

## **Miscellaneous**

### **Authority and Enforcement**

Pursuant to Article 9 of the Declaration for Broadlands, the Modifications Subcommittee (“Subcommittee”) is directed to adopt design standards and design guidelines for the Property and review and approve or disapprove the plans for any visible additions, alterations or modifications to the exterior of existing improvements located on the Property in order to ensure the quality and compatibility of the style of improvements on the Property. The Subcommittee may also establish its own applications and procedures and has the full authority to amend such standards, guidelines and procedures.

### **Waiver, Amendment and Third party Benefit**

The Subcommittee maintains the right from time to time, at its sole discretion, to amend or modify these Guidelines. Neither the Subcommittee nor its agents, representatives or employees shall be liable for failure to follow these Guidelines as herein defined. These Guidelines confer no third party benefit or right upon any entity, person or Lot Owner or builder.

### **Non-Liability of the Subcommittee**

Neither the Subcommittee nor its respective members, Secretary, successors, assigns, agents, representatives, employees or attorneys shall be liable for damages or otherwise to anyone submitting plans to it for approval or to any Applicant by reason of mistake in judgment negligence or non-feasance, arising out of any action of the Subcommittee with respect to any submission, or for failure to follow these Procedures or Guidelines. The role of the Subcommittee is directed toward review and approval of site planning, appearance, architectural design and aesthetics. The Subcommittee assumes no responsibility with regard to design or construction, including, without limitation, the civil, structural, mechanical, plumbing or electrical design, methods of construction, or technical suitability of materials.

### **Accuracy of Information**

Any person submitting plans to the Subcommittee shall be responsible for verification and accuracy of all components of such submission, including, without limitation, all site dimensions, grades, elevations, utility locations and other pertinent features of the site or plans.

### **Lot Owner and/or Applicant Representation**

Each Lot Owner represents by the act of entering into the review process with the Subcommittee that all representatives of such Lot Owner, including, but not limited to,

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the builder, architect, engineer, and/or subcontractor, such agents and their employees, shall be made aware by the Lot Owner of all applicable requirements of the Subcommittee and shall abide by these Guidelines and the Declaration with respect to approval of development plans and specifications.

**Conflicts with the Declaration of Covenants, Conditions and Restrictions**

In the event of a conflict between these Guidelines and their terms of the Declaration, the Declaration shall govern.

**Broadlands Association-Use restriction**

The Board of Directors of the Broadlands Association, Inc., may from time to time promulgate use restrictions governing the use of lots and Association common areas. Each Lot Owner should review any such use restrictions to ensure that lot improvements are in compliance with such use restrictions.

**Regulatory Compliance**

It is the responsibility of the Lot Owner to obtain all necessary permits and ensure compliance with all applicable governmental regulations and other requirements. Plans submitted for Subcommittee review shall comply with all applicable building codes, zoning regulations and the requirements of all governmental entities having jurisdiction over the building project or property with Broadlands. Regulatory approvals do not preempt the design review authority of the Subcommittee, and Subcommittee approval does not incorporate any governmental approvals, which governmental approvals shall be the sole responsibility of the Lot Owner.

**Design Guidelines and Loudoun County Standards**

Where the provisions of applicable Loudoun County Standards are more restrictive than the provisions of these Guidelines, the Loudoun County Standards shall be controlling. Where the provisions of these Guidelines are more restrictive than the provisions of the applicable Loudoun County Standards, then these Guidelines shall be controlling. No variance from Loudoun County Standard may be requested unless the prior written approval of the Subcommittee has been obtained.