

EVERGREEN RIDGE HOMEOWNERS ASSOCIATION

ARCHITECTURAL GUIDELINES

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I. INTRODUCTION

A. **Responsibility of the Evergreen Ridge Homeowners Association**

One of the responsibilities of the Evergreen Ridge Homeowners Association (“Association”) is the control of the physical character of the community to enhance the desirability and attractiveness of the area. The Association is charged with the administration and enforcement of architectural control within the community by the authority given to it, in the Declaration of Covenants, Conditions and Restrictions and Reservation of Easements for Evergreen and Notice of Annexation to Lake Mission Viejo Association (“CC&Rs”). The CC&Rs provide for an Architectural Review Committee (“ARC”) with the authority to review and approve or deny all plans and specifications submitted to it for all proposed "Improvements" as defined in the CC&Rs.

The CC&Rs also give the ARC the power to establish architectural standards as general guidelines for the ARC to use in reviewing plans and specifications for proposed Improvements. The Guidelines may include, without limitation, procedural rules for submitting plans and specifications to the ARC, time frames for completing Improvements, and a schedule of fees for submission of plans and specifications.

B. **Purpose of the Architectural Guidelines**

The purpose of these Architectural Guidelines (“Guidelines”) is to continue the physical character as established by the initial development. The intent is to give specific design criteria to residential property owners for subsequent Improvements after the completion of original construction.

The Guidelines are written to preserve a high quality of appearance, to assure compatibility between Improvements, and to protect and enhance the community's overall value. They are intended to be used by property owners and consultants in preparing plans and specifications for architectural, landscape, and other Improvements; and by the ARC in reviewing these plans and specifications for conformance with the stated objectives. Improvements and modifications not specifically described in the Guidelines shall nevertheless be subject to review and approval by the ARC. The ARC reviews proposed Improvements for aesthetic purposes only. It is the property owner’s responsibility to follow all applicable federal, state, and local building codes and to comply with the provisions of the CC&Rs. In the event of a conflict between the provisions of the CC&Rs and these Guidelines, the CC&Rs shall control.

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II. ARCHITECTURAL APPLICATION PROCESS AND PROCEDURES

A. Submittals

1. Applications:

The “Applicant” is considered the Owner of the property for which the proposed the Improvements are requested. Tenants may not submit an application for Improvement. All applications are to be mailed or delivered to Cardinal Property Management:

Cardinal Property Management
825 North Park Center Drive, Suite 101
Santa Ana, CA 92705

Architectural Applications may also be submitted via email to the Managing Agent at evergreenridge.ca@fsresidential.com. The Application package must include the following:

- a. One (1) copy, Exhibits A-C for new applications, as applicable;
- b. One (1) copy of Exhibit E upon completion;
- c. One (1) copy of Exhibit F, for appeal, if applicable;
- d. Blue Prints required for exterior structural modification, as applicable; and
- e. Any other information that would assist in facilitating the approval process (ie: pictures, plans, drawings, samples, etc)

All Applications must show setbacks, drainage, easement lines, property lines, Common Area, and any walls existing or proposed to be built. The materials, color and height of all Improvements must also be indicated in the application. The Applicant is responsible for depicting the above, as well as all Improvements.

Upon receipt of your Application, the Managing Agent will review your plan for completeness. Incomplete applications will be returned to the Applicant with a description of the additional detail required prior to submittal to the ARC. The forty-five (45) day review period will not commence until a complete submittal has been logged by the Managing Agent.

The Managing Agent will respond to the Owner in writing with the ARC’s decision. You will receive one of the following:

- a. Notice of Approval, or
- b. Notice of Approval Subject to Conditions and Revisions, or
- c. Notice of Disapproval and/or Request for Additional Information.

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2. Improvements Requiring Approval

Homeowners are required to submit plans to the Evergreen Ridge ARC for review of any Improvement, as defined by Evergreen Ridge's CC&Rs, including, but not limited to, architectural, landscape, and/or hardscape improvements.

Architectural Improvements are defined as any changes or alterations to the exterior of the Lot including, but not limited to, room additions, new windows, doors, balconies, stairs, decks, roof alterations, skylights, satellite dishes, solar equipment, added architectural details, awnings, paint, driveways, fences, screening walls, retaining walls, decks, landscape, windbreaks, poles, signs and all other structural, landscape and hardscape improvements of any kind.

Landscape Improvements are defined as any changes or alterations involving plant materials (ground covers, shrubs, and trees), and structural amenities including, but not limited to, patio structures, trellises, arbors, gazebos, fences, gates, fountains, statues, sculptures, barbecues, sport courts, play structures, walls, pilasters, pools, spas, outdoor fireplaces, waterfalls, lighting, etc.

Hardscape Improvements are defined as new improvements or any changes/alterations involving existing hardscape features such as, but not limited to, driveways, walkways, flatwork, planters, patio areas, etc.

It is important to be aware that all exterior changes require Architectural Approval *before* a project is started. Projects started or completed without Architectural Approval will be inspected by the ARC. If the project is approved, and plans are not submitted, a monetary penalty (not to exceed \$1000.00) will be levied. If the project is unacceptable, the Association may initiate legal action, by authority of the Board of Directors, as stipulated in the CC&Rs.

Some Improvements require building permits, which can be obtained from the City of Mission Viejo Planning Department. Where a permit is needed, approval from the Association is required prior to the issuance of the building permit. For any Improvements that directly infringe on neighboring property lines, or any common street area easement, etc., a letter of agreement and consent may be required by the ARC, signed by all parties, before plans are approved by the ARC.

3. Time Limitations

Construction of any Improvements, including landscaping, may not begin until the ARC has approved the proposed plans. The ARC review process is a maximum of forty-five (45) days from receipt of a complete submittal package to approve, conditionally approve, or disapprove the plans. In the event that the ARC fails to respond within the prescribed forty-five (45) days such plans shall be deemed approved. If the notice of approval is subject to conditions and

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revisions, the Owner shall submit confirmation acknowledging agreement to comply with the required changes.

4. Notification of Adjoining Property Owners

The intent of the Neighbor Notification Statement on the Application is to advise your neighbors of your proposed work. Signatures from your neighbors adjacent to, behind, facing your property (across the street), and others impacted, are required. A neighbor's signature only acknowledges that they have had an opportunity to review the proposed architectural plans, and does not constitute approval of the proposed plans. Applications will be considered incomplete if all impacted neighbor signatures have not been obtained (see applicable application). Failure to obtain all appropriate neighbor signatures, to provide true and accurate information at the time an application is presented to the ARC, or presenting fraudulent neighbor signatures may void any approvals based thereon and could result in removal of Improvements, at homeowner's expense. Signatures from tenants occupying a leased home will not be considered acceptable neighbor signatures.

The ARC may consider an Application where the Applicant has contacted his neighbors and the neighbors have failed to respond. If the Applicant is unable to meet with some of the neighbors, a copy of a letter from the Applicant requesting the neighbors' review of the plan and other neighbors' signatures on the Application will be sufficient. However, the Managing Agent has the option to inform neighbors that have not responded. The Owner will be responsible to provide a copy of the completed Neighbor Notification Statement to the ARC prior to construction.

5. Information Required

Submission of plans and specifications shall include, where applicable, the following:

Landscape/Hardscape Plan:

- a. Indicate homeowner's name, date, and address of the residence, north arrow, scale of plans (1/8" = 1' or 1/4" = 1'), and notes in English.
- b. Indicate designer/contractor's name, address, phone number, and any other contact information available.

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Plot Plan:

- a. Show Lot lines accurately as to length, angles and amount of curve.
- b. Show all existing and proposed buildings, structures, fences, walls, sidewalks, and other improvements; indicate all required setbacks, easements, grade elevations, drainage and top or toe of slopes.
- c. Show all dimensions on work to be considered, distances between existing and proposed work and distances between proposed work and property lines. Indicate all setback lines.
- d. When proposed Improvements involve changing existing grades by more than one foot (1'), or changing existing drainage, show contours or spot elevations, flow lines, finish grades, and proposed drainage systems. Approval of plans that do not indicate proposed grade modifications, do not constitute approval of any grading changes. Drawings for proposed Improvements changing existing drainage should be prepared by a registered civil engineer or licensed landscape architect.

Landscape Plan (may be included as part of Plot Plan):

- a. Include proposed walkways, and other hardscape, planting areas and plant names, decks, fences and walls, stairs, patio covers, trellises, arbors, gazebos, spas, ponds, fountains, water falls, ornamental rocks, barbeques, play equipment, apparatus and yard lighting. Call out all easements on or over property (if applicable).
- b. For proposed fences and walls, drawings shall note materials, color and height. Height shall be noted in relation to the immediate ground elevations. Please see attached "Fence Specifications" (Exhibit D).
- c. Provide a dimensional planting plan showing new and existing plants accurately described as plant type, container size, and location.

Roof Plan (Required for room additions or roof modifications only):

- a. Show all existing and proposed roofs with slope pitches and overhanging noted.
- b. Designate existing and proposed roofing material.
- c. Indicate any unusual conditions and details involved or resulting from the work.
- d. Show location and color of rain gutters and downspouts.

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Floor Plan:

- a. Provide dimensioned floor plans for room additions, indicating all exterior walls, columns, doors, windows, awnings, window shades, etc., and any conditions or features that will affect the exterior appearance of the structure. Also identify the exterior walls of neighboring lots when defining your yard area.
- b. Include dimensioned elevations for room additions, showing new and existing walls accurately described as to materials, colors, doors, windows and other features that impact the exterior of the house.
- c. Submit photographs and dimensioned details, as needed, to describe the Improvements, including a cross-section of any patio cover, a photograph of any light fixtures, etc., specifying the height, material, color and appearance.
- d. Show dimensions of proposed work and existing work to indicate relationship.
- e. Identify square footage of proposed and existing work.

Elevations (required for patio overheads, room additions, and exterior modifications):

- a. Provide all exterior elevations, cross-section, sketch or photo of all proposed structures.
- b. Note all finish materials, colors, and textures of proposed work. For all alterations or additions, note if finish is to match existing finish.
- c. Delineate all height limits in relation to proposed work.

B. City of Mission Viejo Compliance

Where applicable, Association approval is contingent upon obtaining City approvals and permits. Building permits from the appropriate governing agency are required on many Improvements, and it is the responsibility of the homeowner to secure any required permits prior to starting a project.

Approval of any Improvement by the ARC shall not constitute approval by or compliance with ordinances, regulations and policies of the City of Mission Viejo. Similarly, approval of any Improvement by the City shall not constitute approval of such Improvement by the ARC. Any changes to architectural plans required by the City must be resubmitted for review and approval by the ARC. The ARC may impose stricter requirements than the City.

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C. Inspection

Upon completion of an Improvement, Owner shall submit written Notice of Completion to the ARC (See Exhibit E). The ARC shall have a right to inspect the completed Improvements within sixty (60) days after receipt of such Notice. The right of inspection by the ARC shall not be waived if plans for the work or Improvement have not been previously submitted to and approved by the ARC or a Notice of Completion has not been submitted.

If the ARC determines that the Improvement was not completed in substantial compliance with the approved plans and specification, the ARC shall notify the Owner in writing of such noncompliance. Owner shall remedy the noncompliance within thirty (30) days from the date of the notice.

If the noncompliance is not cured within the thirty (30) day period, the Board, after Notice and Hearing, shall determine if a noncompliance still exists and require the Owner to remedy the noncompliance within a period not more than forty-five (45) days from the date of the Board ruling. If the noncompliance is not remedied, the Board may levy a Special Assessment against the Owner for the cost of removing or remedying the noncompliance.

D. Variances

The Application package for a variance request must include the following:

1. Architectural Application – Variance Request (Exhibit C) completed;
2. A complete set of the Architectural Plans prepared according to the submittal requirements outlined below;
3. Photographs of front of home as well as photographs of homes across from and adjacent to your home if request includes exterior paint; and
4. The plans must include a depiction of the footprint of neighboring properties and must depict the scope of impact of the proposed improvement(s) on the neighboring properties.

All Applications for variances must show setbacks, drainage, easement lines, property lines, Common Area, and any walls existing or proposed to be building. The materials, color and height of all Improvements must also be indicated in the Application.

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Upon receipt of your Application for a variance, the Managing Agent will review your plan for completeness. Incomplete Applications, including use of the incorrect form, will be returned to the Applicant with a description of the additional detail required prior to resubmittal to the ARC.

Variations are effective when evidenced in writing, signed by a majority of the ARC and upon recordation with the Orange County Recorder's Office. The Applicant shall be responsible for any all fees incurred by the Association for preparation of the appropriate documents to effect a variance.

All other Applicant requirements and provisions contained herein shall apply to an application requesting a variance.

E. Appeal of Architectural Denial

In accordance with the California Civil Code, any denial of the ARC may be appealed to the Association's Board of Directors for reconsideration. Any appeal of an architectural denial must be made by the affected Owner in writing within thirty (30) days of the date the denial is received via "Application for Appeal of Architectural Denial" form (Exhibit F), which may be obtained from the Association's management office.

An Application for Appeal shall be heard at the Board Meeting following submission, so long as the Application is received at least ten (10) days prior to the date of the meeting. Otherwise, the Application will be considered at the next Board Meeting. In any event, the written decision of the Board of Directors in response to any Application for Appeal shall be provided within forty-five (45) days following the date such request is received.

The requesting Owner is encouraged to attend the Board Meeting at which the Appeal is considered. In the event the requesting Owner cannot attend the Board Meeting, then the Owner is encouraged to provide the Board with a written description of the reasons why the Application for Appeal should be granted.

If the services of an engineer, architect or other consultant are required to review the plans, Applicant shall be responsible to pay all reasonable costs. Such costs shall be paid prior to consideration of the appeal by the Board.

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F. Construction

1. Right of Entry

If construction activity requires the use of Association maintained landscape areas, streets (other than for vehicle circulation) common areas, or Association property for purposes of transporting labor and materials, or the temporary storage of material for work, the owner shall obtain written permission from the Association for “Right of Entry” during the course of construction, and may be required to provide an additional security deposit and a waiver of damage/liability or other documentation requested by the Board of Directors.

2. Signs

Signs shall not be displayed on any residence other than permitted by the CC&Rs. Tradesmen’s, contractor’s, and installer’s signs of any type, including the signs identifying the residence as the site of their activities or operations may be displayed during the course of approved construction, and must be removed upon completion.

3. Construction Equipment

The parking of trucks, concrete mixers, trailer, trash bins, compressors and other types of construction equipment on streets or Common Areas, for a period greater than seventy-two (72) hours is prohibited, unless approval is given in writing by the ARC. The Owner shall be financially responsible for any equipment removal, or necessary repairs caused by the equipment, which the Board of Directors or the ARC deem necessary.

4. Hours of Operation

Construction is only permitted between the following hours:

Monday – Friday: Between 7:00 a.m. and 5:00 p.m.
Saturday – Sunday: Between 8:00 a.m. and 4:00 p.m.
Observed Holidays: No work permitted.

If current City regulations are more restrictive, they shall prevail. Any contractor using a radio must keep the volume at a reasonably low level.

5. Streets and Walkways

All rubbish, debris and unsightly material or objects of any kind shall be regularly removed from the Lot and will not be allowed to accumulate thereon. Removal shall be made on a daily basis and will not be allowed to accumulate on the streets, rights-of-way or Common Areas. No

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construction debris or materials, such as sand or bricks, may be permitted to remain on the streets or walkways. All items of such nature must be stored in the Owner's yard, obscured from view from the streets and adjacent lots, unless approved by the ARC in writing. In the event of any damage, the Owner will be financially responsible for cleaning and/or restoring the Common Areas, streets and walkways, which the Association deems necessary.

6. Workmanship

All work of Improvement shall be performed in a manner consistent with the existing architecture and applicable Guidelines/Rules. Any work deemed by the ARC as not meeting the Guidelines/Rules shall be reworked and/or rebuilt to meet those standards or shall be removed, and the building or Common Area restored to their condition prior to commencement of the work. If the Owner refuses to rebuild, rework, remove and/or restore as called for above, the ARC shall request the Board of Directors to cause such rework, removal, and/or restoration and the cost thereof shall be assessed against the Owner as noted in the CC&Rs.

G. Disclaimers

Only Improvements depicted on the plans can be reviewed by the ARC. The Owner is responsible to ensure all Improvements are depicted on the plans submitted. Any Improvements not depicted on the plans will not be approved.

Any modification to the Common Area is strictly prohibited. Only Improvements on the Owner's Lot may be approved, regardless of depictions by the Owner of Improvements on locations other than the Owner's Lot.

In the event that the City of Mission Viejo requires modifications to the plans and specifications previously approved by the ARC, the Owner shall submit to the ARC all modifications to the plans. The ARC shall have the right to review and impose further conditions on such modifications which are not consistent with the requirements imposed by the City.

The ARC shall have the right to impose conditions of approval of proposed Improvements which are more restrictive than conditions as may be imposed by the City.

If the ARC mistakenly or inadvertently approves Improvements other than those located on Owner's Lot, the ARC may require or cause the removal of such Improvements at Owner's expense.

III. ARCHITECTURAL COMMITTEE GUIDELINES

A. Set-Back Requirements

1. Front Yard Set-Back

For walks, walls, and fences that do not exceed three feet, six inches (3'6") in height, there is no minimum set-back from the street. All Improvements higher than three feet, six inches (3'6") shall be set-back at least twenty-five feet (25'), or no closer to the street than any other house. However, the risk is the property owner's, since utility companies have the right-of-way access to their lines, etc.

2. Rear Yard Set-Back

Enclosed (habitable) additions shall not be allowed in rear yard set-backs. This is defined as ten percent (10%) of length of lot, or ten feet (10') minimum.

3. Side Yard Set-Back

Enclosed (habitable) additions shall not be allowed in side yard set-backs. Other overhead Improvements shall not be any closer than forty-eight inches (48") from the property line, with the possible exception of property that adjoins Common Area. Specifically, side yards are defined as ten percent (10%) of the lot width, but no more than five feet (5'). **REMEMBER:** property lines of Lots with side-yard easements are two feet (2') from the adjacent residential unit.

B. Air Conditioners

All types are permitted, but shall not be visible from the street, Common Area, or neighboring property. Installation and enclosure require approval from the ARC.

C. Barbecues and Fire Pits

City of Mission Viejo plumbing permits are required for permanent gas flame fire pits and barbecues. Outside burning of trash is prohibited by the Air Pollution Control District. Fires, other than for cooking, require an Orange County Fire Permit. ARC approval is required if areas are visible to neighboring properties or from Common Areas.

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D. Decks

Wood decks may be left natural (if redwood or cedar). Any other type of wood used can be stained, or may be painted to match the trim on the house. Any raised deck should be screened or landscaped so the deck pillars and the understructure are not visible. ARC approved second story decks must be painted to match trim of house.

E. Drainage

ARC approved gutters and/or downspouts shall be primed and painted to match adjacent surface color.

F. Fences

1. All fence replacements and/or new installations require ARC approval.
2. Fences more than six feet (6') in height, defining property lines, cannot protrude beyond the front of the house.
3. Fences that protrude beyond the front of the house must meet the three feet, six inch (3'6") height requirement.
4. All property line fences must be complimentary to the existing dwelling and compatible to the color and materials of any adjoining fences. All sections of wood fencing, facing the Common Area, shall be painted the color of the house trim.
5. Chain link and wire fences are prohibited.
6. Privacy fences built between dwellings on the side yard easement, in the rear yard and common rear yard lot lines, may be a maximum of six feet (6') above the finished grade, and may be no higher than the existing adjacent fence.
7. Picket fences may be made of wood (painted the color of the house trim) or white vinyl. Design and height must comply with the Picket Fence Specifications (Exhibit D).
8. The following applies to homes where the rear and side property line is adjoining Common Areas:

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- a. Any fence along the rear property line or continued side yard fence, will not exceed six feet (6') in height, and may be no higher than existing adjacent fences, lattice included.
- b. Types of fences - Where the property lines abut the Common Area, each homeowner shall work together to decide what type of approved fencing they desire, and submit a request in writing to the ARC, signed by all parties. The ARC will require each group of residents who abut the same Common Area to install the same material, style, and color of fencing.
- c. The following is approved for additional privacy above a solid fence:
 1. Redwood lattice may be installed above wooden fences; total height of fence, including lattice, shall not exceed six feet (6') in height, and must be painted white on Common Area side of fence.
 2. Wrought iron may be installed above a block wall, but may not exceed six feet (6') in a combined total height.

G. Fish Ponds

Fish ponds must not be more than 18 inches (18") deep, must contain a sufficient quantity of fish for mosquito abatement purposes, and must be maintained and clean at all times. Deeper ponds require approval from the Orange County Building Department. Mosquito fish are available free of charge from the Orange County Mosquito Abatement District.

H. Garage Doors

Garage door replacements require ARC approval. Garage door style is subject to review, and the color must be white.

I. House Numbers

Ceramic tile and wooden or metal numerals are approved for house number identification. Numbers shall be a color that contrasts with house color to be clearly visible from the street and no more than five inches (5") in height. All foliage must be cut back to allow clear visibility of numbers from the street. Curbside painting of numerals shall be black with a white background.

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J. Landscape

Landscape Improvements require ARC approval, and are subject to the following guidelines:

1. Potted plants, vegetable gardens and fruit trees are permitted *behind* the picket fence or in the back/side yards only.
2. Lawns: new sod and/or turf installation is subject to review.
3. Vining plants are allowed on trellises or stucco only (not on wood siding); trellises must be white in color or match the paint color of the adjacent surface.
4. Hedges between driveways may not exceed four feet (4') in height; hedges bordering the sidewalk may not exceed two and a half feet (2.5') in height.
5. Planting of all new trees.

The following items do *not* require ARC approval: flowerbed replacements, plants that once full grown will not exceed a height of three feet (3'), sod (replacement of existing only), damaged or diseased trees.

All landscape must be well manicured and maintained. Violations are subject to the enforcement policy stated in Section IV herein and as noted in the CC&Rs.

K. Painting

Color should blend with and compliment the neighborhood. Decorative painting, plaques, murals, etc., are not permitted. All paint must be approved by the ARC, whether changing color or not. The Association maintains a color palette, which is subject to change from time to time by the ARC. Adjacent homes shall not be painted the same or similar shade of color, subject to ARC review. Approved sheen is flat or eggshell O.

L. Patio Covers, Gazebos and Archways

Aluminum and fiberglass covers are not permitted on patio covers. Natural wood patio covers, gazebos and archways must be painted to match existing trim color. All patio covers, gazebos and archways are subject to approval by the ARC. Patio covers may require a City of Mission Viejo Building Permit.

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M. Planters

Planters must meet set-back requirements in side yard easement:

1. Grade level planters are permitted within the two foot (2') easement.
2. Planters exceeding the height of the "drip-line" of the neighboring house or the base board of the side-yard fence must be set-back five inches (5").

N. Pools and Spas

In-ground pools and spas require ARC approval. Pools must conform to governmental regulations and must be enclosed by a five foot (5') fence. Applicant is responsible for ensuring compliance with all government regulations regarding pools, fencing and other safety requirements. Equipment (including pumps, electrical supply, filters, etc.) must be shielded from view of neighboring properties. Equipment location must not create excessive noise that affects adjoining neighbors.

O. Roofing

Replacement, repairs, or remodel to the roof must conform to the original roofing material. Composition shingles are the only acceptable materials. Color and style of shingles must be approved by the ARC.

P. Room Additions

Room additions should be compatible with the external design of the existing structure. Material and construction technique should be the same as the existing structure. Room additions may not block the view of adjacent property and require ARC approval. Blue prints and/or other plans must be submitted and City of Mission Viejo permit(s) required.

Q. Satellite Dishes

Size and location of satellite dish are subject to review by the ARC. Installation is allowed in areas not visible from any street or Common Area. If not possible, reasonable restrictions will be imposed.

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R. Skylights

ARC approval of new skylights will be considered based upon their location and number. They must be designed to be integral parts of the roof. Their form, location, and color must be compatible with the existing roof. When locating a new skylight, every possible attempt should be made to place the skylight in a location least visible from the street. Profiles must be minimized. All skylights must be self-flashing type, or equal in weather sealing capability. Exposed metal must be anodized to a color consistent with the roofing material. Roofing material must be reinstalled adjacent to all curb perimeters so that excessive metal does not show. Where skylights are in direct view of streets, walkways, and/or visual easements, they shall not be larger than 4' X 4'. Dual-domed lenses and rain diverters are recommended.

S. Solar Equipment

Solar energy equipment requires approval by the ARC. The approval of the solar system in one home will not necessarily mean automatic approval for the same unit in another house. This is primarily due to the location of unit on the roof, the visibility of the roof, the visibility of the unit to neighboring homes, as well as the roof's relationship to the sun.

Installation of solar energy systems is allowed in areas not visible from any street or Common Area. If this is not possible, reasonable restrictions will be imposed. Reasonable restrictions on solar energy systems are those restrictions that will not increase the cost of the system by twenty percent (20%) or decrease the efficiency of the system by twenty percent (20%) as originally specified and proposed. Solar energy systems shall be properly planned and permitted, and provided by and installed by valid licensed and insured contractors.

General Guidelines for Solar Equipment are as follows:

1. All pipes and conduit must be concealed as much as possible. Visible pipes and conduit must be painted to match the roof, stucco or trim of the house, based on location of pipes and conduit.
2. Storage tanks (associated with passive systems) will not be allowed on the roof unless they can be concealed from view.
3. The most desirable installation is one that cannot be seen when facing the home from the street, and is installed flat on the roof with no more than three inches (3") of space between the bottom of the collector and the roof, from front to rear.

EVERGREEN RIDGE HOMEOWNERS ASSOCIATION
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T. Storage

1. Storage is only allowed inside an Owner's unit or garage.
2. Patios and balconies may only contain appropriate patio furniture, barbecues or other items common to the use of a patio when kept in adequate repair.
3. Items not allowed that are considered storage on patios, balconies and in the Common Area include, but are not limited to: trash bags, water bottles left out beyond one day of pick-up or delivery, bags of pet food, fertilizer or garden tools, brooms, mops, shoes, toys, litter boxes, beach chairs, picnic coolers, storage boxes, exercise equipment, extra propane tanks, etc.

U. Water Softeners

Water softeners shall not be exposed to neighbors' view. Equipment shall be located so as to not create excessive noise for the neighbors. Enclosures must have ARC approval. Please consult with Santa Margarita Water District as to allowable water softening systems.

V. Windows

1. Window replacements require ARC approval. Windows facing streets must have grids; window frame color must be white or match original materials.
2. Window tint may be considered by the ARC, but reflective material is prohibited on glass surfaces and windows, as it creates a mirror affect from the outside.
3. Window treatments visible from the Common Area are to be neutral in color. Sheets or other non-window treatment type coverings are not allowed.
4. Window screens must be kept secure and in good repair.
5. Roll-up shades on the exterior of the unit, and facing the Common Area, are not allowed.

EVERGREEN RIDGE HOMEOWNERS ASSOCIATION
ARCHITECTURAL GUIDELINES

IV. ENFORCEMENT POLICY AND FINE SCHEDULE

- Step one: A letter outlining the particular violation will be sent requesting correction of the violation or noncompliance.
- Step two: If no action is taken and the violation or noncompliance is not corrected, a second letter will be sent to the offending Owner. The letter will invite the Owner to a Hearing about the matter.
- Step three: The Hearing will be held at which time the Board will determine the action it deems is most appropriate to achieve the correction of the violation.

Each individual violation of the CC&Rs, Rules and Regulations, Architectural Guidelines or architectural noncompliance may result in an initial monetary penalty of \$100.00.

If a violation of the CC&Rs, Rules and Regulations, Architectural Guidelines or architectural noncompliance continues, the monetary fines will increase incrementally by \$150.00 per violation for each thirty (30) day period the noncompliance continues. For example, an initial monetary penalty will be \$100.00, the second monetary penalty for a continuing noncompliance will be \$250.00, and the third monetary penalty for a continuing noncompliance will be \$400.00, and so on.

In addition to the foregoing, a monetary penalty up to \$1000.00 may be levied against an Owner, after Notice and Hearing, where Improvements requiring prior ARC approval are commenced without, or prior to obtaining ARC approval.

Note: Imposition of monetary penalties does not limit, and is in addition to, any and all other appropriate remedies and assessments. Additionally, payment of said penalties does not constitute a waiver of noncompliance.

PLEASE READ



Dear Member,

Thank you for taking pride in your home and our community by choosing to initiate a home improvement project. While we recognize this process can be very exciting and you are anxious to start your project, there are a few things you should know about the Association's submittal process before you begin.

1. The Association reviews for aesthetics only. All design provisions are found in either the Architectural Guidelines or the CC&R's.
2. Most changes made to the exterior of your home require submittal through the architectural review process.
3. Submittals may only be processed if they are considered complete, which requires all forms, signatures, photos, and paint chips to be presented at the start of the review process.
4. No work may be performed prior to approval by the Architectural Review Committee (ARC).
5. The Management Company staff is available to assist you with this process, to ensure your submittal is as complete as possible. However, they are not architectural consultants or members of the ARC, and cannot advise you as to whether your plan(s) will be approved or not.
6. **NEW PAINT SUBMITTALS:** Please fill out and submit Exhibit B - Architectural Application-Paint, and Exhibit B-2 - Sample Plan - Exterior Paint, and all requested information listed on the form. Evergreen Ridge has pre-selected paint schemes that can be used. To see these paint schemes, you may contact FirstService Residential, visit a Dunn-Edwards store, view the colors online at www.dunnedwards.com, under "Homeowners", and then "Color Archives". Enter zip code, then choose Evergreen Ridge. (Please note that colors may differ from the actual color, when viewing on a computer screen.)
7. **ALL OTHER IMPROVEMENTS:** Complete and submit Exhibit A - Architectural Application, or Exhibit C - Architectural Application - Variance Request, as applicable, and provide all requested information/items listed on the form.
8. All applications are to be mailed, emailed, or delivered to Cardinal Property Management, Managing Agent, for the Evergreen Ridge

Architectural Review Committee ("ARC") as follows:

By mail or delivery:
Cardinal Property Management
825 N. Park Center Dr., Suite. 101
Santa Ana, Ca. 92705

Via Email:
Contactus@cardinal-online.com

We are hopeful that the information contained on this page will assist you with a trouble-free submittal, minimizing your time and expense, so that you may begin working on your project as soon as possible!

Sincerely,

Evergreen Ridge Homeowner's Association
Board of Directors

Managed by – Cardinal Property Management 1290 N. Hancock, Su.103, Anaheim, Ca. 92807 fax-714 779-3400

Initial

- _____ 1. ARC approval does not waive or constitute or reflect compliance with any federal, state, or local law, ordinance, or code.
- _____ 2. ARC approval does not constitute acceptance of any technical or engineering specifications; and the Association assumes no responsibility for such. Owner is responsible for all technical and engineering specifications. The ARC reviews for aesthetic purposes only.
- _____ 3. Any oversight of a provision of the CC&R's, or a provision of the Architectural Guidelines, does not waive such a provision. Corrections may be required. Only Improvements depicted on the plans can be reviewed by the ARC. Owner is responsible to ensure all Improvements are depicted on the plans submitted. Any Improvements not depicted on the plans are not approved. Owner must depict all Common Areas, easements and property lines. Only those Improvements on an Owner's Lot will be reviewed by the ARC. The ARC will not approve Improvements located on any Common Area, easement area, or property other than the Owner's Lot.
- _____ 4. Building materials may not be stored on streets, sidewalks, or on property owned and/or maintained by the Association. Streets may not be obstructed by construction equipment.
- _____ 5. Construction is only permitted between the following hours: Monday thru Friday - between 7:00 a.m. and 5:00 p.m.; Saturday and Sunday - between 8:00 a.m. and 4:00 p.m.. No Construction permitted on Observed Holidays. If current Mission Viejo City regulations are more restrictive, they shall prevail.
- _____ 6. Owner is financially responsible for any repairs to property owned and/or maintained by the Association due to damages caused by an Owner's work of Improvement.
- _____ 7. Approval of plans and specifications is not authorization to proceed with Improvements on any property other than the property reviewed by the ARC and owned by Applicant.
- _____ 8. Approval of plans and specifications is not authorization to revise the original drainage system installed by the Declarant and approved by the City.
- _____ 9. Applicant understands and agrees to comply with all of the provisions of the Architectural Guidelines.
- _____ 10. All of the provisions of the Architectural Guidelines (including, but not limited to, any associated conditions of approval) are the provisions of the CC&R's regarding Architectural Review; and are incorporated herein by this reference. The Applicant has read and understands all provisions and agrees to comply therewith.
- _____ 11. In the event that the City and/or County requires modifications to the plans and specifications previously approved by the ARC, the Owner shall submit to the ARC all modifications to the plans. The ARC shall have the right to review and impose further conditions on such modifications which are not inconsistent with the requirements imposed by the City and/or County. The ARC shall have the right to impose conditions of approval of proposed Improvements which are more restrictive than conditions as may be imposed by the City and/or County.

The approval SHALL NOT be held to permit any violation of federal, state or local regulations.

Owner's Signature

Date

NAME: _____ DATE: _____

STREET ADDRESS: _____

All paint requires ARC approval. Exhibit Band B-2 must be submitted with all supporting info requested in Application. All colors require submittal of a color sample, color name and code. Please attach paint color swatches and photos of all neighboring/adjacent homes.



PAINT COLORS AND SWATCHES

**C
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1**

SCHEME#:

Wood Siding

Paint #: _____

Name: _____

Stucco

Paint#: - - - - -

Name: _____

Accent

Paint #: _____

Name: _____

Trim

Paint#: _____

Name: _____

**C
H
O
I
C
E

2**

SCHEME#:

Wood Siding

Paint #: _____

Name: _____

Stucco

Paint#: _____

Name: - - - - -

Accent

Paint #: _____

Name: _____

Trim

Paint #: _____

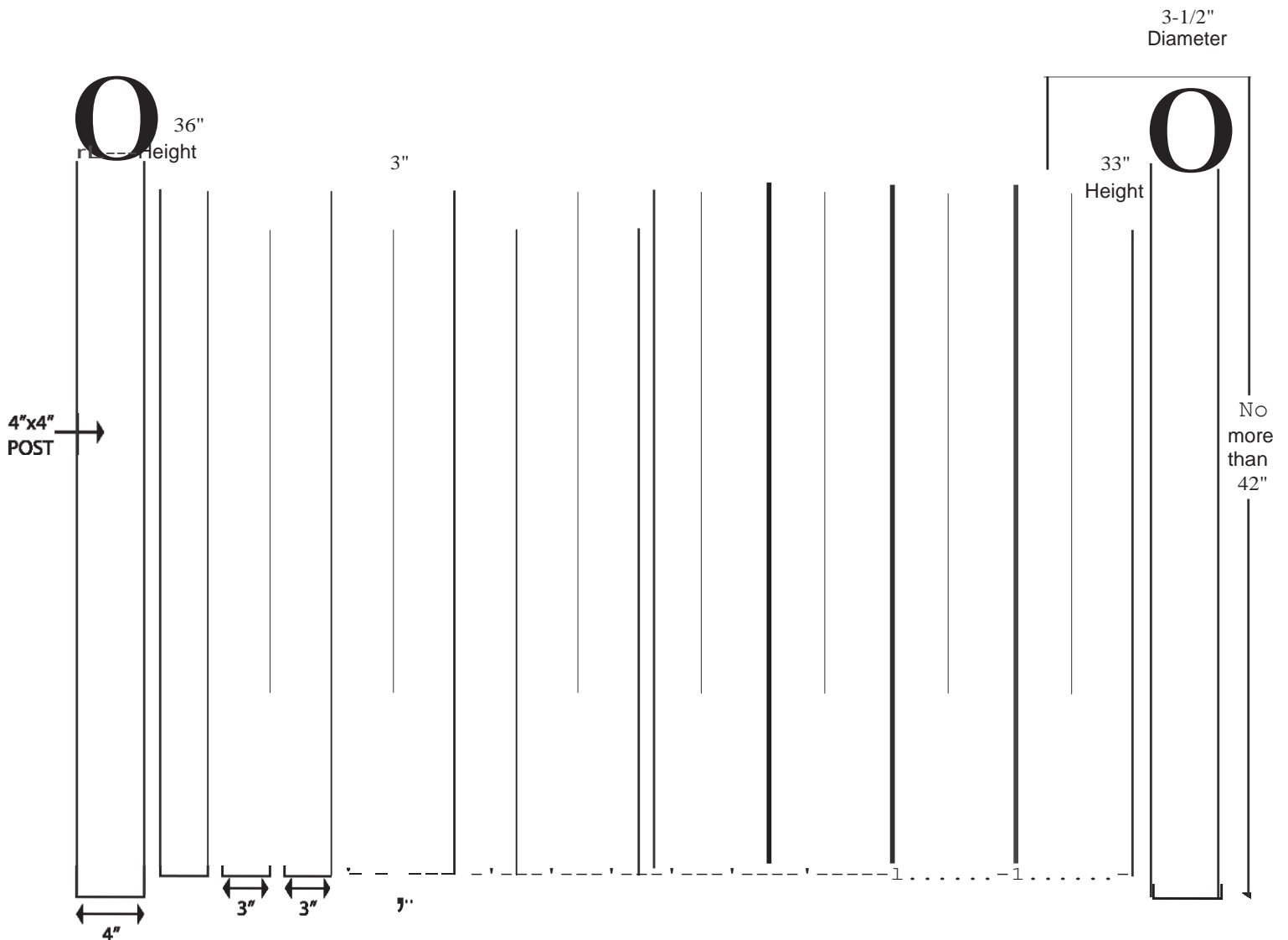
Name: - - - - -

ALL PICKETS MUST BE:

- Three inches (3") wide with one inch (1") spacing in between each picket
- Alternate in height, thirty-three inches (33") and thirty-six inches (36")
- Forty-five degree (45°) angle cut at top of pickets at three inches (3")
- Picket height measurements are calculated from one inch (1") above ground

ALL POSTS MUST BE:

- Four inch (4") x four inch (4"), with angle cut top
- Three and a half inch (3-1/2") Round ball on top of post
- Total height of post, including ball, may not exceed more than six inches (6") above tallest picket.
- Posts measurements are from ground up.



IMPORTANT DISCLOSURE: Pursuant to Civil Code Section 1378, a proposed architectural change may not violate any governing provision of law, including, but not limited to, the Fair Employment and Housing Act (Part 2.8 (commencing with Section 12900) of Division 3 of Title 2 of the Government Code), or a building code or other applicable law governing land use or public safety (collectively, "Laws and Codes"). Neither the Association's managing agent(s), the Board, nor the Architectural Review Committee ("ARC"), reviewing your application for property improvement(s), is responsible for becoming knowledgeable of, or interpreting, or enforcing the Laws and Codes that may be applicable to the subject improvement(s), and, therefore, neither the ARC nor the Board shall confirm compliance or noncompliance with any of the Laws and Codes as part of the review process. Accordingly, you are responsible for confirming compliance with the Laws and Codes, and any approval by the ARC or the Board shall not be deemed a statement, representation, or warranty that your plans are in compliance with the Laws and Codes. Further, any approval is conditioned upon all the proposed improvements complying with all applicable Laws and Codes, and to the extent any of the proposed improvements violate any of the applicable Laws and Codes, any approval given shall be void and of no effect as to the improvement(s) that violate any of the Laws and Codes.

I hereby certify that all work has been completed and done in compliance with the approved plans and conditions.

Property Address: _____

Owner's Name: _____ Signature: _____

Mailing Address: _____

Home Phone: _____ Email Address: _____

PLEASE SUBMIT COLOR PHOTOGRAPHS OF COMPLETED IMPROVEMENT(S).

(DO NOT WRITE BELOW THIS LINE)

The Architectural Review Committee observed the improvements and recommends the following:

APPROVED: Final observation is complete and the owner is generally in reasonable conformance with the approved plans. Applicable conditions of approval noted below to be completed by Architectural Review Committee only.

DENIED: Owner is NOT in reasonable conformance with the approved plans. Owner shall complete/modify/remove the items noted below. After all items have been corrected, re-submit a new/revised Notice of Completion Cardinal Property Management. See comments noted below.

Comments: _____

Evergreen Ridge Architectural Review Committee

Signature _____ Date _____



EXHIBIT F
APPLICATION FOR APPEAL
OF ARCHITECTURAL DENIAL

The undersigned Owner, by completion of this form, hereby requests that the Association's Board of Directors reconsider the denial of certain architectural Improvements by the Architectural Review Committee ("ARC"), as described below.

Owner's Name:

Property Address:

Mailing Address:

Home Phone: Email Address:



Submit all requested correspondence via email to: contactus@cardinal-online.com; or mail to: Evergreen Ridge, c/o Cardinal Property Management 1290 N. Hancock, Su. 103, Anaheim, Ca. 92807

Submission must include:

- Application for Appeal
• Original Architectural Application
• All detailed information requested by the Board (if any)
• Supporting documents/photos that will help assist the Board in making a thorough review of your request.

Explain your reason for the appeal in detail, and why the board should consider the reversal of your original Architectural Application denial. (Please note that the Board needs to understand specifically, those Improvements that the requesting homeowner wishes the Board review and reconsider for approval.)

Multiple horizontal lines for writing the explanation.

Homeowner Signature Date

SCHEME	SIDING	STUCCO	FASCIA, TRIM, GARAGE DOOR	ACCENT
1	DE 6090 WESTERN RED	DE 6122 DRY CREEK	DEW 337 GARDENIA	DE 6063 BLACK WALNUT DE 6350 DARK ENGINE
2	DE 6165 TOASTED MARSHMALLOW	DE 6164 CANARY ISLAND	DEW 337 GARDENIA	DE 6391 BLACK RUSSIAN DE 6063 BLACK WALNUT
3	DE 6167 ANTIQUE HONEY	DE 6165 TOASTED MARSHMALLOW	DEW 337 GARDENIA	DE 6391 BLACK RUSSIAN DEA 147 GARNET EVENING
4	DE 5367 DESERTED PATH	DE 5366 MIDLAND TAN	DEW 337 GARDENIA	DEA 149 SPICED BERRY DE 6391 BLACK RUSSIAN
5	DE 6180 NEW CORK	DE 6178 BOUTIQUE BEIGE	DEW 337 GARDENIA	DEA 149 SPICED BERRY DE 6391 BLACK RUSSIAN
6	DE 5369 LAREDO ROAD	DE 5367 DESERTED PATH	DEW 337 GARDENIA	DE 6063 BLACK WALNUT DE 6391 BLACK RUSSIAN
7	DE 5359 CROSSROADS	DE 5323 QUIET SPLENDOR	DEW 337 GARDENIA	DEA 184 PARISIAN NIGHT DEA 165 HEARTH GOLD
8	DE 5573 DILL PICKLE	DE 5571 IVY ENHANCEMENT	DEW 337 GARDENIA	DEA 147 GARNET EVENING DE 6350 DARK ENGINE
9	DE 6252 SECRET PATH	DE 6250 FAIRBANK GREEN	DEW 337 GARDENIA	DEA 147 GARNET EVENING DE 6350 DARK ENGINE
10	DE 5584 SHRUBBERY	DE 5533 WHISPERING RAIN	DEW 337 GARDENIA	DE 6063 BLACK WALNUT DE 6350 DARK ENGINE
11	DE 6257 BATTLE HARBOR	DE 6256 TURTLE TRAIL	DEW 337 GARDENIA	DEA 147 GARNET EVENING DE 6350 DARK ENGINE
12	DE 6210 MIDNIGHT BROWN	DE 6208 TUSCAN MOSAIC	DEW 337 GARDENIA	DEA 145 WINE STAIN DEA 6350 DARK ENGINE
13	DEC 771 SHAGGY BARKED	DEC 765 BONE	DEW 337 GARDENIA	DE 6069 BANNISTER BROWN DE 6021 OUTER BOUNDARY

SCHEME	SIDING	STUCCO	FASCIA, TRIM, GARAGE DOOR	ACCENT
14	DE 6243 UNION SPRINGS	DE 6241 LUNAR LANDING	DEW 337 GARDENIA	DE 6350 DARK ENGINE DE 6063 BLACK WALNUT
15	DE 6214 PIGEON GRAY	DE 6212 CRISP MUSLIN	DEW 337 GARDENIA	DE 6063 BLACK WALNUT DE 6231 SHAKER GRAY
16	DE 6128 SAND DUNE	DE 6127 FINEST SILK	DEW 337 GARDENIA	DE 6314 DARK PEWTER DE 6063 BLACK WALNUT
17	DE 6129 RUSTIC TAUPE	DE 6128 SAND DUNE	DEW 337 GARDENIA	DE 6391 BLACK RUSSIAN DE 6328 ANCHOR GRAY
18	DEC 752 BIRCHWOOD	DEW 341 SWISS COFFEE	DEW 337 GARDENIA	DE 6028 DARK RUBY DE 6063 BLACK WALNUT
19	DEC 748 OYSTER	DEC 717 BAKED POTATO	DEW 337 GARDENIA	DE 6350 DARK ENGINE DE 6335 NOVELTY NAVY
20	DE 6389 FALLEN ROCK	DE 6387 DANGEROUS ROBOT	DEW 337 GARDENIA	DEA 147 GARNET EVENING DE 6350 DARK ENGINE
21	DE 6369 LEGENDARY GRAY	DE 6367 COVERED IN PLATINUM	DEW 337 GARDENIA	DEA 147 GARNET EVENING DE 6350 DARK ENGINE
22	DE 6355 TARNISHED SILVER	DE 6353 SILVER LINED	DEW 337 GARDENIA	DEA 145 WINE STAIN DE 6350 DARK ENGINE
23	DE 6353 SILVER LINED	DE 6351 COLD WIND	DEW 337 GARDENIA	DEA 145 WINE STAIN DE 5874 DEEP RESERVOIR
24	DE 6397 HICKORY CLIFF	DE 6396 ASHEN PLUM	DEW 337 GARDENIA	DEA 147 GARNET EVENING DE 6350 DARK ENGINE
25	DEC 795 GRAY PEARL	DEW 341 SWISS COFFEE	DEW 337 GARDENIA	DE 6350 DARK ENGINE DE 6335 NOVELTY NAVY
26	DE 6319 GRAY FLANNEL	DEW 341 SWISS COFFEE	DEW 337 GARDENIA	DE 161 WILD MUSTANG DE 6350 DARK ENGINE

SCHEME	SIDING	STUCCO	FASCIA, TRIM, GARAGE DOOR	ACCENT
27	DE 6368 WALRUS	DE 6367 COVERED IN PLATINUM	DEW 380 WHITE	DE 6350 DARK ENGINE DE 6335 NOVELTY NAVY
28	DE 6399 MOLASSES	DE 6059 CHOCOLATE MILK	DEW 337 GARDENIA	DEA 145 WINE STAIN DEA 165 HEARTH GOLD
29	DE 6069 BANNISTER BROWN	DE 6066 DESERT ROCK	DEW 380 WHITE	DEA 145 WINE STAIN DEA 184 PARISIAN NIGHT
30	DE 6039 MONSOON	DE 6037 GEYSER	DEW 380 WHITE	DEA 145 WINE STAIN DE 6350 DARK ENGINE
31	DE 6061 RIVER ROCKS	DE 6060 TWILIGHT TAUPE	DEW 380 WHITE	DEA 147 GARNET EVENING DE 6350 DARK ENGINE
32	DE 6208 TUSCAN MOSAIC	DE 6207 EGYPTIAN SAND	DEW 380 WHITE	DE 6350 DARK ENGINE DEA 149 SPICED BERRY
33	DEC 755 COCOA	DEC 750 BISON BEIGE	DEW 380 WHITE	DE 6350 DARK ENGINE DEC 755 COCOA
34	DE 6062 TEA BAG	DEW 341 SWISS COFFEE	DEW 337 GARDENIA	DEA 174 OLIVE COURT DEA 165 HEARTH GOLD
35	DE 6123 TRAIL DUST	DE 6122 DRY CREEK	DEW 337 GARDENIA	DEC 755 COCOA DEA 145 WINE STAIN
36	DE 6199 PALE BEACH	DE 6197 MODERN IVORY	DEW 337 GARDENIA	DE 6335 NOVELTY NAVY DE 6021 OUTER BOUNDARY
37	DE 5816 SEAL PUP	DEW 341 SWISS COFFEE	DEW 337 GARDENIA	DE 5818 MIDNIGHT HAZE DEW 337 GARDENIA
38	DE 5817 STORMY SEA	DE 5815 FROZEN LAKE	DEW 337 GARDENIA	DE 6063 BLACK WALNUT DEA 147 GARNET EVENING
39	DE 5822 SILVER STORM	DE 5821 OVERCAST SKY	DEW 380 WHITE	DE 6350 DARK ENGINE DE 5818 MIDNIGHT HAZE

SCHEME	SIDING	STUCCO	FASCIA, TRIM, GARAGE DOOR	ACCENT
40	DE 5773 STONE SILVER	DE 6373 PORPOISE	DEW 380 WHITE	DE 6350 DARK ENGINE DE 5818 MIDNIGHT HAZE
41	DE 6333 HAMILTON BLUE	DE 6365 COLD MORNING	DEW 380 WHITE	DE 6350 DARK ENGINE DE 6063 BLACK WALNUT
42	DEC 799 WARF VIEW	DEC 792 CAPE COD BLUE	DEW 337 GARDENIA	DE 6350 DARK ENGINE DEA 161 WILD MUSTANG

ACCENT COLOR OPTIONS:			FASCIA, TRIM & GARAGE DOOR COLOR OPTIONS:
DE 6350 DARK ENGINE	DE 6028 DARK RUBY	DEA 149 SPICED BERRY	DEW 337 GARDENIA
DE 5818 MIDNIGHT HAZE	DEA 147 GARNET EVENING	DEC 755 COCOA	DEW 380 WHITE
DE 6063 BLACK WALNUT	DEA 145 WINE STAIN	DE 5818 MIDNIGHT HAZE	
DEA 161 WILD MUSTANG	DE 5874 DEEP RESERVOIR	DEA 174 OLIVE COURT	
DE 6231 SHAKER GRAY	DE 6335 NOVELTY NAVY	DE 6069 BANNISTER BROWN	
DE 6314 DARK PEWTER	DE 6021 OUTER BOUNDARY	DEW 380 WHITE	
DE 6391 BLACK RUSSIAN	DEA 165 HEARTH GOLD	DEW 337 GARDENIA	
DE 6328 ANCHOR GRAY	DEA 184 PARISIAN NIGHT		