

**UNANIMOUS CONSENT TO ACTION
BY THE BOARD OF DIRECTORS
CITY MODERN ASSOCIATION**

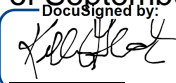
Design Guidelines

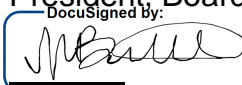
The undersigned, constituting the members of the Board of Directors of City Modern Association, a Michigan nonprofit corporation, hereby take the following actions in writing pursuant to Article XI Section 13 of the Bylaws within the City Modern Association Master Deed which states: "The actions of the first Board of Directors of the Association or any successors thereto selected or elected before the Transitional Control Date shall be binding upon the Association so long as such actions are within the scope of the powers and duties which may be exercised generally by the Board of Directors as provided in the Condominium Documents".

RESOLVED: That the Board of Directors hereby approves the revisions to the following sections of the Design Guidelines for City Modern Condominium Association attached to this resolution: Signs; Sheds

RESOLVED: The Board of Directors hereby instructs the managing agent to notify all Co-Owners of the implementation of the revised policy effective as of date of signature on this Unanimous Consent Action.

IN WITNESS WHEREOF, the undersigned have executed this consent as of the 24th day of September 2023.

DocuSigned by:

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Kelly Gladney
President, Board of Directors

DocuSigned by:

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Nicole Bradstreet
Secretary, Board of Directors

DocuSigned by:

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Ling-Yu Chen
Treasurer, Board of Directors

DocuSigned by:

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Kimberleigh Ernst
Director, Board of Directors

DocuSigned by:

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Johnny Harris
Director, Board of Directors

CITY MODERN

DESIGN GUIDELINES

Revision Date: 09/20/2023

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INTRODUCTION

To promote the aesthetic harmony and continuing attractiveness of the City Modern community and to facilitate the beneficial operation of the residential areas thereof, the City Modern Association (the Association) Board of Directors (the Board) has adopted the following Architectural Control Policies and Procedures, also known as Design Guidelines. These policies provide for community appearance standards and coordinated administration of those items related to community appearance throughout the community.

The Design Guidelines provide an overall framework to allow the community to develop and progress in an orderly, cohesive and attractive manner, implementing planning concepts and philosophy which are required by regulatory agencies and desirable to residents.

The Board of Directors is responsible for the approval of alterations and modifications. The Condominium Bylaws contain the general requirements. They are:

Section 3. Alterations and Modifications. No Co-owner shall make alterations in exterior appearance or make structural modifications to his Unit (including interior walls through or in which there exist easements for support or utilities) or make changes in any of the Common Elements, Limited or General, without the express written approval of the Board of Directors, including, without limitation, exterior painting or the erection of lights, antennas, flags, awnings, doors, shutters, newspaper holders, mailboxes, basketball backboards or other exterior attachments or modifications, and roof terrace modification such as by way of example, and not limitation, the installation of landscaping, lights, physical structures or sculptures and unique furnishings.

Definition of "Co-owner": "Co-owner" means a person, firm, corporation, partnership, association, trust, or other legal entity or any combination thereof who or which own one or more Units in the Conodominium Project. The term "Owner", whenever used, shall be synonymous with "Co-owner".

ARCHITECTURAL REQUEST CHANGE

This section of the Design Guidelines sets forth provisions with respect to the approval of an Architectural Request Change (ARC), the review process, and requirements for Co-owners.

Following the Developer control period, the Board will act to enforce these policies and review applications for alterations and modifications.

PROCESS OVERVIEW

The architectural review process has been established to maintain the integrity of the architectural and design character of City Modern. **No exterior alteration or renovation shall be allowed on any unit unless application to, and written approval has been received from, the Board of the Directors or their agent.** To this end, the Board of Directors and/or agent will review all proposed additions, improvements, or alterations on units for conformity with the Design Guidelines. Requests/applications must be in writing and be submitted using the current form on file with the property management company prior to work commencing.

FAQs

Where can I find a submittal form?

Submittal forms can be obtained from the following sources:

1. An electronic version can be found through www.citymodern.org and selecting *E-Forms / Architectural Request Change*.

Where do I submit my application?

Completed applications must be submitted as follows:

2. Submitted electronically through your community website by logging on to www.citymodern.org and selecting *E-Forms / Architectural Request Change*.

What do I need to include with my submittal form?

The following items must be included with each submittal:

- A. Completed Architectural Request Change form.
- B. Surveyed Plot Plan (with all proposed alterations sketched on the Plot Plan)
- C. Specifications – Detailed description and/or drawing of proposed modifications including all measurements, a list of materials to be used and color samples.
- D. Photographs – two types of pictures should accompany each submittal
 1. Brochure or a sample of the products and materials to be used must accompany the submittal application.
 2. A current photo/picture of the area of your home to be modified.

How long does it take for the Committee to make a decision?

Every effort shall be made to respond within thirty (30) days of receipt of complete plans, specifications and related materials by the applicant. Incomplete submissions will be returned to the petitioner for resubmission, at which point the 30 day- decision window will begin anew. If the Board fails to give written notice of approval for a completed submission within 30 days from the date of submission, the Board shall be deemed to have rejected the plans and specifications.

How do I know if my request has been approved?

Upon completion of review, the property management company will notify the Co-owner in writing. The letter indicating the Board’s decision shall be rendered indicating their decision in one of three ways as follows:

- a) “Approved” – The entire request is approved in total as submitted.
- b) “Approved with Stipulations” – The document submitted is approved subject to certain stipulations. The approval letter will include these stipulations. A Co-owner may proceed

with the work to be performed, but must comply with any and all stipulations noted in the approval letter.

- c) “Denied” – The entire request is not approved and no work may commence.

The Board and/or property manager shall review, considering whatever factors it deems relevant, such submittals without a hearing and make its determination based solely on the information contained within each submittal.

How long do I have to complete my project?

Alterations/Modifications once approved shall be completed within 120 days.

What happens when my project is complete?

Within 30 days of final completion of the project, unit owner shall grant access to inspect the project for adherence to the Design Guidelines and approval of submittal application. If there are any project deficiencies or violations, the Co-owner will be given 30 days to complete the correction.

The property management company will maintain all documentation in the Co-owner’s file.

REQUIREMENTS

- It is the Co-owner's responsibility to obtain any and all Township, City, County and/or State permits and to perform any and all work in accordance with all applicable local ordinances and state laws.
- All Co-owners with a past due balance must bring their account balance to zero before the approval process can begin.
- The Board or a property management company shall act as receiving agent for all Architectural Committee Submittal forms, correspondence, problems and/or concerns.
- Alteration and modification requests will be considered only if submitted in accordance with procedures established by the City Modern Association.
- Approved alterations shall be constructed only within the unit area.
- Approved alterations shall not impair the view, privacy and/or enjoyment of neighboring units. Approved alterations shall be in conformance with the architectural standards of the Association.
- Before the Co-owner may begin the proposed work, the application must be approved by the Association in accordance with the procedures described.
- Owners are responsible for all cleanup of any improvement project. All debris, sod, soil, etc. shall be removed from the lot and hauled to the proper waste sites. Dumping waste material of any kind in dumpster rooms, common areas or in any other area of the Community is prohibited.
- Once approved, alterations/modifications made by a Co-owner and/or contractor shall be done without expense or liability to the Association. If the project causes damage to any neighboring property, public or private, interior or exterior, the Co-owner is responsible for any necessary repairs.
- The installation of approved alterations shall not prevent the Association from performing normal maintenance and repair work.
- The Association reserves the right to periodically inspect alterations/modifications for adequate maintenance and if in the Association's opinion adequate maintenance has not been performed, request the same of owner. Should owner fail to comply, the Association reserves the right to arrange for needed maintenance and charge owner for same plus a 10% service charge for arrangements made.
- Review of applications may be subject to a nominal fee.
- Builder installed grade shall not be changed to result in impaired water drainage for the building or neighboring lots and common areas. Units have been designed and graded to

provide positive drainage from the lot and to protect environmental resources. Any Co-owner or Occupant who changes the existing grading or drainages shall be liable for all costs and expenses of repairing such changes, or any costs, liabilities, damages or causes of action arising out of such changes.

ENFORCEMENT

Work performed without prior approval will be considered a violation and subject to the violation process.

Any construction, alteration or other work done in violation of these Design Guidelines shall be deemed to be non-conforming. Upon written request from the property manager, the Committee, or the Board of Directors, Co-owners shall, at their own cost and expense and within such reasonable time frame as set forth in such written notice, cure such nonconformance to the satisfaction of the requester or restore the property, Dwelling and/or Unit to substantially the same condition as existed prior to the non-conforming work.

The Board reserves the right to use any authorities granted to it under the Master Deed and Condominium Bylaws as well as any other rights available to enforce these policies and related procedures.

DESIGN GUIDELINES

Your Pathway to Maintaining a Beautiful Community

ADDITIONS / SUNROOMS / ENCLOSURES

Are not permitted

ADVERTISING

See "SIGNS", in City Modern Rules & Regulations.

AIR CONDITIONERS

See also "ANCILLARY EQUIPMENT".

No external air conditioning unit shall be placed in or attached to a window or wall of any Unit.

ANCILLARY EQUIPMENT

Heating, ventilation, and air conditioning equipment, ancillary mechanical equipment, radio, television, computer signal transmitting and receiving antennas, and similar appurtenances (as approved by the Association) shall be screened from general view from neighboring properties, all residential areas, pathways, common areas, parks, and streets.

All additional ground mounted mechanical equipment must be screened from street view and neighboring property by plant material of adequate density. In no event shall a screening structure or planting exceed four feet (4') in height. Plant materials may not encroach or trespass on a neighboring property. With the exception of power vents for attic fans, solar tubes and approved lightning protection devices, roof-mounted and window-mounted equipment (including mechanical, air conditioning, solar heating equipment, and weather stations) will not be allowed.

ANTENNAS / SATELLITE DISHES

Satellite dish and antennae may not be mounted or placed on any General Common Element. No outside television antenna or other antenna, or aerial, saucer, dish, receiving device, signal capture and distribution device or similar device shall be placed, constructed, altered or maintained on any Unit, unless one of three (3) types: (1) Direct broadcast satellite antennas ("Satellite Dishes") one meter or less in diameter; (2) Television broadcast antennas of any size; and (3) Multi-point distribution service antennas (sometimes called wireless cable or MDS antennas) one meter or less in diameter. Should be in a location that is fully screened from view and approved by the Board of Directors of the Association. The provisions of this subsection shall not apply to those devices covered by 47 C.F.R. § 1.4000, 24 promulgated pursuant to the Telecommunications Act of 1996, Pub. L. No. 104. 110, § 207 Stat. 56 (1996), as amended.

AWNINGS

Retractable awnings may be installed on the back of the unit over patios and decks. Awnings and shade devices (umbrellas, etc.) must appear as an integral part of the building and must be made of materials that are consistent with the design, style, details and materials of the unit and the Community. Color of awning must match the color of the unit, siding or trim. No portion of the awning or supports may exceed the size of an approved deck or patio. Roof-mount installation is prohibited. Awnings or similar shading devices are permitted on the rear of the unit or roof terrace only. No advertising or logos are allowed on awnings. The Co-owner is responsible for maintenance and repair of awnings. The Association retains the right to determine when an awning must be repaired due to weathering, fading, tearing or ripping.

Permanent awning structures are prohibited.

BASKETBALL HOOPS

Basketball hoops are not permitted due to space constraints without express approval of the Board.

CLOTHESLINE/CLOTHES DRYING

No laundry drying equipment shall be erected or used outdoors. No clothes lines or laundry shall be hung for drying outside of dwelling.

COACH LIGHTS

See "LIGHTING"

DECKS & PATIOS

No changes can be made to any patio or deck.

DOG KENNELS / RUNS

Dog kennels, runs or other enclosed shelters for animals are expressly prohibited.

DOORS

All storm door additions must be full glass or full glass self-store and must match the color of the doorframe trim, the color of the front door, or be black or white. Security doors and shutters are prohibited.

DRIVEWAY EXTENSIONS AND SERVICE WALKS

Concrete, stamped and stained concrete, concrete with aggregate finish, or pavers are not permitted.

EDGING

Plastic edging is prohibited. Fence shaped edging is prohibited.

FENCES

No fences, walls, evergreen hedges, or similar items shall be permitted on any Unit other than those installed by the developer.

FIRE PITS

Outdoor wood burning is prohibited. Outdoor gas fire pits must have a spark screen, be freestanding and be kept in good working condition. Fire pits must be no less than 30 in from the exterior edge of the building and/or any wood siding. Location must be planned to minimize smoke or odors affecting neighboring properties.

FIREWOOD

The stockpiling and storage of firewood for use in a dwelling shall not be permitted.

FLAGS

Decorative Flags are prohibited in the front of the Unit and must not be visible from the street if displayed in the rear of the Unit. United States flags and U.S. military flags not exceeding three feet by five feet, and attached with bracket and pole, may be displayed anywhere on the exterior of a dwelling structure, provided it does not interfere with the adjacent neighbor's access or egress of their unit. No more than 1 flag may be displayed at any time on a Unit. Ground mounted flagpoles on the Common Elements are prohibited.

FLOWERS

Container plantings, are allowed on porches, patios/decks and rooftop terraces. Container plants are limited in number to five (5) in the rear yard of a unit and ten (10) on a roof top terrace. Planters visible from the street or alley should be uniform in style and/or color. The Association reserves the right to require that all dead, faded or worn plant material be removed or replaced. No additional potted plants or flowers may be placed or planted in landscaped areas.

FOUNTAINS

Fountains and water features shall not be permitted.

FUEL TANKS

No above or below ground fuel or other storage tanks shall be permitted.

See also "BARBEQUE AND GRILLS".

FURNITURE (Outdoor)

No unsightly condition shall be maintained on any patio, porch or deck, and only outdoor furniture and equipment consistent with the normal and reasonable use of such area shall be permitted to remain. Furniture is prohibited in front yard courtyards. Furniture located outside of a Unit must be of high quality, not be in disrepair, and must be consistent with typical deck, porch and/or patio furniture. The use of couches, car seats or other non-traditional outdoor furniture or equipment is prohibited.

GARDENS

Vegetable gardens shall be located on patios or rooftop terraces only. It is recommended that gardens be contained and shall not exceed the maximum aggregate total dimensions of 20 square feet. Gardens may not be placed within any easements, must be located a minimum of 4 feet from adjacent units.

Gardens must be kept weed free at all times. After the final harvest, subsequent to season weather, the garden shall be cleared of all plant material for the winter season.

If perimeter fencing to keep small animals from entering garden is going to be used, material, color, and attachment method must be included on the Architectural Submittal Form. Fallen or faded fence material must be replaced and kept in like new condition.

All gardens require submission of plans and written approval of the Architectural Control Committee prior to ground preparation and are subject to all local ordinances.

GAZEBOS AND PERGOLAS

Detached gazebos and pergolas are prohibited.

GENERATORS

Auxiliary power generators must be installed so as not to be visible from the road. Generators shall also be appropriately screened from view by means of landscaping. They shall be located so as to cause minimal disturbance to residents of adjacent Units. The location should provide maximum ventilation and not interfere with ventilation of adjacent Units. Only natural piped in gas is allowed, subject to local ordinances. Generators are to be operated only during utility power outages except for brief periods of testing or maintenance.

See also "ANCILLARY EQUIPMENT".

GRILLS (OUTDOOR)

Propane, natural gas, electric or charcoal grills are allowed on rooftop decks, balconies, and patios, and must be stored inside and/or out of public view when not in use. Propane tanks stored on balconies must also be masked and/or not visible from the street.

HOLIDAY DECORATIONS

Prohibitions against decorations of any kind shall not preclude the display of customary holiday decorations from the exterior of the Unit or on Common Elements to celebrate generally recognized major holidays, provided that such decorations do not create a public nuisance or safety hazard. Decorations may be displayed for a time period not to exceed thirty (30) days prior to the holiday and fourteen (14) days after the holiday.

Holiday Decorations are allowed per the aforementioned and may consist of lights and other decorations appropriate to the holiday being celebrated. Co-owners may not place holiday decorations on the General Common Elements.

HOT TUBS / SPAS

Hot tubs and spas are prohibited.

LIGHTING

No additional exterior illumination of any kind shall be placed or allowed on any portion of a Unit unless first approved by Architectural Control Committee. The Architectural Control Committee shall approve such illumination only if the type, intensity and style thereof are compatible with the style and character of the Community.

- Low voltage and solar landscape light fixtures must be installed a minimum of four feet (4') apart, and may not exceed twenty-four inches (24") in height.
- Tree mounted lights are not allowed.
- All spot lights, flood lights or other high intensity lighting used as security lighting must be on an active motion sensor and positioned so that the light is not directed toward any common area or neighboring unit. No lighting shall be permitted that constitutes a nuisance or hazard to any Co-owner or neighboring resident.
- String lights should be solar powered, low level and not negatively impact the enjoyment of any neighboring units.
- All other lighting installed on a Unit should be low level and recessed to shield the source of the light.

MAILBOXES

All mailboxes of the Community shall be of uniform size, location, color and same design in compliance with the standards set forth by the Developer.

PAINTING

Repainting of a Unit exterior is only to be completed by the Association.

PATIOS

See "DECKS & PATIOS"

PERGOLAS

See "GAZEBOS AND PERGOLAS"

PLANT DISEASES OR NOXIOUS INSECTS

No plants, seeds or other material harboring or breeding infectious plant diseases or noxious insects shall be introduced or maintained upon any part of a Unit or any appurtenant Limited Common elements. The Co-owner shall, at its cost, immediately remove any shrub, tree or other

plant that is diseased, dying or dead. If the Co-owner fails to remove such shrub(s), tree(s) or other plant(s), the Developer or the Association may perform such work and the cost of such work shall become a lien upon the Unit(s) involved, until paid.

PLAY STRUCTURES

No play structures of any kind shall be erected on the Limited Common Elements or General Common Elements due to space constraints without express written approval from the Board.

RETAINING WALL

Landscape retaining walls are prohibited.

ROOFTOP DECK

Approved alterations shall not impair the view, privacy and/or enjoyment of neighboring units. Approved alterations shall be in conformance with the architectural standards of the Association. Anything placed on a shared divider wall up to 58 in height from the deck requires written permission of the unit(s) with which the wall is shared; anything exceeding 58 in from the deck and up to 72 in requires written permission of all units in the "building". Upon submission of design to ARC; the Association will take on the onus of seeking written permission on behalf of the petitioner.

SATELLITE DISHES

See "ANTENNAS / SATELLITE DISHES".

SERVICE WALKS

See "DRIVEWAY EXTENSIONS AND SERVICE WALKS".

SHEDS

Storage sheds or lockers of any design are expressly prohibited within the Development.

SOLAR PANELS

No solar panel, solar collector or similar device shall be placed, constructed, altered or maintained on any Unit.

SPAS

See "HOT TUBS / SPAS".

STATUES / LAWN ORNAMENTS

No lawn ornaments, sculptures, statues, objects of art or any similar objects shall be placed or permitted to remain on the front or side of any Unit. Objects of art are permitted on the rooftop terrace of the Unit so long as they are placed in a location in the back of the Unit that is unobtrusive and not readily visible from the street.

STORM DOOR

See "DOORS".

SURVEILLANCE EQUIPMENT

See "VIDEO CAMERAS / SURVEILLANCE EQUIPMENT".

SWING SETS

See "PLAY STRUCTURES".

SWIMMING POOLS

1. No swimming pools or other similar recreational structures shall be constructed on any Unit.

TEMPORARY STRUCTURES

Trailers, tents, shacks, tool sheds, barns or any temporary buildings or structures of any design whatsoever are expressly prohibited within the Development. No temporary dwelling shall be permitted in an unfinished residential building.

TRASH AND RECYCLING

Trash, garbage or other waste shall be kept only in closed, sanitary containers and shall be promptly disposed of so as not to be objectionable to neighboring property Co-owners. No outside storage of refuse or garbage is permitted. The burning or incineration of rubbish, trash, construction materials or other waste outside of any residential dwelling is prohibited.

TREE REMOVAL / MAINTENANCE

Clear-cutting or removal of trees by any person other than the Association is not permitted.

VIDEO CAMERAS / SURVEILLANCE EQUIPMENT

Installation approval of video cameras and surveillance equipment, with the exception of doorbell cameras, will only be given upon consideration of its effect on neighbors' right to privacy and enjoyment of their property. Installations will not be permitted if the Board determines that they will cause an unreasonable interference with neighboring residents' reasonable expectation of privacy. Whenever possible the cameras shall be placed in the least intrusive or visible location. Applications for installation of cameras, excluding doorbell cameras, are to include a plot plan showing the location of cameras in relation to neighboring structures; specify the size, shape, angle of view; and include a photograph and/or drawing of the camera(s) prepared by the manufacturer.

WEATHER STATIONS

Weather stations may be installed on the rear-most portion of a rooftop terrace.

WINDOWS

Window and door screens shall be the same color and style as originally installed on the units.

Security windows and security shutters are prohibited.

Neutral gray window tinting with a minimum light transmission of 50% is allowed. Please submit product details with Alteration/Modification request. Reflective tinting or mirror finishes on windows shall not be permitted.

Window treatments shall consist of drapery, blinds, shutters, or other window covering, (preferably white or neutral in color). No newspaper, sheets or other temporary window treatments are permitted. The only exception would be is for a period not exceeding one month (or proof of order) after a Co-owner first moves into a Dwelling Unit or when permanent window treatments are being cleaned or repaired.

