance with the design scheme of Tierra Mar. Except for Association owned and maintained perimeter wall, rear walls and fences may be removed in their entirety, but the Owner is responsible to ensure their Lot complies with all applicable Codes, Ordinances and Regulations.

13.0 BURNING:

- a) No outdoor incinerators are allowed.
- b) Fire pits may not be used to burn rubbish, lawn debris, or other materials. Only cut wood to fit inside the pan of the fire pit or manufactured artificial fireplace logs are permitted.

14.0 GARAGES, CARPORTS AND ACCESSORY BUILDINGS:

- a) No detached garage or other accessory building shall be erected. Each residence shall have an attached or built in garage which shall accommodate no less than one (1), nor more than three (3), automobiles. Repair of vehicles shall be permitted only inside the garage. When ingress and egress to the garage is not in progress, the garage doors shall remain closed.
- b) Carports are not permitted.
- c) No screen roll-up or slider screen garage doors permitted.

15.0 HURRICANE SHUTTERS:

Shutters come in many choices of material, including but not limited to metal, aluminum, plastic, and fabric. They can be of several types, including, but not limited to, roll down (either electric or hand roll up), accordion style, whole window covering, metal panels, or plantation. Shutters must match the paint on the residence. Any shutter installation must comply with the requirements of the Pelican Bay Foundation and all applicable codes.

16.0 OUTSIDE LIGHTING:

Except as may have been initially installed by Developer, no spotlights, floodlights, or other outdoor high intensity lighting shall be placed or utilized upon any Lot which in any way will allow light to be reflected on any other Lot or the improvements thereon without the written authorization of the Board. Outdoor lighting shall not be of such a nature or color to unreasonably disturb the owners or other occupants of the Community.

17.0 SATELLITE DISHES:

Except as required by law, all satellite dishes must be installed in such locations as to not be visible from the exterior of the Lot. If required to be installed in a location that is visible from the exterior of the Lot, the dish must have approved landscaping around it when possible to do so without obstructing reception.

18.0 SWIMMING POOLS:

For a lot without a swimming pool, an Owner may, if approved by the Board, construct a swimming pool and screened enclosure on his Lot. An existing swimming pool may be modified but a site plan showing the location of the swimming pool and all related construction must accompany the ARC Request Form. No above ground swimming pools are permitted.

19.0 OUTDOOR EQUIPMENT AND APPARATUS:

All garbage and trash containers, oil tanks, bottled gas tanks, swimming pool and/or spa equipment, water softeners, equipment housing sprinkler pumps and all other outdoor equipment or apparatus must be fully contained on the Lot. Further, such items must be (a) underground, or (b) placed in areas not visible from adjacent streets, or (c) adequate landscaping must be used as screening around these facilities and maintained by the Owner. What is considered adequate screening is in the sole discretion of the Board.

20.0 ROOFS:

All pitched roofs shall be covered with tile. Any proposed roof replacement, in whole or in part, shall first be recommended by the ARC and approved by the Board. The tile used shall have the same color hue and be of the same texture, style, size and barrel-configuration as specified in Addendum C. All flat portions of the roofs must also be properly maintained by the Owner. Adjoining Lot Owners are encouraged to coordinate the maintenance and replacement of their common flat roof. If an Owner intends to install solar panels or solar heaters on the roof, the flat roof area is the preferred installation location.

21.0 DRIVEWAYS:

All proposed driveway replacements or alterations shall be completely reconstructed using pavers of the color, shape, size, design, quality and materials as provided in Addendum B.

22.0 TEMPORARY FACTORY-BUILT OR EXISTING STRUCTURES:

- a) No Structure of any kind of what is commonly known as “factory-built”, “modular”, or “mobile home” type of construction shall be erected.
- b) No tent, trailer, shed or temporary Structure shall be permitted on the Common Areas of the Community. No such Structure shall be permitted on any Lot, unless its size, appearance and temporary location on the Lot has first been approved by the Board.

23.0 COMPLETION OF CONSTRUCTION REPAIRS:

Once a project is approved, work must begin within six (6) months of the final Board approval or the approval shall be deemed withdrawn and the Owner shall be required to option new approval. The construction of any addition to or the repair of the exterior of any Living Unit shall be pursued diligently towards completion and completed in a most expeditious timeframe, as determined by the Board in its sole discretion, but no later than the deadlines below. If a Major Project is not completed in the May through November timeframe, the Board, in its absolute discretion, will consider whether the project should be placed on hold in November until the next May to November Major Project window. Discretionary factors may include, but are not limited to, a prohibition on Continuing Noise, removal of dumpsters, or parking limitations on contractor vehicles. All work shall be completed not later than seventeen (17) months from the earlier of the issuance of the permit (if required), commencement of the work or the approval by the ARC, inclusive of the December through April moratorium on certain work as contained herein. The Association may require a cash surety to insure completion in a timely manner and compliance of the owner with the plans and specification in amounts as approved by the ARC and the Board. The Board may grant variances from these deadlines, in its sole and complete discretion, to avoid undue hardship, or due to delays resulting from a casualty event or act of God.

24.0 STORM WATER RUNOFF

Disruption of the natural topography and/or changes in the rate or direction of storm water runoff must not adversely affect any Lot or any Common Area. All structures within Tierra Mar must be designed and constructed to avoid roof or structure runoff, or diversion, onto directly connected impervious areas. Storm water from a new addition roof must be discharged no closer than five feet from any neighboring property. Once constructed, no alterations are permitted that will alter roof or structure drainage in any manner that channels runoff onto impervious surfaces.

25.0 ENFORCEMENT:

Any decisions of the Board regarding ARC requests shall be enforced by the Association. Follow-up visits may be made the Board, the Association's property manager, and/or the ARC to ensure that the work complies with the project that was approved by the Board. The Owner must grant the Association such access as is necessary to conduct such review. Failure by the Owner or occupant to follow the approved ARC request will normally result in a letter being forwarded to the Owner informing them of the situation and actions necessary to bring the work into accordance with these Guidelines, although Association has the right to pursue other remedies, including but not limited to, the imposition of fines, such fines shall be levied as provided by Chapter 720, Florida Statutes.

Attachments –

Addendum A- Architectural Review Committee Request Form

Addendum B-Paver Colors and Styles

Addendum C-Roof Colors and Styles

Addendum D-Front Fence, Front Gate, Rear Fence Color and Styles

Addendum A
Tierra Mar Architectural Review Committee Request
Form
and
Pelican Bay Foundation Design and Review Application
for Minor Improvements

See attached.

ARCHITECTURAL REVIEW COMMITTEE REQUEST FORM

Homeowner Name (s): _____

Address / Unit #: _____ Email: _____

Local Phone #: _____ Away Phone #: _____

Describe the nature of your alteration in detail:

Please include (via attachments if necessary) the following:

- **Name of company performing work**
- **Certificate of Insurance**
- **Copy of Occupational License**
- **County Permits**
- **Drawings, plans, color or material samples**

****I agree that variances from the Tierra Mar ARC Guidelines are the responsibility of the applicant. I have read and understand the Tierra Mar ARC Guidelines.**

Initials

Mail this application & materials to: EAGLE Property Management
P. O. Box 112260 Naples, FL 34108-0138

I (we) hereby make application to the Architectural Review Committee and Board of Directors of the Tierra Mar Association for the alteration described above. I/we understand that written approval of this request is in compliance with Association Declaration of Covenants and must be approved in-writing by the Board of Directors prior to work commencement. I/we also acknowledge that we could be responsible for removal of the alteration items if installed without the written approval of the Association, or is deemed by the Board of Directors to be not in compliance with the Design Review Standards of the Association Guideline Documents. I/we further acknowledge that any contractor damage done to Association common property or other homeowner property is my responsibility. Power must be supplied from units, not common exterior utility outlets.

(Signature of Applicant) (Date) (Signature of Co-Applicant) (Date)

Board of Directors' Decision: _____
APPROVED DISAPPROVED OTHER

Comments: _____

Authorized Director Signature: _____ Date: _____



MINOR EXTERIOR PROJECTS
Homeowner's Association (HOA)
Condominium Association (COA)

Dear Member:

The Pelican Bay Foundation Design Review & Covenants Department, is responsible for architectural controls for Pelican Bay. It is important to be aware of the Design Review Approval Process, what is required, the timing of projects and obtaining approval prior to the commencement of any work. Before starting any project, we recommend you review the Design Review Guidelines and Construction Guidelines on the Pelican Bay Website on the Covenants Page to ensure you understand the process and submit a complete package.

The Design Review & Covenants Department has 30 days to review your project. We encourage you to anticipate your project by submitting for approval at least thirty (30) days prior to your proposed start date. The 30-day review process does not begin until all required items have been submitted, incomplete or missing items from your submission will delay your process and the 30-day review period will not commence until all required items have been received. The following items must be submitted for review:

1. Completed Design Review Application for Minor Projects.
2. Approval from your Association or Architectural Review Committee (copy of the Meeting Minutes approving the project).
3. Copy of survey for property, if applicable.
4. Specs, materials, colors, etc. for your project.
5. Proposed start and completion date.
6. If a dumpster or port-o-let will be required on site during your project. (See Construction Guidelines for details on placement, screening requirements and emptying).

As a reminder, all exterior projects require Foundation approval and no work may be commenced until written approval from the Foundation has been granted. If you have any questions as to what constitutes a minor exterior project or if approval for a project you are anticipating is required, or have any questions concerning the design review process, please feel free to call the Covenants Department for clarification at 239-596-6180, ext. 230.

Sincerely,

Lisa Warren

Lisa Warren,



DESIGN REVIEW APPLICATION MINOR EXTERIOR PROJECTS

Neighborhood Association: _____	
Site Address: _____	
Parcel #: _____	Pelican Bay Unit #: _____ Block: _____ Site #: _____
Owner Name: _____	Member #: _____
Mailing Address: _____	State: _____ Zip Code: _____
Email Address: _____	Home Phone: _____ Cell Phone: _____
Architect: _____	Builder: _____
Landscape Design Architect: _____	Work to be done by: <input type="checkbox"/> Self <input type="checkbox"/> Contractor
Proposed Start Date: _____	Proposed Completion Date: _____
Owner Signature: _____	Date: _____

***From the List Below Select the Type of Project - Must Provide Items Noted for Project with Application
No Design Review Fee Required***

Air Conditioning (Replacing or Adding) (provide specs, survey showing location & required screening)	Outdoor fire pit or fireplace (within existing footprint) (provide specs, materials, location)
Antenna /Satellite Dish Installation (provide specs and location of installation)	Outdoor Kitchen (within existing footprint) (provide specs, materials, location)
Driveway or Walkway Replacement (provide specs and materials)	Outdoor Recreational Equipment (provide specs, materials, and copy of survey reflecting location)
Downspouts/Gutters (provide layout, specs, materials)	Outdoor Shower (within existing footprint) (provide specs, materials and location)
Decorative Shutters (provide specs, materials, location of shutters on floorplan)	Pool Deck Change (within existing footprint (change tile, pavers, decking) – provide specs and materials)
Dumpster or Port-o-let on Site for Exterior Project (provide location and require screening)	Propane Tank Installation (provide specs and copy of survey reflecting location)
Equipment Wall or Trash Enclosures (provide specs, materials, copy of survey reflecting location)	Roof Replacement (provide specs, materials, colors)
Exterior Door Changes (Entry, Garage, Side Doors) (provide specs, materials, colors, location)	Screen Enclosure Removal (pool enclosure – requires pool fence installation) (provide specs and materials)
Exterior Lighting Changes (provide specs, materials, type and location of lights)	Skylights or Solar Tubes (provide specs, materials and location of installation)
Exterior Low-voltage Lighting for Landscaping (24 volts or less - provide specs, survey reflecting location)	Solar Collectors/Panels (provide specs, materials and location of panels/collectors)
Exterior Painting or Re-Painting (provide colors and location) Sample Must be Painted on Structure for Review by Field Inspector prior to project start)	Sod Removal or change (provide type of existing sod and new sod)
Fence Installation or Replacement (provide specs, materials, color, copy of survey reflecting location and screening/buffering)	Temporary Structures (provide specs, materials, and copy of survey reflecting location)
Flag/Flagpole (provide specs, materials, copy of survey reflecting location)	Trellis, Pergola or Gazebo (provide specs, materials and copy of survey reflecting location)
Generator Installation (provide specs and copy of survey reflecting location)	Window/Slider Replacement (provide specs, materials and location of windows on floorplan)
Hurricane Shutters (provide specs, materials, location of shutters on floorplan)	Tree Removal (provide location of tree to be removed)
Lawn Ornaments or Yard Art (provide specs, materials, copy of survey reflecting location)	Water Feature (fountain, waterfall, koi pond) (provide specs, materials and copy of survey reflecting location)
Mailbox Replacement	Other – Describe below

Describe the scope of your project including any and all details relative to your project and provide specs for all materials being used:

ASSOCIATION APPROVAL:

Association Name: _____

Signature: _____

Title: _____

(Must be Board President or ARC Chair Signature)

Date: _____

FOUNDATION APPROVAL:

Pelican Bay Foundation, Inc.

Signature: _____

Title: _____

Date: _____



Construction Guidelines

The Pelican Bay Foundation has prepared the following guidelines for property owners, whether individual, commercial property owners and/or a Neighborhood Association. The guidelines apply to exterior and interior modifications. Because the guidelines are all-inclusive, not all apply to all projects. It is the responsibility of the property owner to ensure a copy of these guidelines is made available to all contractors and others working on the construction site. Questions about these guidelines should be directed to the Covenants Department (239) 596-8081, ext.230.

Responsibility - It is the responsibility of the property owner to ensure that all contractor personnel are qualified, properly licensed, and insured. All property owners are also responsible for adhering to design plans approved by the Foundation, notwithstanding acts of contractors, subcontractors, laborers, and material suppliers who are involved in the project. In addition, property owners are responsible for any fees associated with the design review process and for the costs incurred by the Foundation in enforcing the Design Review Guidelines and related governing documents. Any infraction of this policy or of these guidelines may result in penalties/fines, as provided for in the Declaration, the Act, and in the policies of the Foundation. At the discretion of the Foundation, the property owner may be held monetarily accountable for damage to any Foundation common area resulting from the construction on the property owner's property.

Pre-Construction Meeting - Prior to starting construction, whether interior or exterior, the property owner shall contact the Foundation to meet and discuss construction parking – on lot, offsite parking and shuttling workers and materials to the construction site, the dumpster and the port-o-let locations, location of underground utilities, perimeter fencing and gates, and other relevant information. The property owner shall use a line locating service to locate underground utilities prior to trenching or digging on the site.

Construction Site Supervisor - A construction site supervisor is required for all projects. This Construction Site Supervisor should be present whenever parking or deliveries occur to ensure that vehicles do not limit access and no damage occurs to roads, streets or adjacent properties. The property owner shall assume responsibility for any damage and take steps to immediately correct the damage. A phone number for the owner and Construction Site Supervisor (including an after-hours phone number) is required in the event the Foundation needs to reach someone after hours.

Working Hours - Working hours within Pelican Bay are 7:00 a.m. to 5:00 p.m., Monday through Saturday. No work or construction activity is permitted on Sunday or on federal holidays. Property owners should ensure contractor personnel do not arrive prior to the approved starting time.

Clean Building Sites - All construction sites are to be maintained in a clean and orderly fashion throughout the construction process. Construction materials are to be neatly piled on site; debris and rubbish are to be contained and periodically removed; tall, unsightly weeds are to be routinely cut back, streets and sidewalks adjoining a construction site are to be frequently swept clean of dirt and construction trash. Dumping, burying or burning of debris anywhere on the site is prohibited. The owner shall be responsible for cleaning and or replacing damaged or stained pavers, asphalt or concrete, at the discretion of the Foundation. Runoff due to inclement weather must be cleaned immediately in order to keep the storm water system in a workable condition and to avoid inconvenience to existing residences. If an excessive amount of debris collects on a construction site, as determined in the Foundation's reasonable discretion, the property owner shall be notified to remove it within 24 hours. Upon failure to comply, the Foundation reserves the right to remove the debris and charge the property owner for the costs incurred by the Foundation for the removal.

Demolition – No demolition or lot clearing is permitted until final construction plans have been reviewed and approved in writing by the DRC. No demolition or lot clearing will be permitted until all perimeter fencing and/or gates have been installed. All demolition projects will require the issuance of all governmental permits required, all necessary safety precautions, including flagmen and/or traffic control to avoid any congestion or street blocking from equipment, deliveries or materials. Demolition activities shall not interfere with the free passage of traffic through and around the roads and sidewalk.

Barrier Fence - All owners shall install a black or green 42" high mesh silt fence at drip-lines of any existing trees or vegetation to be preserved. This fencing should be properly staked at intervals not to exceed fifteen (15) feet and securely fastened with a backing strip. The fencing may be removed when beginning the final exterior landscaping for the construction site.

Safety Fence – All property owners shall install a fence around exposed pool areas, demolition sites, and those areas in which children could be injured. Fencing for these areas will be of the chain-link type with green opaque material with a minimum height of 6' and installed in such a manner to withstand high wind and shall be child proof.

Perimeter Fence – Once all final construction plans have been approved by the DRC and construction is ready to begin, property **owner** shall install a six foot (6') high chain link opaque green mesh fence around the perimeter property line of the construction site. The fence is required for all sites that are to be demolished or on which construction equipment and materials, dumpster and/or a port-o-let are located. The purpose for this fencing is to clearly identify the site limits for construction activity and prevent wind driven construction debris from scattering throughout the Neighborhood. This fence will also limit the view of neighbors from construction activity and the unpleasant view of a construction site and the associated debris that routinely occurs. If any length of the above fencing has to be removed or is damaged, it must be repaired by the end of the day. The above fencing must be installed prior to any construction activity commencing on the site. This fencing must remain in place at all times during the project until a Certificate of Occupancy has been issued or the project is complete, whichever occurs first. Prior Foundation approval in writing is required to remove any portion of the fencing during the construction project.

Construction Trailers - No construction trailers (office, sales or storage) are permitted without prior written approval of the Foundation.

Dumpsters - All dumpsters must be screened and positioned on the site behind a 6' high chain-link opaque green mesh fence prior to the start of construction. Dumpsters should not be overfilled and should be emptied without delay when full. Any spillage must be placed in the dumpster immediately. Approval by the applicable Neighborhood Association for placement of dumpsters may also be required.

Landscaping and Irrigation – Setbacks and adjacent property may be landscaped with trees and sod that are irrigated by sprinkler lines. It will be the property owner's responsibility to protect these trees, sprinkler lines and heads. To avoid potential damage to trees or sprinklers, the owner shall will not allow anyone to park in these areas. Vegetation selected for preservation within an approved building site must be flagged and encircled with protective black or green construction silt fencing installed on four 4" x 4" posts. This fencing must extend beyond the full spread of the tree's branches to reasonably ensure successful protection and extend at least four (4) feet above grade. Excavation in and around protected trees must be done by hand to avoid damage to the roots.

Tree Protection - The principle objective of these tree protection and preservation guidelines is to preserve the existing mature shade and flowering trees within the single-family home lots to the greatest extent possible, valuing them as a primary asset of this established community and to preserve the unique character of the existing surrounding Neighborhood. Prior to land clearing, all trees that are proposed to be removed shall be marked with red flagging and barricades shall be erected around trees proposed to be protected. All barricades shall remain in place in good condition throughout construction. The

movement of equipment or the storage of equipment, material, debris or fill shall not be permitted within the tree's protective barrier. The cleaning of equipment or material or the storage or disposal of waste materials such as paint, oil, solvent, asphalt, concrete or mortar shall not be permitted within the drip line of any tree or group of trees. No damaging attachment wires, signs or permits shall be fastened to any tree. Barricades shall be constructed with two by four (2' x 4') posts and two (2) rails of three inches (3") wide, seven-mil thick polyethylene tape of a high visibility color. Elevation changes within the protective perimeter of the tree shall be avoided where possible. Retaining walls and root pruning shall be required to minimize the disturbance of the tree's root structure. Roots shall be severed by clean pruning cuts utilizing root pruning equipment or by hand digging a trench and cutting the roots with a chain saw. Root pruning shall be required to a minimum depth of twelve inches below the depth of disturbance. Root pruning will not be required for utility lines that are installed by tunneling or directional bore through the root zone.

Tree Removal -No tree shall be removed without the prior written approval of the Foundation. To obtain approval to remove, replace or add trees in Pelican Bay, submit drawings, details and photographs to the Foundation prior to starting the project. A written recommendation from a Certified Arborist may be required. Living trees larger than six inches caliper may not be removed from the property without justification from an Arborist. The removal of larger trees will require the approval of the Foundation. All tree stumps must be ground out to 12" below grade and the area restored with sod or landscape area. All portions of the tree - wood chips, limbs, trunk, leaves, etc. must be removed from the site and disposed of properly.

Nuisances - To respect the peace and privacy of residents, contractor personnel may not play music without using headphones, and may not wander around the Neighborhood or the common areas. Fishing in lakes is prohibited and construction traffic is not to exceed the posted speed limit.

Parking - The property owner shall provide for parking on the project site. Alternative parking sites may need to be considered and all arrangements for off-site parking must be arranged and approved in advance. Construction activities shall not interfere with the free passage of traffic through and around the roads and sidewalk. Construction traffic must be sensitive to the traffic patterns, speed limits, and the needs of the owners residing in the Neighborhood. There shall be no construction parking in front of already completed residences, on the roads or sidewalks, grass, or any other portion of the common areas. All construction parking shall be on the construction site or at another location not located on the owner's property mutually agreed to by the Foundation. At no time should anyone park on the street in a manner which blocks traffic. Property Owner must provide for a temporary graveled or stabilized area for construction access and parking within the site. The stabilized area shall be located at points where vehicles enter and exit the construction site and the parking location. Upon completion of the project, the property owner shall restore the area to its original condition or better. The purpose of the graveled or stabilized area at the entrance to the project site is to eliminate and reduce tracking or flow of sand, mud, concrete wash or other related material onto the right-of-way.

Construction Damage. Any damage to streets and curbs, drainage inlets, sidewalks, street lights, street markers, mailboxes, walls, grass, etc., caused by or during construction is the responsibility of property owner and must be immediately repaired by the property owner.

Utilities - If any telephone, cable television, electrical, water, gas, etc. lines are cut, it is the property owner's responsibility to make arrangements for immediate repairs. Additionally, property owner is required to report the incident immediately to the Foundation Covenants Department 239-596-6180, ext. 237.

Port-O-Lets - The property owner is responsible to ensure adequate sanitary facilities for contractor personnel. Position port-o-lets behind the 6' high chain-link opaque green mesh fence when required or in areas where it cannot be seen from adjacent property or the roadway. Cleaning trucks are not to be scheduled to clean out the port-o-lets before 8:30 a.m. This will minimize the disturbance to residents. Port-o-lets shall be maintained in a clean, sanitary, and odorless condition.

Signage – No signs of any kind can be installed on the property owner’s construction site without prior written approval of the Foundation. Before any sign fabrication or installation will be permitted, the property owner must submit to the Foundation for approval a rendering of the proposed sign, including specs, materials, size, height, placement, and location. Signs for construction sites must comply with the following:

1. One (1) sign may be erected and located upon a construction site.
2. The sign must be painted white (color SW 2207).
3. The sign may include a color rendering of the structure.
4. No contractor, builder, or architect information may be included on this sign.
5. Sign shall be located a minimum of 10 feet from any property line.
6. Sign shall be securely built with a maximum sign area of four (4) square feet (2' x 2") with a maximum height of six (6) feet.
7. All construction signs shall be removed prior to the issuance of a certificate of occupancy for the structure.

All signs must be in compliance with the Pelican Bay Planned Unit Development (PUD) (Section 2, Paragraph 2.16), the Collier County Land Development Code (Chapter 5, Section 5.06.00), Collier County Municipal Code and the Signage Regulations for Pelican Bay. Copies of all approved local, county or state permits shall be provided to the Foundation as part of the Design Review process.

Storage of Equipment, Supplies and Materials - The construction site cannot be utilized as a temporary storage facility for construction equipment, trailers, vans or materials that have no planned immediate use. Materials and supplies delivered to the construction site must be limited to the site under construction. Construction materials are to be stored on-site behind the construction fencing in an orderly manner that will not interfere with pedestrian or roadway traffic. Parking of all construction equipment shall be in an area not seen from the roadway or adjacent properties.

Requirements During a Weather Emergency - It is the responsibility of the property owner to secure and/or remove the construction materials at the project site at least 48 hours prior to the predicted landfall of a tropical storm or hurricane for any portion of Collier County Florida, as determined by the National Weather Service, National Hurricane Center. All construction materials, including roof tiles, on project sites within Pelican Bay shall be secured and stored onsite in a safe manner or removed so that no material can become a safety hazard with hurricane or tropical storm force winds. Media broadcasts or notices issued by the National Weather Service or National Hurricane Center of an approaching tropical storm or a hurricane is hereby deemed notice to the property owner. By holding a building permit during hurricane season, the property owner shall monitor the National Weather Service and the National Hurricane Center for weather emergencies. A pre-storm inspection shall be required for all active construction sites involving exterior work and/or exterior storage of materials by the property owner. Failure to properly secure a job site will be considered a violation of these guidelines and the property owner will be responsible for any costs associated with securing job sites that have not complied with and /or any costs related to damage caused by not securing the site. The contents of construction site dumpsters must be removed or weighted and secured. Portable toilets shall be secured to the structure, dumpster or emptied and laid horizontal and secured to the ground. During the National Weather Service designated hurricane season, building or roofing materials shall not be loaded on a roof earlier than ten working days prior to the permanent installation of the materials.

Project Timing - If an application is approved, work must commence within six (6) months of the later to occur of final Project Approval, or obtaining a building permit. If the approved alterations to the site are not physically commenced within six (6) months, the Project Approval will expire, and the property owner must reinitiate the Project Approval process as per the direction and requirement of the DRC. Any proposed variations from a project as approved hereunder must be submitted in writing to the Covenants Department and approved hereunder prior to implementation. If the Project Approval or any other agreement does not specify a maximum period, construction must be completed within eighteen (18) months of its commencement. If not completed within eighteen (18) months of commencement, or within any extended period granted by

the DRC, the property owner and the Plot will be deemed in violation of the Governing Documents and these Guidelines. Consistent with Section 8.04 of the Declaration entitled "Completion of Construction–Remedy," once commenced, the project must be prosecuted diligently and completed as indicated in the approved project timeline.

Enforcement - A representative of the DRC or the Covenants Department will conduct periodic field reviews to ensure compliance with approved plans, Design Guidelines including the construction guidelines, and the Governing Documents. Any noncompliance will be considered a violation of the Governing Documents or restrictions affecting the Plot, and the Board or the DRC may exercise all remedies under Florida law and the Governing Documents for violations. Without limiting the generality of the foregoing sentence, the DRC or the Board may immediately require that all work on the property cease and desist until the violation is cured, may remove or remedy the violation, and/or seek injunctive relief requiring the removal or remedying of the violation. In addition, the DRC or the Board may record a notice of violation in the Public Records of Collier County. The DRC will be entitled to recover all costs incurred in enforcing compliance.

Acknowledgement – Owner and Contract must sign below acknowledging their understanding and compliance with the above construction guidelines and return an executed copy to the Foundation. Please be reminded fines may be levied against the property owner for non-compliance.

Owner:

Owner Name – Print Name

Signature of Owner

Date Signed:_____

Contact Info:

Home:_____

Business:_____

Cell: _____

Email:_____

Contractor:

Company Name

Signature of Contractor

Print Name:_____

Title:_____

Date Signed:_____

Contact Info:

Business:_____

Cell:_____

Email:_____

Contact Info for Project Supervisor

Name:_____

Cell Phone:_____

Email:_____

Addendum B
Approved Paver Colors and Styles

TriCircle Paver in Cobble Style - Custom Color #8163 Tan/Chocolate

Addendum C
Approved Roof Colors and Styles

See attached.



Galena, Terra Cotta, No Antique, Sealed, Smooth, 1.5" NH

G-TERA-NN



Galena, Spanish Clay, Black Antique, Sealed, Smooth, 1.5" NH

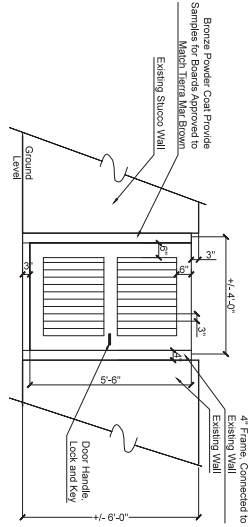
G-SPCL-AA

Boral USA is manufacturer

Addendum D
Front Fence, Front Gate, Rear Fence Color and Styles

See attached.

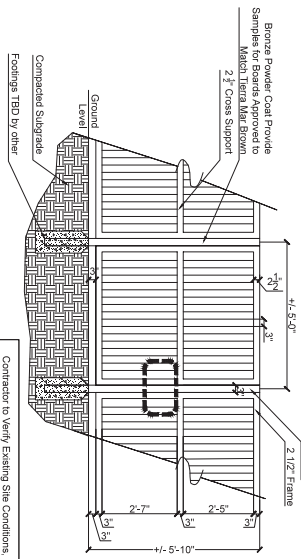
Contractor to provide shop dwgs. and powder coat finish sample for board review prior to installation. Fence to meet wind load calculations, engineering to be provided by contractor.



Contractor to Verify Existing Site Conditions, Wall Heights, and Length of Aluminum Fence required between existing walls.

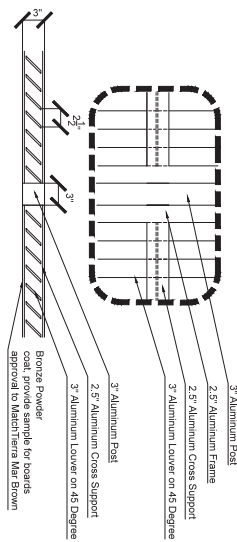
1C TERRA MAR ALUMINUM GATE DETAIL
Scale: 1/2" = 1'-0"

Contractor to provide shop dwgs. and powder coat finish sample for board review prior to installation. Fence to meet wind load calculations, engineering to be provided by contractor.

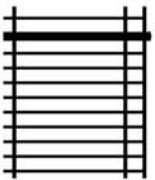


Contractor to Verify Existing Site Conditions, Wall Heights, and Length of Aluminum Fence required between existing walls.

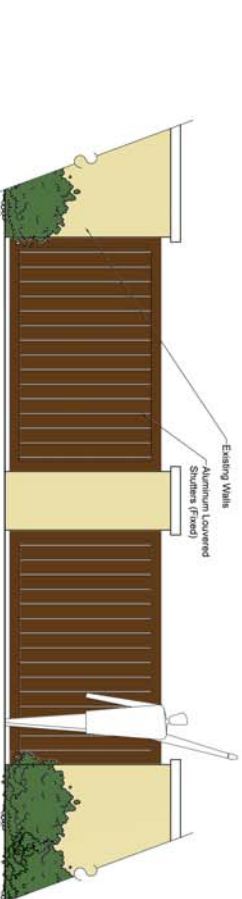
1A TERRA MAR ALUMINUM FENCE ELEVATION
Scale: 1/2" = 1'-0"



1B TERRA MAR FENCE SECTION
Scale: 1/4" = 1'-0"

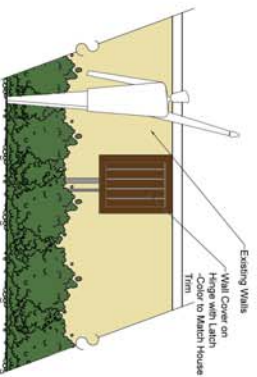


Pool Fence
 Liberty Aluminum
 54" Pool Fence -
 Double Top Cap
 Color - Bronze

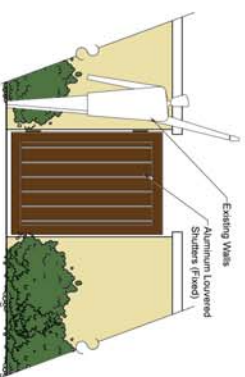


1 FENCE CONCEPT

Note: Fence, Gate and Utility Cover to Match Building Trim Color - Terra Mar Brown (25%)



3 WALL COVER



2 GATE CONCEPT

Tierra Mar

Fence and Gate Options
 Prepared for Tierra Mar Association
 Naples, Collier County, January 25, 2016



This plan and design are the property of OPI Landscape Architecture, Inc. Plans shall not be copied or reproduced without the permission of OPI Landscape Architecture, Inc.

ELIAS - TERRA MAR

CUSTOMER:

SALES:

STORE #:

JOB/LOCATION:

START DATE:

STORE LOCATION:

Q = Quart / G = Gallon / 5 = 5-Gallon (Circle One)

FIVE GALLON
R89N01151

BODY

CEC/COLORANT
Y3-Deep Gold
02 32 64 128
11
1

EXTRA WHITE
64043779

SHERWIN-WILLIAMS 2691
239-598-9171
Order # 8055999

EXTERIOR
SUPER PAINT
SATIN

6385 DOVER WHITE
SHER-COLOR FORMULA

ARCHITECTURAL
LATEX
STANDALONE

07/31/15
DATE: 07/31/15

FIVE GALLON
R89T00154

CEC/COLORANT
W1-White
02 32 64 128
30 17 1 1
4 4 39 1 1

ULTRADEEP
640392387

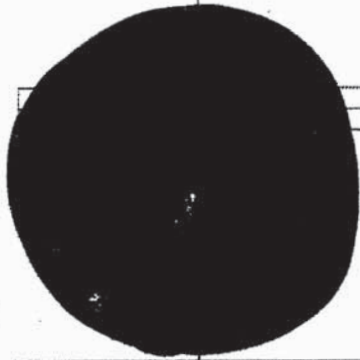
SHERWIN-WILLIAMS 2691
239-598-9171
Order # 8055999

EXTERIOR
SUPER PAINT
SATIN

TM BROWN TRIM
CUST ON MANUAL MATCH

ARCHITECTURAL
LATEX
STANDALONE

07/31/15
DATE: 07/31/15



this Sheet

Place Paint Sample Dot in Block for Each Container - Check Can to Can Accuracy

Q/G/5	Q/G/5	Q/G/5	Q/G/5	Q/G/5
DATE:	DATE:	DATE:	DATE:	DATE:
Q/G/5	Q/G/5	Q/G/5	Q/G/5	Q/G/5
DATE:	DATE:	DATE:	DATE:	DATE:
Q/G/5	Q/G/5	Q/G/5	Q/G/5	Q/G/5
DATE:	DATE:	DATE:	DATE:	DATE:

Q = Quart / G = Gallon / 5 = 5-Gallon (Circle One)

FORMULA

DATE:	DATE:	DATE:	DATE:	DATE:
Q/G/5	Q/G/5	Q/G/5	Q/G/5	Q/G/5
DATE:	DATE:	DATE:	DATE:	DATE:
Q/G/5	Q/G/5	Q/G/5	Q/G/5	Q/G/5
DATE:	DATE:	DATE:	DATE:	DATE:

Q/G/5	Q/G/5	Q/G/5	Q/G/5	Q/G/5
DATE:	DATE:	DATE:	DATE:	DATE:
Q/G/5	Q/G/5	Q/G/5	Q/G/5	Q/G/5
DATE:	DATE:	DATE:	DATE:	DATE:
Q/G/5	Q/G/5	Q/G/5	Q/G/5	Q/G/5
DATE:	DATE:	DATE:	DATE:	DATE:

* Staple Custom Color Card Standard to Back of This Sheet

* Maintain on File for Future Reference

* Place Paint Sample Dot in Block for Each Container - Check Can-to-Can Accuracy

* Custom Color Record Card (4000303) May Be Used as the Draw Down Card for This Process

577 TERRA MAR LN. W. NAPLES, 34108

TIERDA MAR REPAINT 2015

SHERWIN-WILLIAMS 2691 03/07/16
239-598-9171 Order# 0062166
EXTERIOR ARCHITECTURAL
SUPER PRINT LATEX
SATIN STANPOLONE

6385 DOVER WHITE
CUSTOM MANUAL MATCH

CC#COLORANT 02 32 64 128
Y3-Deep Gold - 2 - 1

ONE GALLON
R89H01151

EXTRA WHITE
640413761

Non Returnable Tinted Color

CAUTION: To ensure consistent color, always order enough paint to complete the job and intermix all containers of the same color before application. Mixed colors may vary slightly from color strip or color chip.



0062166-001

BODY
COLOR

SHERWIN-WILLIAMS 2691 03/07/16
239-598-9171 Order# 0062166

EXTERIOR ARCHITECTURAL
SUPER PRINT LATEX
SATIN STANPOLONE

TM BROWN TRIM
CUSTOM MANUAL MATCH

CC#COLORANT 02 32 64 128
M1-White - 45 - 1
B1-Black 6 3 1 -
G2-New Green - 10 - 1
R2-Maroon - 33 1 -
Y3-Deep Gold - 35 -
ONE GALLON ULTRADEEP
R89T00154 648392379

Non Returnable Tinted Color

CAUTION: To ensure consistent color, always order enough paint to complete the job and intermix all containers of the same color before application. Mixed colors may vary slightly from color strip or color chip.



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TRIM
COLOR