

(c) The proposed construction, installation, addition, alteration, repair, change or other work is not in harmony with existing Improvements in the Property or with Improvements previously approved by the Architectural Committee but not yet constructed;

(d) The proposed construction, installation, addition, alteration, repair, change or other work is not aesthetically acceptable in the sole and absolute discretion of the Architectural Committee;

(e) The proposed construction, installation, addition, alteration, repair, change or other work would be detrimental to or adversely affect the appearance of the Property; or

(f) The proposed construction, installation, addition, alteration, repair, change or other work is otherwise not in accord with the general plan of development for the Property.

The approval required by the Architectural Committee pursuant to this *Article 5* shall be in addition to, and not in lieu of, any approvals or permits which may be required under any federal, state or local law, statute, ordinance, rule or regulation. The approval by the Architectural Committee of any construction, installation, addition, alteration, repair, change or other work pursuant to this *Article 5* shall not be deemed a warranty or representation by the Architectural Committee as to the quality of such construction, installation, addition, alteration, repair, change or other work or that such construction, installation, addition, alteration, repair, change or other work conforms to any applicable building codes or other federal, state or local law, statute, ordinance, rule or regulation.

5.3 Architectural Committee. The Architectural Committee shall initially consist of up to three (3) regular members, each appointed by Declarant. Members of the Architectural Committee need not be Owners or Residents of the Property. Declarant may replace any Member of the Architectural Committee which it has appointed at any time with or without cause. Declarant's right to appoint Architectural Committee members shall cease and the Board shall be vested with that right and all rights of the Declarant pertaining to the Architectural Committee when the last Lot within the Property has been sold to an Owner who is not a Builder. After such time as the Declarant's rights to appoint the members of the Architectural Committee expire or are relinquished by the Declarant, the Architectural Committee shall consist of three (3) regular members, each of which shall be appointed by the Board. In the event the Board does not appoint an Architectural Committee for any reason, the Board shall exercise the authority granted to the Architectural Committee under this Declaration. The Architectural Committee may adopt, amend and repeal architectural guidelines, standards and procedures to be used in rendering its decisions. Such guidelines, standards and procedures ("Design Guidelines") may include, without limitation, provisions regarding (i) architectural design, with particular regard to the harmony of the design with the surrounding structures and topography, (ii) placement of Dwelling Units and other buildings, (iii) landscape design, content and conformance with the character of the Property and permitted and prohibited plants, (iv) requirements concerning exterior color schemes, exterior finishes and materials, (v) signage, and (vi) perimeter and screen wall design and appearance. The