

**LA CUENTISTA SUBDIVISION UNIT 1 HOA**  
**ARCHITECTURAL CONTROL COMMITTEE REQUEST FOR DESIGN APPROVAL**  
**(Attachment A)**

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Alternate Phone: \_\_\_\_\_  
Home Phone: \_\_\_\_\_  
EMAIL (required, used to confirm receipt of this application): \_\_\_\_\_

Submit this request to:  
La Cuentista 1 Architectural Control  
Committee (ACC)  
C/O HOAMCO  
PO Box 67590  
Albuquerque, NM 87193-7590  
FAX (505) 888-4483  
Email: gillingworth@hoamco.com

Request # \_\_\_\_\_ (to be assigned by the committee)

Plot plans, drawings, specifications, as required, must be attached with a complete description of the proposed change. Pictures may help the Architectural Control Committee (ACC) with the decision. An "in person" meeting can be requested at any time for the ACC to meet the home owner at the location of the improvement. All supporting documents WILL NOT be returned, as they will become a part of the permanent record in your homeowner file. **A decision will be mailed to you within 14 days after all necessary paperwork has been received and reviewed by the ACC.** Description of request in detail (*use additional sheets and drawings if necessary*):

\_\_\_\_\_

\_\_\_\_\_

Work to be performed by: \_\_\_\_\_

***I acknowledge that if work commences PRIOR to a decision and without a written response signed by a Board member (see box on page 3), a non-negotiable \$500 fine will be imposed AND I can be required to remove any and all work at my own expense.***

HOMEOWNER'S SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

**I certify with my signature that I have complied with all city, county, and state laws and have obtained all necessary permits (if necessary) and also have discussed and /or notified my existing neighbors of my intent of my improvement relating to this request.**

HOMEOWNER'S SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

**Notes (PLEASE READ CAREFULLY):**

1. The owner understands and agrees that no work in this request shall commence until he/she receives written approval by the La Cuentista Unit 1 Architectural Control Committee. The Architectural Control Committee has up to fourteen (14) days after the ACC has received and reviewed the application to respond to any request, so please plan ahead to allow enough time for a decision.
2. Once approved, the project must be completed in a way that does not unreasonably interfere with neighboring properties.
3. Applicant has responsibility for removal, in a timely manner, of all debris resulting from construction.
- 4. Construction must meet all zoning, building codes, and City and County laws. For further information regarding zoning, call (505) 924-3860. For information on building permits, call (505) 924-3969. Further, nothing herein contained shall be construed as a waiver or modification of any such code or law.**
6. Where applicable, utility easements are to be marked before excavation is started. This service is provided free of charge by New Mexico One Call. For location of underground communication, cable TV, electric, gas, water, and sewers, call New Mexico One Call at (505) 260-1990 no later than two full business days before the day you plan to dig. Please note that there may be a FINE if underground cables or conduits are severed.
7. It is recommended that the applicant consult the La Cuentista Unit 1 Covenants, Conditions and Restrictions (CCR's).
8. Misrepresentation of any items in this request, either oral or written, may void any approval by the La Cuentista Unit 1 Architectural Control Committee.

**Agreement and Waiver of Liability**

We / I understand 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 Homeowner at the Homeowner's expense.
2. Homeowner(s) is required to advise all contractors that common areas are not to be used as work or storage areas. Contractors will also be held responsible for thorough cleanup of common areas, sidewalks, and streets.
3. Homeowner(s) is required to pay for and repair all damage to the common areas as result of construction or contractor negligence.
4. Homeowner(s) agrees to adhere to all applicable state, county, and city building codes and to obtain all necessary permits.
5. Homeowner(s) agrees to abide by the decision, terms, and conditions of the Architectural Control Committee.
6. If the modification is not approved, or does not comply with all applicable CC&R's, the homeowner(s) 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.

7. Homeowner(s) agrees to maintain the improvement if approved by the Architectural Control Committee or their duly appointed representative. If in the view of the Architectural Control Committee, the improvement is not being maintained, the Association has the right to remove or maintain the improvement with the Homeowner bearing all costs.

**8. I UNDERSTAND THAT THE COMMITTEE HAS FOURTEEN (14) 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 FOURTEEN DAYS WILL START AFTER ALL OF THE NECESSARY PAPERWORK HAS BEEN RECEIVED BY THE ACC. I UNDERSTAND THAT NO WORK MAY COMMENCE UNTIL I RECEIVE WRITTEN APPROVAL. I UNDERSTAND THAT I WILL BE NOTIFIED BY MAIL WHEN A DECISION IS MADE.**

This Waiver of Liability and agreement is hereby signed on this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_.

Signature of Home Owner: \_\_\_\_\_

THIS DESIGN CHANGE, IF APPROVED, MUST BE COMPLETED WITHIN 60 DAYS FROM COMMENCEMENT OF CONSTRUCTION.

**APPROVAL IS VALID FOR SIX MONTHS.**

**Homeowner is liable for any charges incurred as a result of contractor negligence.**

The above described change is:

Approved

Disapproved

Approval subject to the following conditions: \_\_\_\_\_

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

\_\_\_\_\_  
Date Signed

# **Party Wall Agreement**

Per the La Cuentista Unit 1 Subdivision Covenants, Conditions and Restrictions Section 21.4, "Any party wall built additionally shall require a party wall agreement between Owner and adjacent Owner(s). The Owner building the wall is responsible for billing and collection any amounts due for the construction of the wall to the Owner(s) listed in this agreement."

Homeowner initiating the improvement signs on number 1.

1. \_\_\_\_\_ Date Signed \_\_\_\_\_  
Affected or Adjacent Property Owner – Signature & Address
  
2. \_\_\_\_\_ Date Signed \_\_\_\_\_  
Affected or Adjacent Property Owner – Signature & Address
  
3. \_\_\_\_\_ Date Signed \_\_\_\_\_  
Affected or Adjacent Property Owner – Signature & Address

This form is an additional attachment to the LA CUENTISTA SUBDIVISION UNIT 1 HOA ARCHITECTURAL CONTROL COMMITTEE REQUEST FOR DESIGN APPROVAL form. This form does not replace but is in addition to the required City of Albuquerque Zoning Application for Small Wall Permit found here, <http://www.cabq.gov/planning/documents/SmallWallPermit.pdf>.