

# **CHERRY CREEK**

A CONSERVATION COMMUNITY

## **ARCHITECTURAL/LANDSCAPE CHANGE REQUEST**

### **INSTRUCTIONS**

Attached is an exterior change application form. This form must be filled out in its entirety. If the form is not totally completed, the Architectural/Landscape Review Committee (ARC) will then have to send it back to the homeowner to be completed.

After the Board reviews the request they will make a recommendation to the Board and the homeowner will be notified of the decision. This process can take from 2 to 4 weeks, if all the forms have been filled out properly and completely.

**IMPORTANT:** All exterior/landscape changes become the responsibility of the current and all future homeowners to maintain. If any exterior change is not maintained by the homeowner, it will be restored to its original condition by the Association at the expense of the homeowner.

1. Prepare a sketch or a written description of the proposed improvement or change in sufficient detail so that the Committee/Board can make a decision.
2. Provide a site plan, including unit location, and indicate where on the property the improvement is to be located.
3. All proposed improvements must meet local building codes, state or local laws. Your signature indicates that these standards will be met. Applications to any Department of the Township or to any other governmental authority for a permit to make an addition, alteration or improvement in or to any Unit must be approved by the Board of Directors of Cherry Creek Homeowners Association.

## TO BE FILLED OUT BY THE ARC COMMITTEE:

Entire form has been filled out: \_\_\_\_\_

Request Reviewed by the ARC Committee: \_\_\_\_\_

Request sent to Board of Directors: \_\_\_\_\_

Letter sent to homeowner: \_\_\_\_\_

---

### **COMMON FACILITIES OR EXTERIOR/LANDSCAPE ALTERATION**

#### **APPLICATION**

#### **Please mail or deliver completed form to:**

Cherry Creek  
c/o PENCO Management, Inc.  
5 Christy Drive Suite 302  
Chadds Ford, Pa. 19317  
(f) 610 558-3399  
sstgermain@pencomanagement.com

#### **Please print or type**

Owner: \_\_\_\_\_

Address of Proposed Change: \_\_\_\_\_

Phone: \_\_\_\_\_

Model type: \_\_\_\_\_ Lot # \_\_\_\_\_

Description of changes desired – give full details (or attach exhibits) of purpose and/or reason, type and color of materials to be used, and location of the property:

---

---

---

---

**\*\* If the change is for a structural change, ground planting, fencing, rearrangement, etc., attach a sketch or architectural plan.**

**Conditions each Unit Owner agrees to abide by and does so by signing this application**

1. It is understood that I (we) have knowledge of the Declaration in regard to property changes.
2. I (we) understand and agree that no work on this request shall commence until written approval of the Board of Directors has been received by me (us).
3. All expenses related to the work, including damage to the Common Facilities or to the other Units is my (our) responsibility and I (we) agree to save the Board harmless from any and all liability that may result from any approval.
4. The Board and/or its appropriate agents may make reasonable inspections as work progresses which is relative to this application and I (we) agree to permit them to do so.
5. A letter of approval/denial will be sent to me (us), after review by the Board of Directors.
6. If any "Common Facilities or Exterior Alteration Application" has been approved and the work is not done as described in the application, the Board has the authority to order the Owner in writing to correct the work, or, if necessary, order the alteration removed and everything restored to its original status.
7. Approval of planting of trees and shrubbery is based upon the following understanding and agreement. Current homeowner and all future homeowners are responsible for maintaining the beds.
  - ✓ Once the trees and shrubs are planted they may not be moved or removed from the property without written approval of the Board of Directors.

---

Signature of Unit Owner

---

Signature of Unit Owner

**Acknowledgement of All Immediate Adjacent Owners Concerned**

This acknowledgement indicates an awareness of the intent. I/We have been informed of the proposed plan. In the case of co-owners, both must sign.

Name\_\_\_\_\_

Name\_\_\_\_\_

Address\_\_\_\_\_

Address\_\_\_\_\_

Name\_\_\_\_\_

Name\_\_\_\_\_

Address\_\_\_\_\_

Address\_\_\_\_\_

**Common Facilities Alteration Agreement**

It is understood that prior to the commencement of alteration, a Certificate of Insurance must be received (including workmen's compensation insurance) from my contractor. Furthermore, I agree to indemnify the Cherry Creek Homeowners Association and Cherry Homes Associates, LP, Cherry Courts, LP, and Cherry Farm MDT, LP from any mechanic's lien resulting from Board approval for this alteration. All expenses related to this work, including damage to the Common Facilities or to the other Units are my responsibility and I agree to save the Board harmless from any and all liability which may result from approval.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**Addendum to Common Facilities or Exterior Alteration Application – LANDSCAPING**

**(COMPLETE ONLY IF A LANDSCAPING CHANGE IS REQUESTED)**

Approval of the planting of trees and shrubbery, as outlined in the attached application, is based upon the following understanding and agreement:

1. Any trees and shrubbery planted on the Common Facilities become the property of Cherry Creek Homeowners Association. They may not be removed without written approval of the Board of Directors.
2. Subject to the Board's approval, the said trees or shrubs may be moved to a different location at some time in the future to improve the overall appearance of Cherry Creek.
3. All additional trees, shrubs, beds, etc. will be maintained by the current homeowner and all future homeowners. If additional plantings, beds, etc. are not maintained by the homeowner, the Association will restore the land to its original condition at the expense of the homeowner.

---

Owner's Signature

---

Board Representative

**For Official Use Only**

Architectural/Landscape Review Committee:

---

---

---

---

\_\_\_\_\_  
Committee Member Signature

\_\_\_\_\_  
Date

Board of Directors Decision:

---

---

---

---

\_\_\_\_\_  
Board Member Signature

\_\_\_\_\_  
Date

Letter of decision sent to homeowner \_\_\_\_\_ (copy attached)

Date

By \_\_\_\_\_

PENCO Management, Inc.