

CITYFRONT TERRACE HOMEOWNERS ASSOCIATION

ARCHITECTURAL APPLICATION

Revised June 3, 2022

Unit _____

Owner Name _____

Telephone _____

Email _____

Start Date _____

Completion Date _____

Contractor _____

Contractor Telephone _____

Contractor Email _____

Please provide the following:

1. Signature on the Limited Liability Notification for Remodeling.
2. Application for Architectural Improvements completed and signed by owner and contractor.
3. Detailed written proposal of improvements.
4. Unit floor plans showing (a) existing & (b) proposed improvements.
5. Elevation drawings, if applicable.
6. Description of materials including specification sheet. Please see the Architectural Guidelines.
7. Certificate(s) of liability insurance evidencing not less than \$1,000,000 coverage per occurrence and workers compensation insurance for all contractors, subcontractors and vendors, **showing CityFront Terrace HOA 500 W Harbor Drive San Diego, CA 92101 as an additional insured.**
8. Copy of contractor's license and bond.

The fees are as follows:

- A. \$250.00 refundable* deposit for carpet, hard surface flooring, electrical or plumbing, wall bed, closet cabinet, countertop or similar installation.
- B. \$500.00 refundable* deposit for renovations to one room or more.
Deposits will be refunded, less damages, upon completion of project final inspection and only when the following provision has been met. **The completed Architectural Approval and Inspection Log is properly executed and returned to the Management Office. All checks will be cashed, and monies held pursuant to the terms of this application. Checks are to be payable to CityFront Terrace HOA.*

This application is provided to you for the purpose of documenting architectural improvements. Information herein is not exhaustive; however, it is provided as guidance to you in your responsibility to ensure improvements are in compliance with the Association's governing documents and governmental regulations.

Name _____

Telephone _____

General Contractor _____

Description of proposed improvements (attach plans, details and specifications):

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It is agreed:

1. Installation to be at NO cost to the Association. Please note that as a condition of approval, the Association requires that the present and successor record owner(s) of the property be liable for any future maintenance or damage caused as a result of this approval.
2. Unless specifically agreed otherwise in writing by the Board of Directors, approval of the submitted plans is expressly conditioned upon the owners agreeing to assume the cost for any damages or additional maintenance directly or indirectly caused by the proposed modification(s), addition(s) or improvement(s) and that such damages or maintenance be remedied at the sole discretion of the Association.
3. As a condition to the consideration of any Architectural Application where work is to be performed at or near plumbing, plumbing fixtures or water fed appliances, Owner/applicant shall submit an Architectural Pre-inspection Application and submit their unit to a general visual review by the Association in order to identify those items known to have a high risk of failure. The Association will provide the inspection results to the owner/applicant who must repair or replace those items identified. The Association provides this service in good faith to limit risk within the overall community. The inspection(s), finding(s) report(s) or subsequent actions or inactions by the Association shall not release the owner/applicant of any obligation to maintain their unit as defined in the governing documents.

WATER SHUT-OFFS may be necessary for architectural improvements, This is an inconvenience to all owners in one or more stacks and a costly event due to the staff needed to manage the shut-offs. In the event of a bonified water *emergency*, defined as an uncontrolled waterflow that cannot be reasonably contained as determined by management, an EMERGENCY WATER SHUT-OFF will be made for the duration and to the extent necessary to make immediate emergency repairs and mitigate property damage. In such case, a **minimum fee of \$500** will be levied to cover costs incurred to accommodate the SHUT-OFF. Standard water off days are the third Tuesday of each month, between the hours of 9am-3pm. **Request must be received and approved by 12PM the Thursday prior to the shut off date.** Plumber / Contractor is required to be present upon restoration of water service.

4. **Requests must be made by a licensed plumber or general contractor. Owner/applicant herby authorizes named contractor or plumber to complete Water Shut Off / Hot Work Application on behalf of owner/applicant.**
5. HOT WORK such as soldering or welding requires the following: an approved Hot Work Application, suitable fire extinguishing equipment be readily available, a work area cleared of all combustibles, and the presence of a Fire Watch throughout the duration of the work and for a minimum of one hour subsequent to the completion of the work. Hot Work Applications are available through the Management Office.
6. During the approval process, the Association may require that its architect, attorney, contractor or other professional review the proposed plans. Such reviews are very limited in scope and may not be relied upon by the owner to ensure the correctness of plans from either a legal architectural, structural and engineering standpoint. This type of review, if necessary, shall be at the sole cost to the owner.

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7. The applicant and contractor agree and represent that they have complied with all applicable federal, state, county and city laws and ordinances and have obtained all necessary permits in connection with the proposed plans.
8. The applicant and contractor agree and represent that, as a condition of submittal, they have independently reviewed and confirmed that the proposed plans are correct from a legal, structural, architectural, engineering and/or landscaping standpoint and will not in any way, other than that which has been disclosed in the application, negatively impact the Association or cause damage or additional maintenance to the Association owned and/or maintained property.
9. The applicant has reviewed the guidelines and procedures with the contractors or individuals supplying the work and agrees to comply with all requirements of these documents.
10. Once the application for Architectural Improvements is approved the work must be completed *within 90 days from the approval date*. If the work is not completed within that time frame, owner must provide management a written schedule of remaining work to be completed, including the anticipated completion date. Failure to do so may require that a new application be submitted.
11. **Owners/applicants beware!** Some licensed and insured Contractors may have exclusions in their insurance policies that could result in the Contractors not having coverage for work performed in your condominium. In fact, we have learned that even the Contractor may not know of the condominium work exclusion that may exist in their policy. You should verify with your Contractor, by reviewing the policy, any coverage limitations or exclusions in your Contractor's policy PRIOR to the Contractor commencing any work within your condominium. The Association DOES NOT verify the types of insurance coverage in your Contractor's policy IT IS YOUR RESPONSIBILITY. If your Contractor has coverage limitations or exclusions, we strongly urge you not to use that Contractor until you are satisfied that the insurance would cover any claim related to work performed by the Contractor in your condominium.
12. Owner/Applicant hereby acknowledges financial responsibility to the Association for any and all damage(s) whether direct or indirect, resulting from work associated with this application or work performed within their unit and that any such damage be remedied in accordance with Association approved methods. For example: water damage occurs within your unit and/or spreads into common area and/or neighboring unit(s). Subsequent to emergency response, dry-out and/or restoration of building materials shall be performed in accordance with Association requirements which in this case would be to retain an experienced flood restoration contractor who specializes in such work. While the owner/applicant may have recourse for recovery through another party (i.e. Insurance), the owner/applicant shall remain responsible directly to the Association.
13. Any work or improvement, proposed by an owner, which has been approved by the Architectural Committee and requires access through either one or more units and or the common area or any combination thereof, shall be considered a conditional approval with final approval subject to reasonable notice and the provisions for easement(s) as outlined in the governing documents.

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14. **Owner Builder** Owners performing construction management in whole or in part are considered by the Association to be Owner Builders. As such, Owners shall provide evidence of insurance of not less than \$1,000,000 coverage per occurrence naming CityFront Terrace HOA as additional insured. Owners are urged to consult with their insurance provider to gain a complete understanding of their responsibilities related to such undertaking.

I understand that the approval of this application does not release me from my obligation to obtain permits or to ensure that all work is completed in compliance with the Association's governing documents and all requirements of governmental regulations.

Owner _____
Print Name Signature

Contractor _____
Print Name Signature

Office Use Only:

Date Received _____ *By* _____

Deposit Amount _____ *Check #* _____

Refund Amount & Date _____

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ARCHITECTURAL GUIDELINES

Owner please note if applicable to this project:

1. Building Permits & Reviews

A building permit may be required for alterations, modifications, conversions or demolition work. Painting, papering and similar finish work may be exempt. Any plumbing, electrical or mechanical, fire sprinkler, fire alarm or other work may require a separate permit from the City of San Diego Building Department. The cost and acquisition of all permit(s) are the responsibility of the owner.

The Association reserve the right to require copies of permits prior to or during the execution of work approved under this application.

The Association reserves the right to require a special inspection at any time and for any reason at the sole cost of the owner.

2. Structural Modification

Modifications to any component of the structural system such as beams, floor slabs or bracing require approval by one or more of the following: Structural Engineer, the City of San Diego Building Department and the City of San Diego Fire Marshall.

3. Title 24 Requirements

Entry door to units – Lever style handle lockset is required by code and shall not be removed. The floor on either side of threshold must be within ½” of top of threshold.

4. General Conditions

Construction work, except when directly involving improvements to the exclusive use common area, shall be contained within the unit. No cutting of building materials is permitted on patio(s) and or balcony(ies) unless a containment suitable to mitigate the migration of byproduct is in place. Management reserves the right to limit or refuse the exercise of this provision.

Cost Recovery – There will be circumstances when it is necessary for Association staff to facilitate procedures to accommodate city inspections or provide systems isolation or recommissioning including, but not limited to, conducting fire sprinkler and alarm testing, conducting emergency services or other actions related to an Owners project. In such cases and subject to the availability of staff, the Association will bill Owner for each man hour, in 30 minute increments, for the services performed in accordance with the prevailing rates. If it becomes necessary to provide staffing for these services beyond the close of business billing will occur at two times this rate.

Noise control – floor and ceiling assembly a minimum IIC sound rating of 52 shall be maintained and shall be in compliance with all city ordinances. Excessive noise shall require a 72 hour notice to the Management office in order to provide for notice to neighboring units.

Dust Control – It is incumbent that dust not be allowed to migrate outside the work area, including common area corridor(s), exterior patios and balconies and or through open windows and doors. Owner/contractor must take appropriate measures for the control of dust. It is inevitable that construction dust and debris will make its way beyond the work area. In such cases the Owner/Contractor must cause its cleanup as quickly as practical. The Association may, in its discretion, act upon such conditions at the sole expense of Owner.

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The Association recommends that the Air Conditioning and Heating (FAU) unit not be use during renovation process in order to limit dust contamination to the unit and its associated ductwork. It is further recommended that the FAU and ductwork be cleaned and inspected prior to recommissioning.

Non-combustible construction – all building materials shall be non-combustible.
No wood studs, plywood, etc allowed. Drywall must be 5/8” Type X.

Fire sprinklers – Modification, covering, painting or shielding of sprinkler heads is not allowed. Any modification of the fire sprinkler system may require a permit from the City of San Diego. Approved vendors for this work can be obtained in the Management Office.

Exit signs – Shall not be moved or modified in any way without the approval of the Fire Marshall for the City of San Diego.

5. Wall, Ceiling and Floor Penetrations

Penetrations – for any use shall not be made in party walls between units, heat pump enclosure walls, walls common to corridors and walls common to stairwells. Penetrations into the structure concrete shall not exceed 1” in depth unless pre-approval is obtained through the Management Office. Such penetrations may require X-Ray, see X-Ray Work Application, evidencing that intrusion into the specified structure will not result in structural damaged to post tensioned cables or other structural components.

Lights – may be installed on ceilings and in walls except as noted above.

Sound systems – Speakers installed in walls or ceilings shall be mounted in a soundproof box so that no sound is emitted from back or sides of speakers, into ceiling or wall cavity, provided that such installations do not preclude the fire rating of the wall or ceiling.

Removal of walls – With proper approval, the removal of interior walls is permitted. All Perimeter walls, party walls and heat pump closets must remain intact.

Plumbing and Electrical Piping – All plumbing and electrical risers that penetrate the floor below and/or above must remain intact.

Bathtub and Shower Work- Guidelines specific to the removal, alteration or replacement of bathtub and shower enclosures may be obtained through the management office.

Walls, floors and ceilings – No holes may be made without architectural approval. Structural framing must be non-combustible and Drywall must me 5/8” Type X.

All fireproofing, fire stops, fire safing, pipe insulation, duct insulation and pipe Isolation systems shall remain intact.

6. HVAC Systems

Door clearances – A door undercut of 1” must be maintained for return air circulation under all bathroom and bedroom doors.

Balancing – any changes to the ductwork or diffusers may require the Homeowner to test and rebalance their system.

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Heat pump closets – shall not be modified in any way. All doors, seals and insulation shall remain intact.

7. Electrical Systems

All wiring shall be in conduit with copper conductors. All appliances shall be rated for 120/208 volt, single-phase power. Maximum amperage rating for each Homeowner panel is 125 amps. Any electrical modifications and/or additions require a separate permit from the City of San Diego Building Department.

8. Window Systems

Window tinting – Window tinting by film, spray or any other method applied directly to glass shall have no visible color and is subject to approval of the architectural review committee. The tinting film must be repaired, removed or replaced if blistering, peeling or bubbling occurs at any time.

Window Mullions – Penetrations into window mullions and trim pieces shall not be permitted. Interior mullions and aluminum components may be painted. The paint shall be compatible with the existing kynair finish. Do not apply paint to window gaskets or glass. Exterior mullions, lanai railings or sliding doors shall not be painted.

9. Interior Finishes

All interior finish materials shall comply with the provisions of Chapter 42 of the Uniform Building Code, latest edition. According to UBC requirements, foam plastics shall not be used as interior finishes.

10. Flooring

The Owner of any unit wishing to install a hard surface floor must submit to the Architectural Committee the following:

(a) A construction drawing clearly indicating the type of flooring to be installed and the underlayment to be provided to mitigate against impact noises such as footfalls. The drawing must clearly identify all materials, their composition and thickness. (b) A plan view drawing of the hard surface flooring area indicating the location of all adjacent partitions, cabinets etc., with referenced details indicating the method of isolating the hard surface flooring along the entire perimeter. (c) A test report from a qualified acoustical testing laboratory clearly showing that the Impact Isolation Class of the construction selected has a minimum rating of IIC-52. (d) A copy of the installation instructions from the resilient floor underlayment manufacturer. (e) The name, qualifications and experience of the contractor who will install the hard surface flooring and resilient underlayment with a listing of his experience in the installation of floors utilizing impact insulation materials. (f) The proposed individual(s) who will oversee the installation in order to verify that the installation is in accordance with the manufacturer's requirements.

Wood – Wood floors shall have a Class III frame spread rating (76-200 index). Wood floors shall not be applied to exterior balconies (lanais). Wood floors shall be applied over an approved sound control underlayment with a minimum IIC rating of 52. The ARC also suggests using a sound caulking behind the baseboards for maximum sound proofing. Wood paneling or wainscot greater than 1/28" thick shall have a Class III frame spread rating (76-200 index) and shall be applied directly against a non-combustible backing. **Notice:** Notwithstanding adherence to these provisions, the Board may, at its discretion, require up to 80% of any hard surface flooring be covered with carpeting in order to mitigate noise complaints received from an impacted owner.

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WHEN THE UNDERLAYMENT IS PUT DOWN YOU MUST CALL THE ASSOCIATION OFFICE FOR AN INSPECTION BEFORE PROCEEDING WITH THE FLOORING INSTALLATION. CALL (619) 702-7729.

Carpets – Carpets applied to interior floors shall have Class III flame spread rating (760299 indexes). Carpets applied to interior walls or ceilings shall have Class 1 flame spread rating (0-25 index). Carpets applied to exterior balconies (lanais) shall have a Class 1 flame spread rating (0-25 index).

Ceramic Tile/Stone - Ceramic tile or stone applied to floors shall be applied over an approved sound control underlayment (minimum IIC rating of 52). The ARC suggests that some kind of sound caulking be applied under the baseboards for maximum sound control. Tile or stone on walls or ceilings shall be directly applied against a non-combustible backing. All ceramic tile or stone shall be installed in conformance with the Ceramic Tile Institute Standards and Recommendations and all city ordinances. Tile or stone applied to balconies (lanais) shall not exceed 3/8" thickness or impede drainage of windows, doors, walls, flooring or other systems. Adhesives shall be compatible with the deck coating. Adequate drainage must be maintained. Once the deck surface has been changed, the Association is no longer responsible to maintain the surface.

WHEN THE UNDERLAYMENT IS PUT DOWN YOU MUST CALL THE ASSOCIATION OFFICE FOR AN INSPECTION BEFORE PROCEEDING WITH THE FLOORING INSTALLATION. CALL (619) 702-7729.

11. Plumbing Requirements

All installations or renovations involving the plumbing of the building must be coordinated through the management office. All work, drawings and periodic inspections, by an HOA representative, Architect or Consultant, will be at the sole cost of the unit owner. HOT WORK requires the work area be cleared of all combustibles and the presence of a Fire Watch throughout the duration of the work and for a minimum of one hour subsequent to the completion of the work. Plumbing contractor is required to maintain a presence at the site where work is performed until the Facilities Staff has verified full system pressure has been achieved and no leaks are evident. Fire Watch and pressure test observation may be performed by the same individual.

NOTE: ALL PIPE and PIPE FITTINGS shall be like in kind.

All concealed Joints shall be constructed with solder. No solderless joints are permitted. If there is any doubt about the permissibility of a pipe or fitting type, contact the Facilities Manager to verify before beginning work.

12. Wall Coverings

All textile (cloth style) wall coverings shall have a Class I flame spread rating (0-25 index).

13. Window Coverings

All blinds, drapes, shades and screens shall have a class III flame spread rating (78-200 index). The color of covering that faces the exterior shall be white, black, bronze or cream.

14. Bathtub and Shower Replacements

Guidelines specific to bathtub or shower replacement are available through the management office.

PROCEDURES

CITYFRONT TERRACE HOMEOWNERS ASSOCIATION

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The Architectural Review Committee strives to preserve the highest standard and quality of life for each homeowner within CityFront Terrace. Application and supporting documentation must be submitted before the application is submitted for review. This review process may take as long as thirty (30) days from receipt of a properly completed application.

No interior improvement, modification or alteration may be made without written approval of the ARC. For the purpose of this section, the terms "interior improvement, modification or alteration" shall include but not be limited to the following:

1. Carpets, carpet pads, flooring (tile, marble, etc.)
2. Changes to bearing and non-bearing walls.
3. Draperies, blinds, window coverings.
4. Plumbing, electrical and mechanical
5. Permanent fixtures, built-ins, cabinets, countertops, wall beds.
6. Ceilings, soffits
7. Any other improvement which may impair or alter the structure of the building or the unit.
8. Fire sprinkler or alarm system
9. Sound system with built in speakers or sub-woofers

All contractors, sub-contractors, or any other person or entity who/which performs work on or within the project, including the interior of any unit, shall provide proof of liability and workers comp insurance and a California Contractors License and bond (if applicable).

Floor Plans and Structural Plans can be obtained through the Management Office. There is a cost to owners to obtain these plans.

- All contractors, sub-contractors, or any other person or entity that performs work on or within the project including the interior of any unit, shall register at the loading dock and receive a vendor badge each working day.
- Use of the loading dock is limited to loading and unloading only and may be arranged with the Dock Guard.
- If a Contractor is permitted by an owner to park in the garage, the Contractor is required to obtain a parking pass at time of sign in each day. No work may be performed in the garage.
- Contractors that are permitted to park in the garage may not inhibit adjacent vehicles or block traffic lanes.
- Contractors are not permitted to perform work in the garage.
- Work shall not commence before 8 a.m. or continue beyond 4:45 p.m. No noise prior to 9 a.m. There shall be no work on the weekends, holidays or as posted. Certain exceptions for quiet work may be arranged through the management office. **Contractors must exit building by 4:45.**
- The owner/applicant or their contractor shall, before the start of work, schedule and perform a walk-through with a Front Desk staff member to document the condition(s) of common areas.
- The unit owner shall be liable to the remaining Owners for any damage to the common area due to the actions of the unit owner, contractor, sub-contractor or other persons performing work for the unit owner.
- The applicant is responsible to ensure their contractor(s) properly protect all association property from damage. No carpet mask may be used on common area carpet. Please check with management for approval of your intended protective materials and guidelines as to when they must be removed.

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- Debris shall be removed from the property daily.
- Use of Association dumpsters is not permitted.
- Use of common areas for storage is not permitted.
- Contractors must notify the Management Office upon discovery of any problem such as mold, leaks or other adverse condition.
- It shall be the responsibility of the applicant to ensure that modifications are consistent with all requirements including applicable building code requirements and that permits are posted.

For re-models that require structural modifications to bearing or non-bearing walls, mechanical, plumbing, electrical or fire sprinkler/alarm, a Special Inspector may be hired by the homeowners association to review the proposed plan and, if approved, the work of your contractor, at the sole cost of the owner.

Inspections by the Association may be required and must be scheduled through the Management Office. No inspection by the Association, its member(s), employee(s) or agent(s) shall be construed to be an approval of any violation or inconsistency with the provisions of Association requirements or of any local, state or Federal regulation or law.

Signature of Owner _____

Date _____

Signature of Contractor _____

Date _____

CITYFRONT TERRACE HOMEOWNERS ASSOCIATION
ARCHITECTURAL APPLICATION
 Revised June 3, 2022
COMMON AREA WALK THROUGH

Owner/Applicant beware! CityFront Terrace Homeowner's Association will seek reparations for damage sustained to Association property. ***It is the unit owner that is responsible to the Association.*** Pre-existing damage should be photo-documented and reported to management prior to the commencement of your work.

AREA	CONDITION	PICTURE #
Loading Dock	_____	_____
Dock Elevator	_____	_____
Parking Level 1	_____	_____
Freight Elevator	_____	_____
Corridor	_____	_____
Floor # _____	_____	_____
Walls	_____	_____
Ceiling	_____	_____
Fixtures	_____	_____
Other	_____	_____
Stairs	_____	_____
Unit Front Door	_____	_____
Other _____	_____	_____
Other _____	_____	_____

Signature of Owner _____

Date _____

Signature of Contractor _____

Date _____

CITYFRONT TERRACE HOMEOWNERS ASSOCIATION
ARCHITECTURAL APPLICATION
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APPROVED ARCHITECTURAL APPLICATION

Date: _____

Dear Neighbors,

I have recently been approved to start my re-model/improvements within my home, unit #_____.

The work is **expected** to begin on _____ and is **estimated** to be completed _____.

It is anticipated that some effect will be experienced by residents living nearby, you are therefore receiving this notice.

We of course would like all the work to be completed without incident however, in the event a problem is encountered, please contact the contractor _____ who is managing this project at _____.

Your neighbors,

Distribution:

CITYFRONT TERRACE HOMEOWNERS ASSOCIATION
ARCHITECTURAL APPLICATION
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NOTICE OF ARCHITECTURAL IMPROVEMENTS
AUTHORIZATION TO ENTER

Approved architectural improvements will be ongoing in unit_____. The following person(s) are authorized to enter my/our unit for the purposes as stated in my/our Architectural Application.

Facilities Manager_____

Special Inspector(s)_____

I understand all vendors and contractors must sign in upon arrival at CFT at which time they may issued a key card to gain access into the building. I will make available a key at the front desk for purpose of Association inspections and access by contractors or vendors.

Signature of Owner _____

Date _____

Office Use Only:

Distribution:

FRONT DESK

LOADING DOCK

BUSINESS OFFICE

FILE

CITYFRONT TERRACE HOMEOWNERS ASSOCIATION
ARCHITECTURAL APPLICATION
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REQUEST FOR ARCHITECTURAL APPLICATION EXTENSION

Unit

Owner (Print)

CFT Management,

It appears that work being completed under our approved Architectural Application will exceed the allowed 90 days for completion. I have provided a description below of the status, items remaining to be done and the new anticipated completion date. This notice shall serve as our request to extend our current, open application.

Signature of Owner _____

Date _____

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STATEMENT OF COMPLETION

Unit

Owner (Print)

Please accept this letter as notice of completion for the work completed under the Architectural Application. We would like to schedule our final inspection and apply for return of our deposit.

Signature of Owner _____

Date _____

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Architectural Pre-Inspection Application

Unit # _____

Owner _____

Date of Inspection _____

Completed By _____

The following items which have been circled or checked will require replacement prior to commencement and as condition to the approval of your Architectural Application. This list is in no way exhaustive and other repairs may be necessary. Consult with your contractor. For water shut offs, please contact the Management Office at (619) 702-7729. Once repairs are made, please submit this form, indicating each of the items which were addressed.

EMERGENCY WATER SHUT-OFF In the event of a bonified water emergency, defined as an uncontrolled waterflow that cannot be reasonably contained as determined by management, an EMERGENCY WATER SHUT-OFF will be made for the duration and to the extent necessary to make immediate emergency repairs and mitigate property damage. In such case, a minimum fee of \$500 will be levied to cover costs incurred to accommodate the SHUT-OFF. EMERGENCY WATER SHUT-OFFS performed outside of regular business hours will incur additional charges for staff call back and all hours worked, based on 1.5 times the current published maintenance rates.

- o Kitchen angle stop HW CW Ice Maker Dishwasher
Hose Hose Hose Hose
o Master bathroom angle stop HW CW Water Closet
Hose Hose Hose
o Guest bathroom angle stop HW CW Water Closet
Hose Hose Hose
o Powder room angle stop HW CW Water Closet
Hose Hose Hose
o Washer valves HW CW
Hose Hose
o Washer valve location [] Accessible [] Inaccessible [] Relocation Required
o Laundry machine [] Original Replaced [] Replacement Required [] ARC _____

NOTES _____

I agree as a measure to reduce risk of flood to replace those items indicated above.

Owner Signature _____

Date _____

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NOTICE OF PROPOSED ARCHITECTURAL IMPROVEMENTS

Unit: _____ **Owner:** _____

Phone #: _____ **Email:** _____

Contractor (Project Manager): _____

Phone #: _____ **Email:** _____

The above-named unit owner has applied for to make architectural improvements which will require coordination with you in relation to the easement to certain utilities within common area that require access through your unit.

Article 3 Sections 4.5, 4.6, 4.7 and 5 of the governing documents, enumerated below, provide for such easements to the benefit of the Association and all Owners.

This notice, while preliminary, is provided as a courtesy so that you are made aware of conditions that are likely to accompany approval of the proposed improvements at the earliest possible opportunity.

Such arrangements are commonplace and while most neighbors work through the process independently, Management can provide general information, guidelines and even access agreements if necessary.

You may contact the management office for additional information or to provide relative information you wish be considered in the deliberations preceding approval by the Architectural Committee.

Excerpts from the CC&Rs

3.4.5 Utilities. *These are reserved and granted for the benefit of each Unit, as dominant tenement, over, under, across and through the Project (including the Common Area and each other Unit), as the servient tenement, non-exclusive easements for utility services.*

3.4.6 Encroachment. There are hereby reserved and granted for the benefit of each Unit, as dominant tenement, over, under and across each other Unit and Common Area, as servient tenements, and for the benefit of the Common Area, as dominant tenement, over, under and across each Unit, as servient tenement, non-exclusive easements for encroachment, support, occupancy and use of such portions of Units and/or Common Area as are encroached upon, used and occupied by the dominant tenement as a result of any original construction design, accretion, erosion, addition, deterioration, decay, errors in original construction, movement, settlement, shifting or subsidence of any building, structure, or other improvements or any portion thereof, or any other cause. In the event any portion of the Project is partially or totally destroyed, the encroachment easement shall exist for any replacement structure which is rebuilt pursuant to the original construction design. The easement for the maintenance of the encroaching improvement shall exist for as long as the encroachments exists; provided, however, that no valid easement of encroachment shall be created due to the willful misconduct of the Association or any Owner. Any easement of encroachment may, but need not be, cured by repair and restoration of the structure.

3.4.7 Support, Maintenance and Repair. There is hereby reserved and granted a non-exclusive easement appurtenant to the common Area and to all other Units, as dominant tenements, through each Unit and the Common Area, as servient tenements, for the support, maintenance and repair of the Common Area and all Units.

3.5 EASEMENTS. The ownership interests in the Common Area and Units described in this Article are subject to the easements granted and reserved in this Declaration. Each of the easements reserved or granted herein shall be deemed to be established upon the recordation of this Declaration and shall henceforth be deemed to be covenants running with the land for the use and benefit of the Owners and their Units, superior to all other encumbrances applied against or in favor of any portion of the Project. Individual grant deeds to Units may, but shall not be required to, set forth the easements specified in this Article.