



VICTOR GARDENS

Victor Gardens

ARCHITECTURAL REVIEW COMMITTEE
ARCHITECTURAL GUIDELINES AFFIRMATIONS

Date March 14, 2007

In light of recent concerns expressed over the continued vigilance of the ARC overseeing the approval of residential designs for the remaining lots in Victor Gardens; specifically, the area on the west side of the creek, the Committee Members have drafted the following Affirmations:

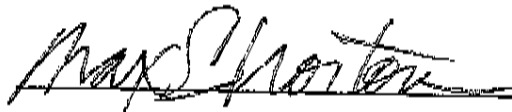
1. We re-affirm that the *Victor Gardens Architectural Guidelines*, regardless of attempts to codify it, has always been construed as a flexible document, standing apart from the other legally-binding documents such as the Covenants (restrictions which are conveyed with the land purchase in perpetuity) and the PUD Agreements (which allow for variances from some of the typical City standards when the scope of the project allows it to be a separate entity). The City of Hugo has entrusted the responsibility of assessing the permissibility of home designs to the ARC. In turn, the ARC has always invited City officials to attend regularly scheduled ARC meetings, if concerned about compliance with the principles of the PUD.
2. We affirm that, with the pending turn-over of architectural review responsibilities to the HOA, that it is advisable to allow a community-appointed liaison person to attend regular meetings of ARC and observe the activities and decisions of the Committee. The single requirement is that written reports drafted by the Liaison be subject to review for accuracy by a designated ARC Member, prior to release; and that any plan copies coming into the Liaison's possession be subject to the proprietary protections afforded our Builders.
3. We affirm that, for a minimum of the subsequent two-year period, all home designs submitted to ARC for approval to build in the immediate vicinity of
(continued)

existing Victor Gardens homes will be subjected to the same criteria used within the entire First Phase (West side of the Creek). And that 'Four-sided Architecture' principles (that the other sides of the home *support* the architectural features of the front) will be applied to new submissions for construction to the same extent and degree of variance that may be observed within the already-approved homes of Victor Gardens Ist Phase.

4. Affirmed: It is the stated intention of the ARC to continue to deny the use of vinyl siding in the above defined area. We will affirm that vinyl siding will not be permitted to be used adjacent to or across from a home clad with Hardie siding. We cannot predict the market demands nor the adjustments that may be made in larger scale tracts of Victor Gardens.

Comments: The Architectural Review Committee is one of the many tools that a Developer uses to help assure that a neighborhood is successful- attractive, valuable, & complete- and that the Builders who create the homes are successful. CPDC is taking necessary steps, including the ones in this document, to help assure the continued success of Victor Gardens.

Authorized by:



Date:

3-15-07

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