



the tanoan community east association, inc.

PLANNING COMMITTEE MODIFICATION REQUEST

FOR COMMITTEE USE ONLY:

REQUEST # _____

DATE RECEIVED _____

Owner: _____

Date: _____

Property Address: _____

Cell Number (required): _____ Home Number: _____

Email Address (required): _____

Project Description: _____

Estimated Start Date: _____ Estimated Completion Date: _____

REQUIRED Documents and Items for Submittals:

- Copy of the **Property Plat or Site Plan** clearly showing the entire property with the existing home and all existing structures on the lot, the location of the modification, and the outline of required setbacks and easements – with measurements and distance from property lines (A plat or site plan is not required for repainting, applying new stucco or to request a dumpster in the driveway).
- For additions and remodeling, provide a **drafted floor plan**, elevations, sections with notes addressing **color, materials, dimensions** (heights, depths, etc.) showing relative location to existing structures.
- If applicable, provide actual **color samples** of stucco, paint, roof tiles, colored concrete, etc. For stucco, please submit a 6” x 6” sample. *Provide only your final color choice – not several possibilities.*
- **Electronic submission** via email is preferred with all items scanned into one PDF file. If hard copy requests must be submitted, all forms must be 8 ½” x 11”.
- **Landscaping Modifications** must also include:
 - *The existing landscaping and proposed changes marked on the plat, square footage of landscape elements.
 - *A calculation of front yard turf grass as a percentage of plantable area that will exist after the modification (see calculation example and current Landscape Guidelines on the website – www.tanoaneasthoa.com).
 - *List all plants, materials, sizes, gravel color and size, and locations.
- As a courtesy, the Planning Committee strongly encourages Owners to notify all adjacent neighbors of any modification projects that may be visible to them. The Planning Committee reserves the right to request adjacent property owner’s acknowledgement for projects that may directly affect them and allow them to make comments for Planning Committee consideration.

In addition to the Master Restrictions, each neighborhood has its own subdivision planning rules. Before submitting any request to the Planning Committee, owners should review these guidelines at www.tanoaneasthoa.com.

Terms and Conditions:

The following terms and conditions shall apply to this Agreement. By executing this Agreement, owner and his agents agree to the following:

1. The Owner understands and agrees that no work in this request shall commence until written approval is received from the Tanoan Community East Planning Committee (Planning Committee).
2. The Owner shall provide copies of the Planning Committee Rules and the Tanoan Community East Master Restrictions (Restrictions) to the Owner’s architect(s) and/or agent(s) involved in the planning and construction process, and the Owner shall be responsible for the agent’s compliance.
3. Members of the Planning Committee and Tanoan Community East Homeowners Association (TCE HOA) Board of Directors (Board) are not licensed architects, engineers or planners and have no ability to ensure compliance with planning and/or construction procedures, techniques or processes.
4. Certain requests may require that the Planning Committee employ the services of external engineering or other professional consultants for proper evaluation. If required, the Owner will be provided with an estimate of the charges for such services and must agree to pay those before the evaluation of the request can proceed.
5. Once approved, the project must be completed within one year so that it does not unreasonably interfere with neighboring properties.
6. Owner has the responsibility for the removal, in a timely manner, of all debris resulting from construction.
7. Construction must meet all zoning, building codes, and City and County laws. Nothing herein contained shall be construed as a waiver or modification of any such code or law. Owner has the responsibility to confirm that contractors and subcontractors are appropriately licensed and bonded and that all required City and Zoning permits will be obtained prior to starting work.
8. Where applicable, utility easements are to be marked before excavation is started. Contact 811 or www.NM811.org.
9. Plans will not be considered for approval if any outstanding indebtedness exists to the TCE HOA or if there is any uncorrected compliance issue(s) of the Planning Committee Rules or Restrictions.
10. In the event of any dispute regarding this Agreement, the owner agrees to pay all fees, costs, expert expenses and other expenses incurred by the TCE HOA in resolving the dispute.
11. By signing this Modification Request, the lot Owner affirms they have obtained and thoroughly read the Planning Committee Rules and Restrictions pertaining thereto.
12. Misrepresentation of any items in this request, either oral or written, may void approval. Owner understands that failure to submit the Notice of Completion within fourteen (14) days of project completion may deem the project out of compliance with the Planning Committee Rules and Master Restrictions and could be subject to violation fines and disclosure notifications.

The undersigned hereby agrees to the terms stated above for the design review of the requested modification.

*****The Tanoan East Notice of Completion form must be submitted within fourteen (14) days of project completion to confirm that the finished project is in compliance with the Planning Committee Rules and the Tanoan Community East Master Restrictions*****

X _____
OWNER SIGNATURE

DATE

Submissions via **email:** acosten@hoamco.com

Submissions via **hand delivery or mail:**

Tanoan East
10555 Montgomery Blvd. NE
Building One, Suite 100
Albuquerque, NM 87111



Agreement and Waiver of Liability

Owner understands and will comply with the following:

1. If the modification is not completed as approved, said approval can be revoked and the modification will be required to be removed by the Owner at the Owner's expense.
2. Owner is required to advise all contractors that common areas are not to be used as work or storage areas. Contractors are responsible for thorough cleanup of common areas, sidewalks, gutters, streets, and any damage to common areas.
3. Contractors may only work onsite between 7:00 a.m. and 9:00 p.m., seven days a week.
4. Owner is required to pay for, repair, and/or reimburse the TCE HOA for all damages to the common areas as result of construction or contractor negligence within thirty (30) days.
5. Owner agrees to adhere to all applicable state, county, and city building codes and to obtain all necessary permits.
6. Owner agrees to abide by the decision, terms, and conditions of the Planning Committee.
7. If the modification is not approved or does not comply with all applicable CC&R's, the Owner may be subject to court action by the Association and shall be responsible for all reasonable attorneys' fees, costs and expenses in connection with such litigation.
8. Owner agrees to maintain the improvement if approved by the Tanoan Community East Association Board of Directors (TCE Board) or their duly appointed representative. If, in the view of the Board of Directors, the improvement is not being maintained, the TCE HOA has the right to remove or maintain the improvement with the Owner bearing all costs.
9. Applications from tenants **will not** be accepted without the written consent and signature by the Owner on this Modification Request.
10. I UNDERSTAND THAT THE COMMITTEE HAS **THIRTY (30) DAYS** TO RESPOND TO MY APPLICATION. MY APPLICATION WILL BE REVIEWED TO MAKE SURE ALL REQUIRED INFORMATION IS INCLUDED, AND MORE DOCUMENTATION MAY BE REQUESTED. **THE THIRTY DAYS START WHEN ALL ITEMS REQUESTED HAVE BEEN RECEIVED BY THE COMMITTEE. I UNDERSTAND THAT NO WORK MAY COMMENCE UNTIL I RECEIVE WRITTEN APPROVAL.** I UNDERSTAND THAT I WILL BE NOTIFIED WHEN A DECISION IS MADE.

This Waiver of Liability and agreement is hereby acknowledged and accepted by:

X _____
OWNER SIGNATURE

DATE



the tanoan community east association, inc.

NOTICE OF COMPLETION

(Form must be submitted within fourteen (14) days of project completion)

REQUEST # _____

DATE OF COMPLETION _____

Owner: _____ Date: _____

Property Address: _____

Project Description: _____

Owner attests to the following:

- 1) The above-referenced project was completed as approved by the Planning Committee and all applicable permits were obtained.
- 2) Any changes to the approved plan were submitted for review and subsequent approval by the Planning Committee.
- 3) The completed project is in compliance with the Planning Committee Rules and the Tanoan Community East Master Restrictions.

Owner understands that failure to submit the Notice of Completion may deem the project out of compliance with the Planning Committee Rules and Master Restrictions and could be subject to violation fines and disclosure notifications.

This Notice of Completion is hereby acknowledged and accepted by:

X _____
OWNER SIGNATURE

DATE