

**EAGLE CREST MASTER ASSOCIATION**  
**ENVIRONMENTAL CONTROL COMMITTEE**  
**POLICIES & GUIDELINES**

**INTRODUCTION**

These guidelines are intended to help you understand the duties and role of the Environmental Control Committee as established under the Declaration of Covenants, Conditions and Restrictions for the Eagle Crest Planned Community (the “Declaration”). These policies and guidelines may be revised from time to time, so contact the Committee Administrator to be sure you have the most current set of policies and forms prior to making your submission.

Please direct your questions and submissions to the Committee Administrator at:

Eagle Crest Management, HOA Manager  
PO Box 1215  
Redmond, OR 97756  
Phone: 541-548-9300  
Email: ownerservices@eagle-crest.com

Application forms are also available at <http://eaglecrestowners.com/hoas/ecma/> or by request to the Committee Administrator.

**GENERAL INFORMATION**

The Environmental Control Committee (the “Committee” or “ECC”) operates under the scope and authority granted to it by Article 5 of the Declaration. Members of the three-person Committee are appointed by the Board of Directors for Eagle Crest Master Association (“ECMA”) and serve three-year terms subject to the provisions for resignation or removal as provided in the Declaration. The Committee Administrator maintains the list of current ECC members.

The primary duty of the Committee is to consider and act upon any proposals for new improvements within the Eagle Crest Planned Community or any rehabilitation, remodeling or major repairs to any existing improvements. The Committee’s authority extends to all property owners within the planned community, with the exceptions specified in Section 12.12 of the Declaration.

In addition to this Committee, there are other design or architectural review committees established within the sub-associations of Eagle Crest Master Association. The Committee may

establish policies and guidelines to coordinate with such sub-associations, including but not limited to, delegating approval authority for certain submissions as provided in these Policies and Guidelines.

The intent of the Committee and these Policies and Guidelines is to ensure the preservation of the natural beauty of the Eagle Crest Planned Community and maintenance throughout the community of a level of quality and aesthetic standards which have been established as the standard. These guidelines are not the exclusive basis for decisions of the Committee and simple compliance with the guidelines or submittal requirements does not guarantee approval of an application.

In reviewing each submission, the Committee may consider any factors it deems relevant, including without limitation, harmony of external design/colors and compatibility with surrounding structures and the environment. Review and approval of requests related to construction/reconstruction/repair is made on the basis of aesthetic considerations only, and the Committee does not bear any responsibility for ensuring the structural integrity or soundness of approved construction or modifications, nor for ensuring compliance with building codes and other governmental requirements.

## POLICIES & GUIDELINES

1. **COORDINATION WITH SUB-ASSOCIATIONS.** The Committee will coordinate with sub-associations as described below for any proposals for new improvements or any rehabilitation, remodeling or major repairs to existing improvements.

A. Estate Homesite Community:

With the exception of submissions related to lots located on the Eagle Crest Resort golf course, the Committee delegates the authority to review and approve all submissions for new improvements and for modifications to existing improvements to the Architectural Review Committee (“ARC”) or similar reviewing body for the Estate Homesite Owners Association. The Architectural Review Committee (“ARC”) or similar reviewing body for the Estate Homesite Association is required to provide notice to the Committee Administrator, along with a brief summary, of the following:

- Golf Course Lots - All submittals and requests for new improvements or modifications to existing improvements, including changes to existing landscaping (annual maintenance exempted), unless the proposed improvement or modification is not viewable from any portion of the Golf Course;
- Non-Golf Course Lots – Submittal and requests for new improvements or modifications to existing improvements that affect any structural components such as roofing, decking and siding.

The notice must be delivered within three (3) business days of receipt by the ARC. No application fee is required with this notice. For submissions NOT related to lots on the golf course, the Committee will be allowed five (5) business days to offer comments to the ARC. For submissions related to lots located on the golf course, the Committee will be allowed ten (10) business days following its receipt of this notice to provide comments to the ARC, including the authority to deny one or all aspects of the submittal. If the Committee fails to respond in writing with an approval or denial of the submission within thirty (30) days after its receipt of a complete submission package, it shall be conclusively presumed the Committee has approved the specific matter as to which approval was sought in the submission. The exception to this submission requirement is applications for exterior painting on existing improvements. See Section 2 below for more information on filing the notice.

B. Fairway Vista Estates, River View Vista Estates, Eagle Crest Hotel Condominiums, Vacation Resort Owners Association:

The Committee delegates the authority to review and conditionally approve all submissions for modifications to existing structural improvements and landscape modifications to the Architectural Review Committee or similar reviewing body for each sub-association named above, which approval, however, is conditioned on the final review and approval of the Committee. The applicable architectural review authority must submit information to the Committee as follows:

i) Notice of all submittals and requests for exterior modifications to existing structural improvements and landscape modifications must be delivered to the Committee Administrator along with a brief summary of the submittal and the applicable architectural review authority's comments and conditional approval. The notice must be delivered within three (3) business days of the conditional approval granted by the applicable architectural review authority. No application fee is required with this notice. The Committee will be allowed ten (10) business days following its receipt of this notice to grant approval or denial, with comments and/or conditions as applicable, to the architectural review authority. If the Committee fails to respond in writing with an approval or denial of the application within thirty (30) days after its receipt of a complete application package, including the application fee if applicable, it shall be conclusively presumed the Committee has approved the specific matter as to which approval was sought in the submission. See Section 2 below for more information on filing this notice. Note: If the applicable architectural review authority for any of the listed sub-associations does not approve a submission, no notice to the Committee is required.

2. **NOTICES OF SUBMITTAL AND REQUEST FOR REVIEW**

Specific to Estate Homesite Association, Fairway Vista Estates, River View Vista Estates and Vacation Resort Owners Association as described above, within the time specified in Section 1 above, and using the form "NOTICE OF SUBMITTAL RECEIVED", complete, date and sign the form and email to the Committee Administrator. No fee is required with this notice. Refer to Section 1 for determination on when this notice is acceptable or, alternatively, when comments, an approval or denial of the Committee is required.

3. **DIRECT OWNER REQUESTS FOR REVIEW / APPROVAL (including WorldMark, The Club, Commercial Property Owners)**

A. New Improvements. Using the "SUBMITTAL FORM AND APPLICATION", complete, date and sign the form and email to the Committee Administrator. A \$50 fee payable to Eagle Crest Master Association must be included with the application form. Provide detailed information as requested in the form, including the samples as noted in the application form. Please note the samples will not be returned to you and will be kept by the Committee for its records. Once a submittal package is received by the Committee Administrator that includes all information and samples provided as noted in the application, the Committee will make every effort to respond with a written decision within ten (10) business days of receipt. If the Committee fails to respond in writing with an approval or denial of the application within forty-five (45) days after its receipt of a complete application package, including the application fee, it shall be conclusively presumed the Committee has approved the specific matter as to which approval was sought in the submission.

B. Exterior modifications or alterations. For any modification or alteration to an existing improvement, including but not limited to exterior material and/or color

changes, roof replacements, and changes to existing landscaping (annual maintenance exempted), complete, date and sign the “SUBMITTAL FORM AND APPLICATION” and mail or deliver to the Committee Administrator. Complete the portions of the form that are applicable to your specific request and provide samples and/or plans as noted on the application form. Include a \$50 fee payable to the Eagle Crest Master Association with your submittal. Please note the samples will not be returned to you and will be kept by the Committee for its records. Once a submittal package is received by the Committee Administrator that includes all information and samples provided as noted in the application, the Committee will make every effort to respond with a written decision within ten (10) business days of receipt. If the Committee fails to respond in writing with an approval or denial of the application within forty-five (45) days after its receipt of a complete application package, including the application fee, it shall be conclusively presumed the Committee has approved the specific matter as to which approval was sought in the submission.

#### 4. COMMITTEE REVIEW AND DECISION

A. Unless specified otherwise in Sections 1 and 3, the Committee will make every effort to review applications and requests within ten (10) business days of receipt of a completed package and the required fee as described previously. However, as provided in the Declaration, if the Committee fails to respond in writing with an approval or denial of the submission and/or request within forty-five (45) days after its receipt of a completed, signed form and package, including the required fee, it shall be conclusively presumed the Committee has approved the specific matter as to which approval was sought in the request submission.

B. Approval decisions may include certain conditions of approval including, but not limited to, a time frame within which a project may be started and must be completed. If a sign waiver request is approved, the Committee will provide the specifications for the allowed sign and direction as to the location where such sign may be placed, the duration for the sign placement, and such other requirements and restrictions as the Committee may deem appropriate as conditions to its approval. The decision of the Committee will be final.

C. Decision of the ECC may be appealed to the ECMA Board, which shall have discretion as to whether to hear such appeals. The determination of the Board shall be final.

To file an appeal, the submitting owner or entity (“Applicant”) must notify the ECC Administrator in writing within 30 days of the ECC decision of its desire to appeal the decision. If such an appeal is requested, the ECC Administrator will notify the ECMA Board President of the appeal request. If the ECMA Board agrees to hear the appeal, the Board will make every effort to meet within 15 days of the Applicant’s appeal request. If the ECMA Board declines to hear the appeal, the ECC Administrator will promptly notify the Applicant of the decision. The determination of the ECMA Board will be final.

## 5. MISCELLANEOUS

- A. Inspections. For any new improvements or modifications to existing improvements approved, the Committee may inspect all work in progress and give notice of noncompliance. Absence of such inspection or notification during the construction period does not constitute an approval by the Committee of work in progress or compliance with the approval conditions. Once all improvements or modifications are determined to comply with the approved plans, the Committee will issue a written approval to the sub-association and/or its review authority, as applicable,
- B. Non-Compliance. If it is found that the work was not done in strict compliance with the approved plans, the Committee may issue a written notice of noncompliance to the owner, sub-association, and/or its review authority, as applicable, at which time such entity or person will have 30 days to remedy the non-complying portions of the improvement.
- C. Right of Waiver. The Committee reserves the right to waive or vary any of the procedures set forth herein at its discretion on a case by case basis or as an amendment to these Policies and Guidelines.
- D. Amendment to Guidelines. The Committee may, from time to time and in its sole discretion, amend or revise any portion of the Policies and Guidelines, including fees and submittal forms. All such amendments or revisions shall be appended to and made a part of the Policies and Guidelines. Revisions will be made available to sub-associations and/or their review authorities, and it will be the responsibility of those groups to distribute information as appropriate to their individual owners and members.
- E. Enforcement. Upon discovering a violation of these Policies and Guidelines, the Committee will provide a written notice of noncompliance to the owner, sub-association and/or its review authority, as applicable, including a reasonable time limit within which to correct the violation. Thereafter, the Committee may exercise all available legal and equitable remedies to prevent or remove any unauthorized and/or unapproved construction of improvements within the Planned Community.
- F. Liability. Neither Declarant, the Master Association, the Board, the Committee nor any of its members shall be responsible for any defects in building, improvements or other structures erected, constructed, installed, placed, altered or maintained in accordance with or pursuant to any plans or specifications, color scheme, or other material approved by them or any conditions or requirements that they may have imposed with respect thereto, nor shall the Master Association, the Board, the Committee nor any of its members have any liability for the inability of anyone to obtain a building permit for the construction or alteration of any building or structure pursuant to plans and specifications approved by the Committee.

## **ATTACHMENTS**

- 1) NOTICE OF SUBMITTAL / REQUEST FOR REVIEW (for use by Estate Homesite Association, Fairway Vista Estates, River View Vista Estates, and Vacation Resort Owners Association as provided herein)
- 2) SUBMITTAL FORM AND APPLICATION (for use by WorldMark, The Club and Commercial Property Owners as provided herein)