

Maxwell Creek North Homeowners Association, Inc.

ARCHITECTURAL CONTROL COMMITTEE BULLETIN NO. 1

APPLICATION FOR ACC APPROVAL

Owner(s): _____ Lot/Block No. _____
Address: _____ Telephone: _____
_____ Fax No. _____
_____ Email: _____

Description of Improvements:

(Use additional pages if necessary)

Attached hereto are the following described plot plans and specifications, site plans, surveys and drawings ("Construction Documents") being submitted to the Architectural Control Committee (the "ACC") for their review:

attached

(Describe Construction Documents that are

I/We understand and agree until this Application is fully completed and signed and both it and all of the Construction Documents are submitted to the ACC; my/our application will not be deemed received nor will it be reviewed and will be deemed incomplete.

Are you requesting a variance? Yes No. If yes, please explain the variance in detail.

(Use additional pages, if necessary):

I/We understand that a request for a variance must identify and set forth in detail the specific restriction or standard from which a variance is sought and described in complete detail the exact nature of the variance sought.

Maxwell Creek North Homeowners Association, Inc.

Attach is a list of the names, addresses and telephone numbers of contractors, engineers and/or architects you intend to use, if any.

Is a Building Permit required? Yes No.

If yes, have you applied for building permit? Yes No. I/We understand that if a building permit is required, I/we will not commence construction until the permit is obtained and any approval by the ACC is subject to obtaining the requisite building permits.

I/ We do hereby acknowledge that I/we have received, read, and understood the Declaration of Covenants, Conditions and Restrictions for Maxwell Creek North ("CCR's") and do agree to abide by such CCR's. It is further understood that any approval or presumed approval of Construction Documents and/or variances by the ACC or the Board of Directors ("Board of Directors") of the Maxwell Creek North Homeowners Association, Inc. ("HOA") in no way voids, extinguishes, amends or terminates all or any part of the CCR's, nor is it intended to replace or supersede any more restrictive ordinances or requirements of the Town of Murphy, Collin County, Texas. Unless a variance is specifically requested and the variance is specifically described in writing, the approval of the plan and/or specifications by the ACC shall not constitute a variance and Owner/Builder will comply with all of the CCR's. I/We expressly agree that the ACC shall have thirty (30) full calendar days following submission of a properly completed Application for ACC Approval accompanied by all required Construction Documents in which to approve or disapprove the Construction Documents. I/We further agree that if the ACC does not either approve or disapprove the Construction Documents within such thirty (30) day period that I/we must then submit the Application for ACC Approval and the required Construction Documents to the Board of Directors who will thereafter have fifteen (15) days to approve or disapprove the Construction Documents. The approval of the Construction Documents shall not constitute a representation or warranty on the part of the ACC, the Board Of Directors or the HOA that the Construction Documents comply with applicable ordinances, rules, regulations, statutes or that the Construction Documents are fit for their intend purpose. Builder/Owner hereby jointly and severally agree to indemnify ACC, and its members, the members of the Board Of Directors, the HOA and Forestar (USA) Real Estate Group Inc. ("Forestar") from all claims and causes of action, expenses (including attorney's fees) arising out of the approval or presumed approval by the ACC and/or the Board of Directors of any Construction Plans. To the best of the undersigned's knowledge and belief, upon satisfactory completion of the improvements contemplated by the Construction Documents, the existing improvements located on the Property will be in compliance with the requirements of the CCR's. I/We agree that neither the ACC, HOA, Forestar nor any of their respective members, officers, directors or shareholders shall be liable to any Owner or other person claiming by, through or on behalf of any Owner for any claims, causes of action or damages arising out of the granting or denial of, or failure to act upon, any variance requested by a Owner. In addition to the foregoing, this application and the issuance thereof is expressly subject to any and all limitations of liability set forth in the CCR's.

Applicant's Signature

Date

Applicant's Signature

Date

NOTE: IT IS HEREBY ACKNOWLEDGED THAT THE BUILDER/OWNER IS RESPONSIBLE FOR (1) KEEPING ALL CONSTRUCTION ON SITE AND OFF-SITE CLEAN, SAFE AND FREE OF DEBRIS AND (2) MAINTAINING EROSION CONTROL BARRIERS FOR THE ENTIRE CONSTRUCTION PERIOD. OWNER/BUILDER CONVENANTS NOT USE ANY OTHER LOT OR PROPERTY WITHIN THE SUBDIVISION FOR STORAGE OF MATERIALS.

• For Maxwell Creek North Architectural Control Committee Use *

Date Received _____ Date Approved _____

Approved: The attached Construction Plans, as submitted, are currently believed to be full compliance and intent with CCR's and are hereby approved for construction.

Variance Granted: The attached Construction Plans, as submitted, are believed to require that a variance be granted and the ACC hereby grants the variance and the improvements are hereby approved for construction, subject to the following conditions, modifications or qualifications.

Disapproved: The attached Construction Plans, as submitted, are not currently believed to be in full compliance and intent with the CCR's and are disapproved.

Explanation:

Maxwell Creek North Homeowners Association, Inc.

By: Architectural Control Committee of Maxwell Creek North Homeowners Association Inc.

By: _____

By: _____

By: _____

OR

Maxwell Creek North Homeowners Association, Inc.

By: Board of Directors of Maxwell Creek North Homeowners Association, Inc.

By: _____

By: _____

By: _____