

KINGSLEE HEIGHTS HOME ASSOCIATION
GUIDELINES FOR APPLICATION BY OWNERS FOR
PROPOSED EXTERIOR BUILDING CHANGES, REPAIRS OR CONSTRUCTION

Please read prior to submitting application

I. STATEMENT OF POLICY

EXTERIOR CHANGES, ALTERATIONS OR ADDITIONS TO DWELLING UNITS ARE PROHIBITED UNLESS APPROVED IN WRITING BY THE BOARD OF DIRECTORS based on recommendations of the architectural control committee, in accordance with Article VIII of the "Declaration of Covenants, Conditions and Restrictions" which apply to all of the real property controlled by Kingslee Heights Home Association. OWNERS ARE NOT TO PROCEED, EXCEPT IN EXTREME EMERGENCY SITUATIONS, UNTIL THEY HAVE RECEIVED A SIGNED COPY OF DISPOSITION OF APPLICATIONS (DOCUMENT 013). The City of Bloomington requires written approval of KHHA (via Disposition of Application, Document 013) prior to issuing building permits.

The covenants require that the ARCHITECTURAL CONTROL COMMITTEE and the BOARD OF DIRECTORS maintain the present harmony of external design within the development. Each proposal submitted by an owner to the Committee will be fully considered on its own merit. The waiver of any requirement included in an application shall not be considered to be a waiver of that requirement in any future proposal.

II. APPLICATION REQUIREMENTS

THE FOLLOWING SHALL BE THE MINIMUM REQUIREMENTS TO BE MET BY ANY OWNER WHO WISHES TO SUBMIT AN APPLICATION FOR EXTERIOR CHANGES, REPAIRS, OR CONSTRUCTION:

A. Submit TWO (2) copies of application forms NO LESS THAN 30 DAYS PRIOR to the anticipated start of project to any ARCHITECTURAL CONTROL COMMITTEE (ACC) MEMBER. The committee will review and submit to the Board of Directors for approval/denial. The homeowner will be contacted by a representative of the Board/ACC with written approval/denial.

B. The proposed changes, repairs or construction outlined in the application shall conform to published Association Design Standards if applicable. Copies of KHHA Design Standards are available by contacting a member of the ACC.

C. Two full sets of drawings and specifications, if applicable, for the proposed modification accompanied by a written statement by the owner or his agent which describes the proposed modification in detail. These drawings and specifications will not be returned to the owner. Furthermore, said drawings and specifications shall include:

1. Construction plans and specifications necessary to fully describe the proposal, including all materials to be used in the construction.
2. All available manufacturer's literature describing the products to be installed, (e.g., windows, doors, skylight, vents, etc.), including warranty information.
3. Building elevations and sectional drawings drawn in such a manner so that the Committee and other interested parties can readily understand what the proposed modification will look like upon completion.
4. Since Kingslee is a Planned Unit Development (PUD), the City of Bloomington may require "Theme Drawings" which demonstrate that the proposed modification is consistent with existing building and landscape design and which illustrate the range of opportunity for similar modifications by other owners.
5. Contractor — a licensed, bonded and insured contractor may be required on certain projects per specifications. PROOF OF THE FOLLOWING IS REQUIRED FOR ALL CONTRACTORS:
License, certificate of insurance, liability and workers' compensation insurance, bonding.
6. Owner (and/or contractor) is responsible for cleanup and removal of debris.

D. The owner submitting the application shall also submit the following items:

1. A statement signed by all neighbors who might be affected by the proposed project, indicating their awareness of the proposed modification.
2. A statement signed by the owner in form to be approved by the Committee whereby the owner submitting the application specifically assumes all costs and liabilities for personal injury or property damage which might arise from the modification. Said statement shall also contain an agreement by the owner to indemnify and hold harmless, the Kingslee Heights Home Association and all other owners from any such costs or liabilities which might arise. (Contained on Application Form, page 2.)
3. A statement executed by the owner indicating his/her acknowledgement that a building permit must be obtained from local government authorities prior to work on the proposed modification. This statement shall include an affirmation that the owner will abide by all local laws and regulations which might affect the proposed modification in any way. (Contained on Application Form, page -2-).
4. Under Article VIII of the previously mentioned Declarations of Covenants, Conditions and Restrictions, the Committee is required to approve or reject a proposed exterior change within thirty (30) days after the plans and specifications have been submitted to it, provided application is complete and has all required materials. In the event that the Committee cannot make a well reasoned decision on the proposed modification within the thirty day period and it is rejected, the owner may sign a statement asking for automatic reconsideration of the request. All documents and requirements will be considered in that event.

III. COMMITTEE AND BOARD REVIEW PROCEDURES

The method of review for proposed exterior changes, alterations, repairs or additions to be used by the Committee and by the Board shall be as follows:

A. Drawings and specifications shall be reviewed by the Committee and may be subjected to the approval of the consulting architect.

If "Theme drawings" have been required, such drawings may also be subject to the approval of the consulting architect. If "theme drawings" have not been requested by the Committee, the Committee and the consulting architect must find that the proposed modification is consistent with the architectural harmony of the development and with previously established standards.

B. After the drawings and specifications, including "theme drawings", if any, have been reviewed and approved by the Committee and by the consulting architect, if required, the Committee will review neighbors' comments, if applicable. The Committee is required to give strong consideration to any valid objections raised by affected neighbors, and may deem those objections as cause for rejection of the proposed change.

C. The application provides that the owner has agreed to assume any liability for personal injury or property damage which might arise out of the proposed changes, repairs or construction and to obtain the necessary building permits and to abide by all local laws and regulations.

D. Final approval of the application shall then be made by the Board in writing.

E. All approvals are subject to a Sunset clause. Work must be completed within six months of the date on which approval was granted, OR SOONER IF SO SPECIFIED by the Board. If this deadline passes and the work has not been completed, the owner must resubmit the application to the Architectural Control Committee for a new approval.

F. The Board shall notify the owner in the event the completed project does not meet these guidelines as well as approved specifications, drawings and procedures. The Board shall also retain the right to bill the homeowner for any cleanup or modifications necessary to meet these requirements.

KINGSLEE HEIGHTS HOME ASSOCIATION

Application Form for Exterior Changes, Repair or Construction

Submit TWO (2) copies of Application Form NO LESS THAN 30 DAYS PRIOR to anticipated start of project to any ARCHITECTURAL CONTROL COMMITTEE MEMBER. The committee will review and submit to the Board of Directors for approval/denial. ATTACH neighbors' consent, drawings, literature or other descriptive material requested per guidelines and specifications. All Information Must Be Complete To Process The Application. All Bloomington Building Codes And Kingslee Heights Home Association Standards Must Be Followed, And Permits Obtained Where Required. All Contractors Are Required To Provide Proof Of Adequate Liability, MN Worker's Compensation, And Appropriate Licenses. Read And Sign Reverse Side Of This Application.

The Standard of work and material should be at a MINIMUM form, fit and function of the original construction.

Date: _____ Name of Owner: _____ Circle: N __ S __ W __
Address: _____ Phone Home _____ Work: _____

Please check the type of work to be done: Repair _____ Replacement _____ Construction _____

By Owner: _____ By Contractor: _____

Contractor Name: _____

Phone _____

Check Specific Project(s):

Describe Work to be Done:

Roof #030 _____	Roof ventilation #030 _____	Gutters/Downspout #031 _____
Furnace Ventilation #032 _____	Front/Storm Door #033 _____	Garage Door #034 _____
Patio Door & Windows #035 _____	Deck and Railings #036 _____	Concrete Patios, Stoops, Steps #037 _____
Exterior Siding and Soffit Vents #038 _____	Painting External Surfaces #039 _____	Porches and Enclosures #40 _____
Satellite Dishes #041 _____	House Numbers #042 _____	Deck Awnings #043 _____
Contractors Release #044 _____	Owners Liability #045 _____	Security Cameras #046 _____
Grills, Smokers, Open Flame Equipment and Fuels #047 _____		

Other:

Examples: Window Glass Door/ Window moldings _____ Skylights Tuck Pointing _____ Exterior Caulking _____

Date Work to begin: _____ Expected Completion Date: _____

THE FOLLOWING ADDITIONAL ITEMS ARE ATTACHED:

- _____ # of Neighbors Acknowledgement form(s), if applicable per specifications
- _____ Two Drawings, literature, or other descriptive materials
- _____ Contractors proof of liability, Workmen's Compensation Insurance, license, bonding
- _____ Copy of Contract with payment schedule
- _____ Other requirements of specification attached. List these items:

All Bloomington building codes and Kingslee Heights Standards must be followed & Permits obtained where required.
For ACC disposition see Form #013.

Homeowner's Application for Exterior Changes, Repair or Construction
PLEASE READ THE FOLLOWING COMPLETELY BEFORE SIGNING:

The undersigned, being the owner of the above stated property located in the Kingslee Heights Home Association hereby applies to the Architectural Control Committee and to the Board of Directors for approval of this proposal.

I have been provided with and have fully read and understand document #010 entitled:

"Kingslee Heights Home Association, Architectural Control Committee
Guidelines for Application by Owners for Proposed Exterior Building
Changes, Repairs or Construction."

and I hereby agree to all conditions and requirements set forth therein. Furthermore, I hereby understand and agree to the following:

1. To obtain, from any of my immediate neighbors who might be affected by my proposed modification, signed acknowledgement forms indicating their notification of the proposed changes and listing their approval or objections. These forms will be returned separately to the Committee by the neighbors.
2. In the event that final approval to my proposal is given to me by the Committee and by the Board, I hereby agree to assume and be responsible for any costs and liabilities for personal injury or property damage.
Furthermore,
I shall indemnify and hold harmless the Kingslee Heights Home Association and all other owners from any such costs or liabilities which might arise.
3. I hereby acknowledge that I must obtain a building permit, if required by the City of Bloomington, prior to beginning any construction and I agree to do so and to abide by all local laws and regulations which might affect the proposed construction in any way.
4. I understand that under Section 8 of the Declaration of Covenants, Conditions and Restrictions which apply to the Association, the Committee and the Board must either approve or reject my proposal, provided it was complete, within thirty (30) days after *the* plans and specifications have been submitted to the Committee. If my proposal is rejected due to lack of time, I may request a reconsideration in order to avoid resubmitting all necessary forms and information. Proposals which are NOT complete may require an additional thirty (30) days after all required materials provided to the Committee.
5. I further understand that a waiver by the Committee or by the Board of any of the guidelines or conditions which might apply to my proposal shall not constitute a waiver for purpose of any future proposals which might be submitted by myself or other owners.
6. I hereby acknowledge the time and deadline for completion of the work proposed and agree that these alterations will be completed within six months or the time frame specified with the approval of this application. If work cannot be completed within that time frame, I agree to submit a new request for approval prior to beginning any work.
7. I understand if the project is not completed in a reasonable length of time or in its entirety my property could be subject to a lien by KHHA.
8. Contractor Insurance Requirements: Proof of insurance i.e. Certificates of current coverage, will be required of all persons, organizations or contractors performing exterior work for Kingslee homeowners. In addition to current and appropriate licenses, Workmen's Compensation Insurance, General Liability coverage in the amount of \$1,000,000 or more, and Vehicle Liability will be required, or as modified by the ACC and approved by the KHHA Board of Directors. The Kingslee Heights Home Association will not be held responsible for damage or loss to tools or materials used in any KHHA approved project.
9. I hereby acknowledge when using a contractor, that proof of the contractor's liability insurance, workers' compensation, and other applicable licenses are to be provided and approved prior to commencing any work.

Date: _____ Owner's Name (print)

Owners Signature:

KINGSLEE HEIGHTS HOME ASSOCIATION

**NEIGHBORS' ACKNOWLEDGEMENT OF
PROPOSED EXTERIOR CHANGES, REPAIRS OR CONSTRUCTION**

Owner requesting proposed construction/change: _____

Unit #: _____

Neighbor's Full Name: _____

Address: _____

Telephone: Home: _____ Work _____

Nature of construction/change: _____

PLEASE READ THE FOLLOWING BEFORE SIGNING:

The undersigned, being a registered member of Kingslee Heights Home Association, acknowledges that I have been advised of the nature and timing for proposed changes, and that I will sign and return this form with my acceptance or objections directly to the Architectural Control Committee.

Accepted: _____

Comments/Objections _____

Signed: _____ Date: _____

Doc. # 012

Revised: 8/96

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**KINGSLEE HEIGHTS HOME ASSOCIATION
DISPOSITION OF APPLICATION FOR EXTERIOR CHANGES, REPAIRS OR CONSTRUCTION
ARCHITECTURAL CONTROL COMMITTEE**

Name: _____ Application Dated: _____
Unit #: _____

Subject of Application: _____

Recommended: _____

Subject to the following conditions: _____

Not Recommended: _____

For the following reasons: _____

Date: _____

Chairperson: _____

=====

BOARD OF DIRECTORS

On this date, after due consideration of the recommendations of the Architectural Control Committee, the Board
took the following action on the foregoing application:

Approved: _____

Subject to the following conditions: _____

Rejected: _____

For the following reasons: _____

Date: _____ President of the Board _____

ALL PROPOSED WORK MUST BE COMPLETED WITHIN SIX MONTHS OR AS SPECIFIED OF THE DATE
SHOWN ABOVE. IF WORK IS NOT COMPLETED, A NEW APPLICATION AND APPROVAL WILL BE
REQUIRED BEFORE ANY ALTERATIONS CAN BE MADE TO THE UNIT.

**KINGSLEE HEIGHTS HOME ASSOCIATION
ARCHITECTURAL CONTROL COMMITTEE FINAL INSPECTION FORM**

Name: _____

Unit # _____

When the work proposed by your approved application for external repairs or changes to your unit dated _____ for _____ is completed, please call _____, chairman of The Architectural Control Committee at _____, to schedule a final inspection of the work by two members of that committee.

Final approval granted, _____ Date _____
(ACC Chairperson)

(ACC Member)

Approval granted subject to _____
_____.

ACC Chairperson _____ Date _____

ACC Member _____

NOTE: ALL PROPOSED WORK MUST BE COMPLETED WITHIN SIX MONTHS OR AS SPECIFIED ON THE DATE SHOWN ABOVE. IF WORK IS NOT COMPLETED, A NEW APPLICATION AND APPROVAL WILL BE REQUIRED BEFORE ANY ALTERATIONS CAN BE MADE TO THE UNIT.

Doc#014

June, 2005

**KINGSLEE HEIGHTS HOME ASSOCIATION
EXTERIOR CHANGES, REPAIR or CONSTRUCTION**

Subject: Independent Contractor Disclosure and Release

Adopted: October 9, 2001

We understand that Kingslee Heights Home Association does not permit Contractors to perform external repairs, changes or construction work on Units above the first level, particularly roofing work, without supplying Certificates of General Liability and Worker's Compensation Insurance approved by KHHA.

However, KHHA will permit Independent Contractors to perform such work on the ground levels and decks immediately above ground levels providing they supply a Certificate of General Liability Insurance and sign this Disclosure and Release document.

As a Business Proprietor, we attest that we meet the requirements of legal status determination as an Independent Contractor, that we have no employees and that we do not elect to cover ourselves under the Worker's Compensation Act.

Notice to the Independent Contractor: Anyone working for you is considered to be an employee unless they comply with all nine points of the status determination test.

We will provide a Certificate of Insurance for Worker's Compensation for anyone not complying with the status determination test before performing any work.

Based the above disclosures and representations, we hereby release and hold harmless the Unit Owners and Kingslee Heights Home Association from any claim for injuries or property damage based upon any theory of employment both for us as an Independent Contractor and any other person or entity retained, hired, subcontracted or employed by us. We also agree to promptly pay any legal claims arising out of our work for injuries or property damage.

Independent Contractor _____

Address _____

By _____

Date _____

Document 044

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KINGSLEE HEIGHTS HOME ASSOCIATION

EXTERIOR CHANGES, REPAIR or CONSTRUCTION

Subject: Owners Liability

Adopted: October 9,2001

As owners of a unit in KHHA, we attest that we are aware that KHHA strongly discourages unit owners from personally performing external work on their units above the first level due to the danger of personal injury and/or property damage. Roofing repairs are specifically discouraged due to the high level of danger of injury.

We also attest that in the event of personal injury to ourselves or others or property damage to other unit owners or KHHA common property, we will assume all liability for such injury or property damage and will hold harmless KHHA and other unit owners from such liability. This includes injury to helpers utilized by Owners.

We are also aware that KHHA recommends owners hire licensed Contractors to perform such work. These contractors must supply certificates of insurance for workers' compensation and general liability, as described in the KHHA Application Form for External Changes, Repair or Construction. KHHA reserves the right to withhold approval of Owner's applications in the event Owners elect to perform such work personally and refuse to sign this document of Owner's liability.

Based on the above representations and agreements, we hereby release and hold harmless Kingslee and other unit Owners from any claims for personal injury or property damage caused by our personal external work, and agree to pay any such claims promptly.

Unit Owners _____

Unit Address _____

Signatures _____

Date _____

Doc. # 045

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