

THE ARBOR

AT LAKE JAMES

THE ARBOR ARCHITECTURAL REVIEW COMMITTEE DESIGN & REVIEW GUIDELINES

Content December 2023

The Arbor reflects the uniqueness of its' natural surroundings, specifically the beauty of the mountains, lake and forest, now and for future generations...

Foreword

Welcome home and property owners,

Our goal in The Arbor is to nurture a neighborhood and residential development that is aesthetically pleasing, and which will serve to provide the property owners protection of their investment. Based on our Bylaws, The Arbor Board has established an Architectural Review Committee (ARC) with members of our community who volunteer their time to help achieve our goal and help guide owner(s) to achieve compliance in the area of construction, remodeling, and landscaping.

These guidelines are designed to provide Arbor Lot owners and prospective owners with a brief synopsis of the Design Guidelines and the Architectural Review Process, that applies to all property owners and builders within The Arbor. These serve as a set of standards for the community that outline, illustrate, and define design objectives to achieve the high quality and desired character of The Arbor. The Architectural Review Process is the means by which these Design Guidelines are met.

The Design and Review Guidelines supplement other documents requiring compliance, such as The Arbor Covenants, Conditions and Restrictions (CC&R). Our CC&R, along with the POA, require each owner to obtain approval prior to starting any construction of a new home, addition or modification of an existing home, or installing a landscape plan. In addition, other documents guide and restrict development in The Arbor and owners should be aware of the original North Carolina (NC) Special Warranty Deed and The Lake James Protection Ordinance of McDowell County, NC. ARC guidance and approval shall not be construed as a waiver or modification of any said covenant, deed restriction, ordinance, government regulation or building code.

Specific excerpts to the documents referenced above are at times included in this document to simplify the building process. As an example, while The Arbor CC&R permit a waterfront structure of up to 200 square feet this document references a lower limit of 150 square feet as set by the Lake James Protection Ordinance of McDowell County. Owners should familiarize themselves with these and all other documents that control building in The Arbor. No action by the Arbor POA is intended to mitigate any other governing document. The fact that some elements of these governing documents are not mentioned does not indicate in any way that the POA minimizes their validity.

Please visit The Arbor Home Page at <https://thearboratlakejames.connectresident.com/> to access additional information that covers our community, such as Bylaws, CC&R, the Lake James Protection Ordinance of 2020.

We thank you in advance for your compliance. To get started please contact FirstService Residential at ARC.Carolinas@Fsresidential.com for New Construction and Arbor.ARC.NC@Fsresidential.com for Property Improvements.

The Arbor Board

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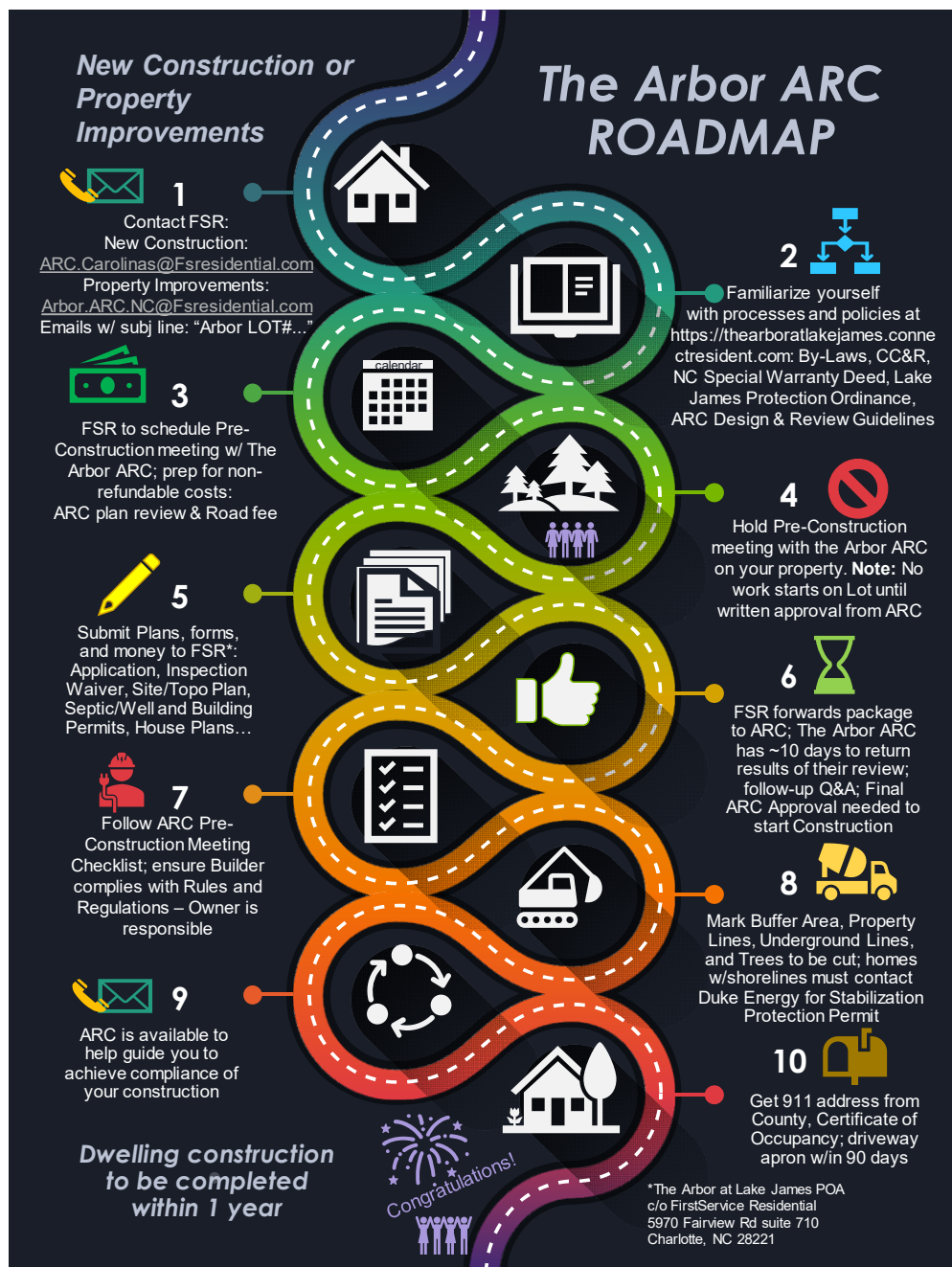
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Overview of ARC Design & Review Process

Section 1

Purpose:

The Architectural Review Process is the means by which the Design Guidelines are met. The Architectural Review Committee (ARC) meets whenever plans must be reviewed, regarding The Arbor at Lake James. All plans must be approved by the ARC before any work can begin on your Lot. FSR contact email addresses are in Step 1.



New Construction:

The above roadmap/diagram is a reference of 10 basic steps to follow. Section 2.1 of this document provides a planning checklist for your use in getting started and further general use restrictions and design guidelines can be found in Section 2.2.

Forms/Payment & Address:

An electronic copy of all ARC forms can be downloaded from our website at: <https://thearboratlakejames.connectresident.com>

To initiate the process for new construction, checks for the ARC Plan Review Fee and Road Fee, see CCR, must be made payable to:

The Arbor at Lake James POA.

Once you have download and complete the forms, please mail your package, with both your house plan and site plan, and checks to:

**The Arbor at Lake James POA
c/o FirstService Residential
5970 Fairview Rd Suite 710
Charlotte, NC 28210**

FirstService Residential will forward your package to The Arbor ARC for review. The ARC will review your information, and should have an answer for you within 10 days of their receipt of package.

Additional Road Fee Notes:

Please be advised that heavy construction vehicles cause unseen damage to our roads due to the lack of sufficient road base installed under our roads by the developer. Based on this the POA will not be refunding the \$500 of the road bond as described in our CCRs.

If construction extends past 16 months (four (4) month grace period from one (1) year requirement) an extra nonrefundable Road fee will be billed to the owner, and every three months thereafter, until the Certificate of Occupancy is received.

Outbuildings and Waterfront Structures:

Like residences, Outbuildings and Waterfront Structures are subject to certain rules and regulations which must be met prior to their approval and construction. These structures follow the same process as new construction. Please see Section 2.2.1 for additional guidelines. Waterfront Structures within the buffer area such as decks or pergolas that are part of a dock project must be approved by Duke Energy, the McDowell County Planning Department and the ARC.

Improvements to Existing Home and/or Property:

For modification to a current completed home, there may be a fee/fees required depending on the scope and size of the job. Applicable forms and processes need to be completed and adhered to – please see Section 3.3.

Property Owner's Planning Checklist

Section 2.1

Suggested checklist to help prepare your building site. Specific details can be found in Section 2.2. **Note: ARC written approval** is necessary before beginning to build or making any exterior modifications to the property.

1. Furnish the ARC (via FirstService Residential) with your Site Plan and take photos of pre-construction vegetation and trees, especially in buffer zone applicable to waterfront Lots.

- Your site plan can be submitted even if final house plans are not completed, or when just a driveway and dock are proposed. The plan should show where the house will be on the Lot, where the septic tank, primary and repair drain fields, and the well are to be located. The site plan should detail all setbacks, any easements, clearing limits, construction erosion control, and permanent storm water control. A site plan showing contours and reference points such as large trees, along with proposed tree removal and landscaping will ensure that the best use of a Lot. All trees to be removed over 6 inches diameter, as measured 4-1/2' from the base, must be marked and approved in advance by the ARC. Within the 100 ft line, all trees to be removed over 2 inches diameter, as measured 4-1/2' from the base, must be marked and approved in advance by the Planning Department. Exception: Any tree within 20 feet of the house or Outbuilding may be removed.
- Note that the septic repair field is not to be cleared. Also note that no structure may be placed in an environmentally protected area nor may any soil, sand or vegetation be disturbed in or added to an environmental area.

2. Get blueprints – Submit your final house plans with the required non-refundable fees (ARC plan review and Road) to FirstService Residential (one hard copy and one electronic copy).

3. Get your property lines surveyed, and clearly mark the buffer area applicable to waterfront Lots, property lines, and underground electrical lines (call 811). This will avoid placing retaining walls or structures built on adjoining properties. Any Builder, Contractor, or Landscaper planning to excavate, no matter how shallow, needs to call 811 first to clearly mark the underground lines. Be sure to get a Shoreline Stabilization Permit from Duke Energy if your Lot is on the water. No painting on road pavement.

4. **Plan to mitigate damage to the road shoulder** during construction, by using a driveway application with 6x6 treated lumber to shore up the road shoulder. The lumber once in place would have a 1-2” lip above road grade to allow for compaction over the construction process.



5. **Get septic and well permits** (Environmental Health McDowell County– allow 8 weeks).
6. **Obtain a building permit** at the McDowell County Courthouse (Builder gets this).
7. **Obtain written approval from Duke Energy** for any dock and associated structures lakeward of the 1200-foot line.
8. **Obtain written approval from the ARC and the McDowell County Planning Department** for Waterfront Structures beginning at the 1200-foot line.
9. **Provide the ARC with exterior paint color** chips, window, siding and roofing materials when you submit your plans. Not required for initial approval to start construction, but keep in mind that colors are a restricted product and must be approved by ARC. The Arbor requires only natural and subdued colors which blend with the environment Roofing materials (all structures including docks) should be limited to those which are subdued with no bright or pastel colors.
10. **Get 911 address from McDowell County EMS Office** (Builder will do this).

General Use Restrictions and Design Guidelines

Section 2.2

Before any clearing, grading, construction, or landscaping of any type begins on a Lot, advanced written approval of the Architectural Review Committee (ARC) is required. All improvements to a Lot must comply with McDowell County and other regulatory agencies and must adhere to The Arbor Covenants Conditions & Restrictions (CC&R).

The following general use restrictions and design guidelines, provided by the ARC will help in your planning and execution. *NOTE: ARC guidance and approval shall not be construed as a waiver or modification of any said covenant, deed restriction, ordinance, government regulation or building code.*

- A. All Lots shall be used for residential purposes only and no structure shall be erected, placed, altered or permitted to remain on any Lot other than one detached, single-family dwelling and related structures incidental to the use of the Lot. Only construction of new, site built residential buildings shall be permitted.
- B. Homes are generally to be placed parallel to the road if feasible with an appropriate elevation in public view. Plan features are to be created with the Lot in mind and stock plans may not be oriented in a manner contrary to their design. The relationship to existing homes should also be considered in home placement. Homes on corner Lots are generally required to face the primary road or angled open to the included corner with driveways to be placed on the secondary road.
- C. Consistent architectural detail is to be carried on all sides of the home with particular focus on visible elevations.
- D. In addition to the easements shown on the recorded plat of The Arbor Subdivision, easement of 10 feet in width along the Lot lines of all Lots are reserved for installation, repair, replacement, and maintenance of all utilities. An easement of 20 feet is reserved for such purpose along the rear lines of all Lots that do not adjoin other Lots or properties within The Arbor Subdivision.
- E. Any dwelling constructed on a Lot must be completed within one (1) year subsequent to the commencement of construction. Exceptions may be made for interruptions or delays due to physical damage of work in progress (such as damage by fire, lightening, hail). If after the one-year period for construction has passed and the house is not complete, the POA Board may take action. The building period may be extended for a short period of time, based on extenuating circumstances brought to the attention of the POA Board or the Board may assess fine(s).
- F. All Waterfront Lots must apply for a Shoreline Stabilization Permit from Duke

Energy (Cayce Brennan (800) 443-5193) and submit this permit to the ARC, acknowledging installation of shoreline stabilization along the entire waterfront of the property. Upon approval by Duke Energy, the property owner shall commence, within a reasonable time, installation of the shoreline stabilization permit/plan issued by Duke Energy for the property. This must be installed no later than 30 days after the date of completion of the improvement or, where applicable, the issuance of a certificate of occupancy by McDowell County. Lots with certain conditions, existing natural stone shorelines, natural beaches, and environmentally protected areas, may not be approved for stabilization or may only be approved for partial stabilization by Duke Energy.

G. Except within the building site or within 20 feet of the main dwelling, no tree in excess of 6 inches, as measured 4-1/2' from the base, may be removed without prior approval of the ARC. If inside the 100-foot reference line, no trees over 2" diameter may be removed without the ARC and the McDowell County Planning Department approval.

H. House Plans must be drawn by an architect, engineer, or approved design service and meeting prevailing building codes are acceptable. Plans drawn by homeowner(s) or builder will normally not be accepted. Plans must clearly show dimensions and square footage of heated living area. Dimensions, numbers and other relevant measurements must be clearly legible.

- No mobile, manufactured or modular homes are permitted on any Lots.
- Each single-family dwelling shall have an enclosed, heated living area (exclusive of open porches, garages, and other unheated spaces) not less than 1,700 sq. ft. on one level. A one- and one-half story home must total at least 1,900 square feet, and the upper level must total no more than 50% of the square footage of the story with the most heated living area. A two-story home must total at least 2,100 square feet.
 - i. See NC Special Warranty Deed for definition of "Heated Living Space"
- Roof must be not less than 6/12 pitch and not less than a 12" overhang covered with asphalt, fiberglass shingles, tile, slate, copper, metal or wood shingles.
- Setback requirements are all measured from the roof edge. They are 10 feet on the sides, 25 feet on the front, 65 feet back from water, 75 feet from the water on steep Lots (slope greater than 2:1), and 20 feet from the rear line for non-water Lots.
- Garage may not include living area above, unless it is part of the attached main dwelling. Detached garages must be constructed with maximum height of 14 feet, per restrictions.
- Exposed exterior walls of home and garage must be brick, stone, bark shingles, hard stucco, wood, logs, or cement board. Exterior walls composed

of exposed concrete block, concrete, imitation asphalt brick siding, imitation asphalt stone siding, aluminum and vinyl siding, and tar paper are prohibited in The Arbor. Aluminum clad windows are preferred, and other types may not be approved based on compatibility of color schemes.

- All dwellings and accessory structures shall be completely supported with solid brick, brick or stone covered block, or stucco covered foundation.
 - The Arbor requires only natural and subdued exterior colors which blend with the surrounding environment. Roofing materials (all structures including docks) should be limited to those which are subdued with no bright or pastel colors. Submit colors and construction materials for approval as soon as you have them so that your construction is not delayed. The final interpretation as to whether your color choices meet this description is at the discretion of the ARC.
 - i. A sample and description of siding material and windows.
 - ii. Exterior siding color, including color name, paint brand, and a color chip.
 - iii. Exterior trim color, including color name, brand and a color chip.
 - iv. A sample of roofing material, including color name, brand, and any other description that comes with the product.
- I.** No noxious or offensive trade may be carried on or upon any Lot, nor shall there be annoyances or nuisances to the neighborhood. Bottled gas containers and oil tanks must be screened from public view. All construction activities must be conducted and all deliveries must be made during the daylight hours between 7:00am and 7:00pm, Monday through Friday and 8:00am to 5:00pm on Saturdays. No construction activities will be conducted and no deliveries will be made on Sundays, or Memorial Day, July 4, Labor Day, Thanksgiving Day, Christmas Day or New Year's Day.
- J.** No truck, trailer, van, mobile home, motor home, tent, camper, barn, garage or other Outbuilding or temporary structure parked or erected on Lots shall at any time be used as a residence, temporarily or permanently. The ARC shall have the right to approve and disapprove these temporary construction shelters or vehicles. A letter stating the time such shelter will be allowed to remain upon such Lot and the location upon the Lot will be issued by the ARC.
- K.** No signs, fencing or parking permitted within the right-of-way. With the exception of a single Builder's sign, during construction, no other billboards or signs are permitted to be erected or posted on a Lot.
- L.** No structure, fence, wall, pool or other accessory feature shall be commenced, erected, placed, maintained or altered on any Lot within The Arbor without advance, written approval of the ARC. The committee's refusal or approval of plans may be based upon purely aesthetic consideration, which is in the sole discretion of the ARC.

M. No outside clotheslines shall be permitted. Satellite dishes should be screened from view whenever possible.

Section 2.2.1: Outbuildings and Waterfront Structures

Outbuildings, defined as permanent accessory structures incidental to the residential use of the Lot, such as detached garages, workshops, storage sheds, utility buildings, and greenhouses, are permitted in The Arbor. Outbuildings may not be used as a residence, either temporarily or permanently. No Outbuilding, waterfront structure, or accessory feature shall be constructed, erected, placed, maintained or altered until complete construction plans are approved in writing by the ARC. Furthermore, no Lot shall be cleared or modified in anticipation of an Outbuilding, or waterfront structure until plans are approved.

In order to preserve a certain order of community standards, all Outbuildings and waterfront structures shall be constructed of new material of good grade, quality and appearance. Outbuildings and waterfront structures must conform to all applicable building codes and have an approved building permit. The design of Outbuildings shall be consistent with the design and appearance of the principal residence and shall be located such that its placement be secondary to the principal residence and as unobtrusive as possible. The ARC reserves the right to approve or disprove any Outbuilding or waterfront structure based on aesthetics alone. In accordance with CC&R Outbuilding for Residential Lots.

- Outbuilding structures for residential Lots, not including waterfront structures, total square footage may not be less than a minimum of 150 square feet, nor greater than a maximum of 1000 square feet.
 - Outbuildings must have a permanent foundation.
 - Exterior walls must be brick, stone, bark shingles, hard stucco, wood, or cement board and must comply with regulations that govern home construction.
 - Roofs must comply with a minimum 6/12 pitch and have a 12” overhang.
 - Outbuilding height may not exceed 14 feet.

All Outbuildings must meet all setback requirements. No Outbuildings shall be constructed either wholly or partially within the Duke Energy buffer area except those related to waterfront structure construction in accordance with the Duke Energy and McDowell County Lake James Protection Ordinance requirements and with the written approval of Duke Energy. Outbuildings are not to be confused with waterfront structures attached to piers or recreational structures such as decking, extended patios and gazebos. One waterfront structure with a maximum size of 150 square feet may be approved. The normal period of completion for Outbuildings is four (4) months from the date of the building permit.

Application to Begin New Construction (sample)

Section 3.1

| THE ARBOR AT LAKE JAMES | | | | | |
|---|-----------------------------|----------------------------|----------------------------|--|-----|
| APPLICATION TO BEGIN NEW CONSTRUCTION | | | | | |
| Editable EXCEL Form-May complete on Computer except for Signatures | | | | | |
| Lot #: | | Arbor Street Address | | | |
| Owner/S: | | | | Date Filed: | |
| Sign: | | | | Received Date: | |
| Rec. By: | | | | Response Date: | |
| | | | | Meeting Sch: | |
| CURRENT ADDRESS - CONTACT INFORMATION | | | | | |
| Street: | | | | PO Box: | |
| City: | | State: | | Zip: | |
| email: | | | | Cell: | |
| CONTRACTOR INFORMATION | | | | | |
| Company | | | | Phone: | |
| Street: | | | Contact: | | |
| City: | | State: | | Zip: | |
| email: | | | | Cell: | |
| Complete, Sign, Date, Scan and email to: | | | | ARC.Carolinas@fsresidential.com | |
| Or Mail to: | The Arbor at Lake James ARC | | N o t i c e | No work other than surveying may begin until written approval of this application is received from the ARC. Due to insufficient road base installed by the developer, the \$500 road fee in the CCR will not be refunded, due to heavy construction vehicle damage and activity. | |
| | FirstService Residential | | | | |
| | 5970 Fairview Rd Suite 710 | | | | |
| | Charlotte, NC 28210 | | | | |
| Non-Refundable Fees Required with Application | | | | | |
| | REVIEW FEE: | \$ | | ROAD FEE: | \$ |
| APPLICATION WILL NOT BE REVIEWED UNTIL CHECKS ARE RECEIVED | | | | | |
| Include copy of this form and mail 2 checks as shown to: | | | | | |
| The Arbor at Lake James POA | | Check Numbers | | | and |
| c/o FirstService Residential | | Received By: | | | |
| 5970 Fairview Rd Suite 710 | | Date Received: | | | |
| Charlotte, NC 28210 | | Date Sent to FirstService: | | | |
| <p>ARC guidance and approval shall not be construed as a waiver or modification of any said covenant, deed restriction, ordinance, government regulation or building code.</p> <p>Go to https://thearboratlakejames.connectresident.com for ARC Guidelines.</p> | | | | | |

Pre-Construction Meeting Checklist

Section 3.2

Homeowner: _____ **Lot#:** _____

The Homeowner is required to discuss the following instructions with their Builder, before beginning the job. **The Contractor is required to sign and date below** and return to: ARC.Carolinas@fsresidential.com or The Arbor at Lake James, c/o FirstService Residential, 5970 Fairview Rd Suite 710, Charlotte, NC 28221

1. Existing underground services need to be flagged prior to any construction. No painting on road pavement.
2. All construction activities must be conducted and all deliveries must be made between 7:00am and 7:00pm, Monday through Friday and 8:00am to 5:00pm on Saturdays. No construction activities will be conducted and no deliveries will be made on Sundays, or Memorial Day, July 4, Labor Day, Thanksgiving Day, Christmas Day or New Year's Day.
3. Keep construction site neat with a dumpster for all debris and empty dumpster before it overflows; the dumpster is to be located on Lot and location to be shown on your Site Plan. Do not leave bottles and other trash on The Arbor property. Building refuse may not be burned or buried as a means of disposal.
4. Builder and subcontractors are to park on-site of the Lot. Parking elsewhere requires permission. Do not park along roadsides or obstruct roadways. Follow Speed Limit.
5. Protect pavement from damage by heavy equipment. Use 6x6 treated lumber to shore up road shoulder; lumber would have a 1-2" lip above road grade to allow for compaction.
6. Position portable restroom to not be offensive and upright stability against wind.
7. Store construction materials on property. The Arbor POA is not responsible for any loss of material, house items or equipment during construction. It is the responsibility of the Homeowner, Builder, and subcontractors to safeguard these items.
8. Only one sign can be displayed at the house site Lot and this is the Builder's sign.
9. Builder will be issued a specific gate code for each job. This code must be used by each subcontractor to enter The Arbor. The code will become invalid at the termination of the building process. There is to be no tailgating to enter The Arbor.
10. If a Lot is to be cleared of underbrush ahead of or during initial construction phases, all dead wood and chips must be removed to prevent fire hazards.
11. Cement trucks are required to wash leftover cement on the Lot being built upon, not along The Arbor roads or on another Lot.
12. Silt fencing must be installed prior to any soil or tree removal.

I have read the above referenced "Code of Conduct" and will adhere to these rules.

(Signature of Builder)

(Lot #, Date)

Improvements to existing Home and/or Property (sample)

Section 3.3

| | | | | | |
|--|---|----------------|--|--------------|--|
| THE ARBOR AT LAKE JAMES | | | | Page: 1 of 2 | |
| ARCHETECTURAL REVIEW COMMITTEE | | | | | |
| APPLICATION FOR LOT IMPROVEMENTS (after home built or just improvement to Property) | | | | | |
| NO WORK MAY BEGIN UNTIL RECEIPT OF APPROVAL FROM THE ARBOR ARC | | | | | |
| Lot #: | | Street Address | | | |
| OWNER CURRENT CONTACT INFORMATION | | | | | |
| Name/s: | | | | Cell: | |
| Street: | | | | PO Box: | |
| City: | | State: | | Zip: | |
| email: | | | | LL PH | |
| CONTRACTOR INFORMATION: | | | | | |
| Co. Name: | | | | License | |
| Contact: | | | | Cell: | |
| Street: | | | | PO Box: | |
| City: | | State: | | Zip: | |
| email: | | | | LL PH | |
| PROCESS CONTROL-PLEASE ALLOW 10 DAYS FROM DATE OF RECEIPT | | | | | |
| Owner's Signature | | | | Date Filed: | |
| Received By For ARC: | | | | Date Rec: | |
| Disposition: | APPROVED | | | Date: | |
| | Returned for more information See attached sheet | | | Date: | |
| Received By For ARC: | | | | Date Rec: | |
| NO WORK MAY BEGIN UNTIL RECEIPT OF APPROVAL FROM THE ARBOR ARC | | | | | |
| ARC guidance and approval shall not be construed as a waiver or modification of any said covenant, deed restriction, ordinance, government regulation or building code | | | | | |

| | | | |
|---|--|--|--|
| THE ARBOR AT LAKE JAMES | | Page 2 of 2 | |
| APPLICATION FOR LOT IMPROVEMENTS (after home is built or just improvement to Property) | | | |
| Pavements – Please check all that | | | |
| Addition to Home: | | Lot Clearing: | |
| Septic/Well: | | Tree Removal: | |
| Shoreline Stabilization (Duke): | | Landscaping/Grading: | |
| Driveway-Trail-Walkway: | | Stone Wall: | |
| Outbuilding: | | Other- Explain Below | |
| Brief Description of Project | | | |
| | | | |
| Items to be Submitted with Application | | | |
| Trees are Marked for Removal YES/NO | | | |
| Date Work to be Performed: | | | |
| Included Current Photos if Applicable to Proposed Changes YES/NO | | | |
| Written Estimate of Project Cost | | | |
| Description of materials including type, color and etc. included YES/NO | | | |
| Sketch of Plan showing proposed location on Lot: YES/NO | | | |
| Plans and other correspondence should be sent to FSR at the following address and you will be contacted within 10 days from physical receipt by the Arbor ARC. A review will be scheduled and if no further information is needed, you will have a decision within 10 days. | | | |
| ARC guidance and approval shall not be construed as a waiver or modification of any said covenant, deed restriction, ordinance, government regulation or building code | | | |
| Mail to: | | Application for Property Improvements and smaller files may be emailed to: | |
| The Arbor at Lake James ARC | | Arbor.ARC.NC@fsresidential.com | |
| c/o FirstService Residential | | | |
| 5970 Fairview Rd Suite 710 Charlotte NC 28210 | | | |

Approval is necessary for any landscape projects in excess of \$5,000 or any projects with structural or grading changes. Covenants, Conditions, and Restrictions still apply.

ACCESS WAIVER FORM FOR INSPECTIONS

Section 3.4

ACCESS WAIVER FOR INSPECTIONS BY THE ARCHITECTURAL REVIEW COMMITTEE AT THE ARBOR AT LAKE JAMES PROPERTY OWNERS ASSOCIATION, INC.

The Amended Declaration of Covenants, Conditions, and Restrictions of The Arbor at Lake James subdivision, which is recorded in deed book 1077 at page 479 of the McDowell County Registry, authorizes the Architectural Review Committee to review improvements to Lots within The Arbor at Lake James subdivision (see Article VI - Architectural Control).

In order to fulfill its duties and responsibilities described in Article VI, the Architectural Review Committee needs access to inspect Lots before, during, and after construction.

The undersigned Lot owner hereby grants access to members of the Architectural Review Committee, or the Committee's designated agents, for the limited purpose of inspecting the Lot owner's Lot in The Arbor at Lake James subdivision, before, during, and after construction of any improvement on said Lot.

A copy of this Access Waiver may be shown to contractors and sub-contractors who are working on said Lot to show the authority granted by the Lot owner to the Architectural Review Committee to perform their inspections, pursuant to the Declaration of CCRs referenced above. All inspections conducted hereunder shall be reasonable in time, occurrence, and scope so as to confirm compliance with the ARC Guidelines, POA rules, set-back requirements, and the Declaration of CCRs.

LOT OWNER:

LOT#: _____

Signature

Name Typed/Printed Date

Accepted on behalf of the Architectural Review Committee by:

Signature

Name Typed/Printed Date

Points of Contact

Section 4

- 1) FirstService Residential Architectural Review Committee (ARC) Point of Contact:

Mark Hamiter

- ARC.Carolinas@Fsresidential.com for New Construction
- Arbor.ARC.NC@Fsresidential.com for Property Improvements
- Mark.hamiter@fsresidential.com
 - o Email w/ subj line: "Arbor LOT#..."

The Arbor at Lake James POA

c/o FirstService Residential

5970 Fairview Rd Suite 710

Charlotte, NC 28221

- 2) FirstService Residential ARC financial Point of Contact:

Mike Cumberland

Paper checks should be mailed to: **5970 Fairview Road, Suite 710 Charlotte, NC 28210**

It is important to have the property address included with the check.

Mike can be reached at: Mike.Cumberland@fsresidential.com or **(704) 369-0265**

- 3) Shorelines: All homes with a shoreline must contact Duke Energy to get a Shoreline Stabilization Protection Permit, as a prerequisite for a building permit.

Cayce Brennan | Lake Representative

Duke Energy | Lake Services

526 S. Church Street | Charlotte, NC 28202 | EC12Q

(800) 443-5193

Section 5: Record of Changes to these Guidelines

Changes made:

Old Version: Content May 2022

New Version: Content December 2023

Change1: Page 4, Section 1, New Construction, Additional Road Fee Notes:

Add:

“Please be advised that heavy construction vehicles cause unseen damage to our roads due to the lack of sufficient road base installed under our roads by the developer. Based on this the POA will not be refunding the \$500 of the road bond as described in our CCRs.”

Change2: Page 11, Section 3.1, Application to Begin New Construction (sample):

Replaced:

“NO WORK OTHER THAN SURVEYING MY BEGIN UNTIL WRITTEN APPROVAL OF THIS APPLICATION IS RECEIVED FROM THE ARC.”

With:

“No work other than surveying may begin until written approval of this application is received from the ARC. Due to insufficient road base installed by the developer, the \$500 road fee in the CCR will not be refunded, due to heavy construction vehicle damage and activity.”

Changes made:

Old Version: Content March 2022

New Version: Content May 2022

Change1: Page 9, Section 2.2, paragraph I

Replaced:

“Weekend work is allowed, but must be approved in advance by the ARC with notification to adjoining neighbors.”

With:

“All construction activities must be conducted and all deliveries must be made during the daylight hours between 7:00am and 7:00pm, Monday through Friday and 8:00am to 5:00pm on Saturdays. No construction activities will be conducted and no deliveries will be made on Sundays, or Memorial Day, July 4, Labor Day, Thanksgiving Day, Christmas Day or New Year’s Day.”

Change 2: Page 12, Section 3.2, Pre-Construction Meeting Checklist

Added Construction Activity and Delivery Hours, same as above

Changes made:

Old Version: Content Dec 2021

New Version: Content March 2022

Change 1: Page 1, Page 3, Page 14, Page 16:

New Construction: ARC.Carolinas@Fsresidential.com
Property Improvements: Arbor.ARC.NC@Fsresidential.com
Email w/ subj line: "Arbor LOT#..."

- Added this new ARC email address at FSR for Property Improvements, differentiating from New Construction email, to reduce overhead costs with recording applications at FSR.

Change 2: Page 3, Page 8

Reference to NC Special Warranty Deed for definition of "Heated Living Space".

- NC Special Warranty Deed was always stated in the Forward, page 1, this was repeated for further assistance.

Changes made:

Old Version: Content Aug 2021

New Version: Content Dec 2021

Changes: Added to pages 6 and 12:

Plan to mitigate damage to the road shoulder during construction, by using a driveway application with 6x6 treated lumber to shore up the road shoulder. The lumber once in place would have a 1-2" lip above road grade to allow for compaction over the construction process.

Changes made:

Old Version: Content May 2021

New Version: Content Aug 2021

Changes:

Removed dollar amount for Road Bond and ARC Application fees, and removed the word "Bond", see CCR for specific fee amounts.