

Charter of the Greens' at Pelican Point Community

Architectural Control Committee

Whereas, the Greens' Architectural Control Committee (ACC) was created in the Act of Restrictions (filed with the Ascension Parish Clerk of Court on November 28, 2001, document #50156) Paragraph 41 of these Restrictions outlines the original members who were appointed by the developer and who were designated to work in cooperation with the Pelican Point Golf Community ACC, although not under their jurisdiction.

Whereas, the Greens' Architectural Control Committee (ACC) in the Act of Restrictions titled " ALL PHASES," (filed with the Ascension Parish Clerk of Court on August 29, 2002, document #523639) and in all filings thereafter including July 15, 2004 (instrument #00581515); July 19, 2005 (instrument #00011424); and July 9, 2008 (instrument #00698702) transferred jurisdiction from the Greens' Developer's ACC to the Greens' Homeowner's Association (GHOA) Architectural Control Committee (ACC) once a home in the Greens is complete and purchased.

Whereas, once a home in the Greens is complete and purchased, the Board of Directors (BOD) of the Greens' Homeowner's Association, as designated by the Greens' Homeowner Association Bylaws (Revised May 14, 2009) to manage the business and affairs of the Greens' Homeowner's Association (GHOA), desires to fulfill the obligations set out in the Act of Restrictions and Bylaws to appoint a standing committee of the Greens' at Pelican Point Community Homeowner's Association called the Greens' Architectural Control Committee (GPPHOA-ACC).

Whereas, the Greens' at Pelican Point Homeowner's Association (GHOA) shall have the exclusive right to appoint the Architectural Control Committee, including the right to determine the number of members and their qualifications.

Be it resolved that, the Board of Directors of the Greens' at Pelican Point Homeowner's Association does establish by this Resolution a standing committee of the Association as the Greens' at Pelican Point Community Architectural Control Committee (GPP-ACC) and that the Charter of this Committee is as follows:

THE GREENS AT PELICAN POINT ARCHITECTURAL CONTROL COMMITTEE CHARTER

Article I. Purpose

- a) The purpose of the GPPC-ACC is to establish and enforce community standards to protect the property values of all Greens Homeowners. The approval of all post-construction additions or alterations to property and compliance to the land use restrictive covenants contained in the Greens' Act of Restrictions are the responsibility of the Greens' Architectural Control Committee.

Article II. Responsibilities and Limitations

- a) The responsibility of the GPPC-ACC shall include all filings in the Greens' at Pelican Point Community.
- b) As outlined in the Act of Restrictions for each separate filing, the GPPC-ACC shall have the responsibility for maintaining and enforcing compliance with the Acts of Restrictions of such filings.
 - a. As part of this responsibility the Committee shall conduct (or cause the same) periodic surveys of the residences and contact, in writing, the owners to address out-of-compliance situations of their property. They shall also review and act on homeowner complaints regarding Restriction violations.
- c) The GPPC-ACC shall not obligate the GPPC-HOA in any way (financially, legally, etc.) without specific approval of the Board of Directors.

Article III. Conflict of Interest

- a) No member of the GPPC-ACC shall have an affiliation with a company or organization that provides any type of work, service or products that might be used on a project submitted for approval.
- b) Any member of the Committee who stands to gain personally, professionally, legally or financially from an issue before the GPPC-ACC shall inform the Committee of such conflict of interest and may not participate in the discussions or voting regarding this issue.

Article IV. The Committee

- a) The Committee shall consist of at least five (5) members. Maximum of two (2) as Board Members, one (1) as Chairperson, one (1) as Vice Chairperson and one (1) as Secretary. The exact number shall be set by the GPPC-HOA by recommendation of the Committee. The Board Liaison is not allowed to vote. Non Board Members will be the Chairperson Membership on the ACC shall only be available for members in good standing of the GPPC-HOA.
- b) The Chairperson shall submit a report of activity at each Board meeting.
- c) Committee members shall be appointed by the GPPC-HOA Board of Directors to one year terms.

- d) Minimum qualifications for membership on the GPPC-ACC shall be set by the GPPC-HOA Board of Directors upon recommendation of the Committee.
- e) The Secretary shall be responsible for recording minutes of each meeting. These minutes shall be available for board members or general members for review.
- f) All meetings shall be held in accordance with The Newly Revised Roberts Rules of Order for small boards and committees.
- g) Officers shall be elected by the ACC committee and ratified by the Greens' board of Directors every year.
- h) A majority of Committee members present shall decide all questions before the committee.
- i) 50% of the Committee members must be present to constitute a quorum.
- j) Applicants to the committee shall have the right to be present during all discussion and voting on their petition.
- k) Members shall serve at the pleasure of the GPPC-HOA Board of Directors.
- l) Vacancies shall be filled by the Board of Directors for unexpired terms.
- m) If the ACC cannot fulfill its duties, the GPPC-HOA Board of Directors shall assume their role.

V. Meetings/Decisions of the Committee

- a) Applicants who are denied their Application to the ACC for additions or alterations to their property or homeowners who are cited for non-compliance of the Act of restrictions, shall have a right of appeal to the Greens' at Pelican Point Homeowner's Association Board of Directors within thirty (30) days of any GPPC-ACC action.
- b) The Greens' ACC shall establish rules and regulations to assist them in performing their duties. However, all such shall be in writing and published for the general membership. All shall be approved by the GPPC-HOA Board of Directors.
- c) All meetings of the GPPC-ACC shall be open to all members of the HOA. The time and place of all meetings shall be published for the general membership.
- d) Upon submittal of a properly completed set of plans and specifications for additions or alterations to their property, the ACC shall have 30 days to render a decision. If there is no decision within 30 days, such plans shall be considered approved.
- e) All approvals and disapprovals shall be in writing and signed by two ACC committee members.
- f) A decision will be provided at the next committee meeting if the application is received at least five (5) days prior to the committee meeting.
- g) The committee will have the right to poll committee members for a decision on an application if the committee determines that time is of the essence.

VI. Indemnification

Committee members shall be indemnified by the Greens’ at Pelican Point Homeowner’s Association insurance carrier against all liabilities and expenses, including legal fees reasonably incurred or imposed in connection with any proceeding to which he/she may be a party or in which he/she may become involved by reason of his/her being or having been a member of the GPPC-ACC at the time such expenses are incurred, unless the member of the GPPC-ACC is adjudged guilty of willful malfeasance or misfeasance in the performance of his/her duties. The above right of indemnification shall not be exclusive of all other rights to which such members of the GPPC-ACC may be entitled but shall be in addition to such other rights.

VII. Charter Revisions

- a) Proposed ACC Charter revisions are to be submitted in writing to the Board of Directors by the Committee for approval.
- b) All revisions shall be by Resolution of the Board of Directors.
- c) When approved the revised document shall be signed by the President of the GPPC-HOA, the Secretary of the GPPC-HOA and the chairperson of the GPPC-ACC.

APPROVED on ___day/___/___ at a meeting of the Greens’ at Pelican Point Homeowner’s Association.

_____ Date _____
Signature - President

Printed Name of President : _____

_____ Date _____
Signature – Secretary

Printed Name of Secretary: _____

_____ Date _____
Signature – Chairperson of the ACC

Printed Name of Chairperson of the ACC: _____