

SENGEKONTACKET COMMUNITY CORPORATION

ARCHITECTURAL COMMITTEE RULE

PRESERVATION of EXISTING WATER VIEWS

Section 1

No member (property owner) shall plant on their property any tree or large shrub that would, upon planting or with future natural growth after planting, obstruct the Existing Water View of any Abutter unless the member obtains written consent of such planting from all such Abutters with an existing Water View. If an Abutter fails or refuses to consent to any such planting that would obstruct the Abutter's Existing Water View, either the property owner or the Abutter may request the Architectural Committee Chair to act as mediator and attempt to resolve the dispute, at the parties' expense. If the property owner or the Abutter does not agree with the Architectural Committee's recommendation, they shall be free to submit the dispute between them to outside mediation, arbitration or other lawful method of dispute resolution, at their own expense.

Section 2

A member (property owner) shall permit an Abutter with an Existing Water View to trim specific trees or shrubs that obstruct the Abutter's Existing Water View for the sole purpose of maintaining the Abutter's Existing Water View, provided (a) the Abutter first makes a reasonable request to enter the property owner's property at least 14 days before the proposed date of trimming, identifies the specific trees or shrubs to be trimmed and the extent of the trimming, and (b) the Abutter agrees to pay for all such trimming, and (c) the property owner and Abutter mutually agree on the time and manner of such trimming.

Section 3

It shall be the sole responsibility of any member claiming an Existing Water View to provide evidence of their Existing Water View.

Section 4

For the purpose of this Rule, the following terms shall have the following meanings:

Abutter – means the member (property owner) that abuts or is contiguous with the boundary of another property or a property that would abut or be contiguous with the boundary of another property but for the interposition of an Association Road (Sengekontacket Road, Mourning Dove Road, Quail Run, Wood Duck Way, Box Turtle Lane and Gull Point).

Water View – means a visual view of Sengekontacket Pond, Turtle Pond or Quantapog Pond (also known as Wiggy's Pond or Fresh Water Pond) from a property in Sengekontacket.

Existing Water View – means a Water View from a property as that Water View existed on the date the property was originally purchased by the member who asserts a Water View.