Architectural Review Committee Guidance and Rules
for Pergolas in Crooked Bend

Whereas, pursuant to the Declaration of Covenants, Conditions and Restrictions of Crooked Bend (hereinafter referred to as "The Declarations"), Article VI: 6.2 (iii), the Architectural Review Committee (the ARC) may make or amend additional rules to guide property owners as to requirements of the ARC, and;

Whereas, the ARC has previously issued a very limited guideline for the construction of Pergolas within Crooked Bend, and;

Whereas, the ARC has recently reviewed the language that refers to the existence of "metal awnings or patio covers" that is contained in the "First Amendment to the Plat Covenants and Restrictions of Crooked Bend", dated 10/17/2005, and;

Whereas, the ARC has the responsibility to review and approve the design and installation of pergolas within the Crooked Bend Community, especially with reference to the value, desirability, safety and integrity of the structures,

Now therefore, the ARC hereby amends any previous guidance regarding pergolas to read as follows:

1. The language contained in Paragraph 8 of the "2000-2019: Additional Decisions of the Board of Directors and the Architectural Review Committee" is deleted in its entirety, to be replaced by the requirements and guidelines contained in this document.

2. Definitions:
   a. Patio cover is defined as a freestanding or attached outdoor structure of any size open on the sides with framing and a solid roof that protects from rain and the elements.
   b. Pergola is defined as an open sided structure usually consisting of parallel colonnades supporting an open roof of girders, cross rafters or slats. The slats may be moveable to provide temporary protection from weather.

3. The ARC has reviewed the various definitions of Patio Covers and Pergolas as used in the architectural and retail community and has reached the conclusion that a "Patio cover" and "Pergola" are not identical. Therefore, the restriction in the First Amendment referenced above that prohibits "metal patio covers" does not prohibit metal pergolas.

4. Pergolas are required to meet the following specifications:

   a. Height: Pergolas may be no more than one story in height and only have a flat roof.

b. Sides: Pergolas must be open sided and may not have any permanent sides attached, regardless of material.

c. Materials: Pergolas may be constructed from Wood, Composite Material, Aluminum or Steel that has been coated in such a way as to prevent rust.

d. Wind Rating: Pergolas must be rated to withstand a minimum sustained wind speed of at least 60 mph.

e. Anchoring: Pergolas must be anchored in an approved fashion pursuant to standard construction/installation requirements, including patio anchors, concrete footers or deck anchors.

f. Snow Load: Pergolas must be rated with a minimum snow load of at least 5 psf with louvres closed. (Louvres should be open when there is a possibility of snow).

5. Appearance – in order to preserve the harmonious relationship among structures in Crooked Bend as required by the ARC standards for review, pergolas should be one of the following colors:
    a. Natural Wood
    b. White
    c. Black
    d. Brown
    e. Gray
    f. Any Matching Primary or Trim Colors of house

6. **Any Architectural Review Form filed for ARC approval must contain documentation showing compliance with all specifications as listed above as well as the intended color of the pergola, in addition to the regular information required by the ARC Review form.**

7. By filing for ARC approval of a pergola, the filer acknowledges that the pergola project may be inspected pursuant to The Declarations, Article VI: 6.5 by a person appointed by the ARC or the HOA Board upon reasonable notice during the construction or after completion to assure compliance with the The Declarations and the materials and documentation submitted and approved by the ARC. Any work not consistent with the approved ARC review or any work not approved by the ARC may be stopped and required to be removed.