

**Caroline Oaks Homeowner's Association
9435 William Kirk Lane
Burke, Virginia 22015**

October 1, 2006

Dear Homeowner,

Enclosed is your copy of the revised Architectural Control Guidelines and Procedures. This document replaces the copy that you received from the previous owner.

While most of changes were made to clarify or expand ambiguous terminology in the original document, a significant addition was made by the inclusion of Appendix C, which lists the approved colors for each home.

Due to a variety of factors, mainly failure to repaint with McCormick colors or using faded paint chips for color matching, some homes are not in compliance with the Architectural Control Guidelines. Since repainting is a major expense, the Board of Directors has declared a moratorium on compliance through December 31, 2011. Beginning January 1, 2012, the Architectural Control Committee will initiate enforcement action if homes are found not to be in compliance with Appendix C during walk-thru inspections. This date has been selected to give residents sufficient lead time and to prevent undue hardship.

Yours truly,
CAROLINE OAKS HOMEOWNER'S ASSOCIATION

Vernon R. Smith
President

CAROLINE OAKS HOMEOWNERS ASSOCIATION
ARCHITECTURAL CONTROL GUIDELINES AND PROCEDURES

August 1989
Revised September 2006

IMPORTANT DOCUMENT

THIS DOCUMENT IS PART OF AND SHOULD STAY WITH THE OFFICIAL PAPERS
PERTAINING TO THIS PROPERTY

IF YOU MOVE FROM OR SELL THIS HOUSE -- LEAVE THIS DOCUMENT
FOR THE NEXT RESIDENT/OWNER

CAROLINE OAKS ARCHITECTURAL CONTROL GUIDELINES AND PROCEDURES

I. INTRODUCTION

The guidelines and procedures contained in this document were developed to reflect the requirements of the Restrictive Convents of the Caroline Oaks Homeowners Association in regard to exterior alterations, additions and improvements. The following definitions should be useful to homeowners in understanding the need for these guidelines and procedures.

- Planned Unit Development

Caroline Oaks is what is known as a planned unit development (PUD). Within a PUD there are individually owned lots and homeowners association owned common area. Both types of property are bound together by a declaration of convents, conditions and restrictions.

- Homeowners Association

The Caroline Oaks Homeowners Association was created by the Declaration and is governed by it and the Articles of Incorporation and the By-Laws. The Association is a mandatory membership organization that each homeowner belongs to as a condition ownership.

- Restrictive Covenants

The Restrictive Covenants, which are contained in the Declaration, are basically a contractual agreement to take or refrain from taking certain actions within the community. The Restrictive Covenants "run with the land" and are passed on to an individual homeowner by the deed.

- Guidelines and Procedures

While the Restrictive Covenants tend to be broad general statements, the guidelines and procedures serve to clarify the restrictive covenants. They address specific problems and are the basis for design review within the community.

- Design Review

The purpose of design review is to establish and preserve a harmonious design for the community and to protect the value of property within the community. An essential element of successful design review is the recognition by all members of the community that it is a benefit not a burden.

- Legal Basis for Design Review

The legal basis of design review in Caroline Oaks is found in the following legal documents of the Caroline Oaks Homeowners Association, Inc.:

Articles of incorporation
By-Laws
Protective Covenants and Restrictions

II. OBJECTIVE OF GUIDELINES AND PROCEDURES

The guidelines are established for the Architectural Control Committee (ACC) and the board to use in completing the design review process. The guidelines are not intended to be all inclusive.

Specific procedures are established to facilitate design review and approval of exterior alterations, additions and modifications for which homeowners and authorized tenants most commonly submit request applications to the ACC and to enforce the guidelines and other provisions of the By-Laws and Restrictive Covenants.

The specific objectives of this document are:

1. To provide uniform guidelines and procedures to be used by the ACC in reviewing request applications in light of the standards set forth in the By-Laws and the Declaration of Covenants, Conditions and Restrictions of the Caroline Oaks Homeowners Association, Inc.
2. To assist homeowners and authorized tenants in preparing an acceptable request application to the ACC.
3. To increase homeowners and authorized tenants awareness and understanding of the Restrictive Covenants.
4. To maintain and improve the quality of the living environment in Caroline Oaks.
5. To illustrate the basic design principles which will aid homeowners and authorized tenants in planning exterior alterations, additions, and modifications that are in harmony with the immediate neighborhood and the community as a whole.

III. REQUEST APPLICATION PROCEDURES

Each application for exterior change or improvement is reviewed on an individual basis. There are no automatic approvals. To conform to the rules, each proposal must

be specifically approved by the ACC even though the improvement conforms to these guidelines and procedures unless specifically exempted in these guidelines. Changes or improvements must be completed as approved; any significant deviation will be considered a violation.

The ACC will consider only written requests as hereinafter outlined. Oral requests will not be considered. A sample Request Application is at Appendix A. The application form may be obtained from any member of the ACC or any member of the Caroline Oaks Homeowners Association Board of Directors.

In filling out the application be certain to include, in addition to the application form, the following:

1. A site plan showing the location of the change or improvement in relation to the location of your house and property lines. Include dimensions of structures and set back distances from house and property lines (a copy of your property plot that you received at settlement is a good basis for your site plan).
2. Drawings or sketches showing top, side and frontal views of structures, including all basic dimensions.
3. Manufacturers literature or photographs when available and appropriate in describing a change or improvement.

Projects which remain uncompleted for long periods of time are visually objectionable and can be a nuisance and safety hazard for neighbors and the community. All applications must include a proposed maximum time period from start to completion of the proposed work. If the proposed time period is considered unreasonable, the ACC may not approve the application.

NOTE:

It is the homeowner's responsibility to obtain any state or county permits when required. No proof of permit need be submitted with an application, but permit approval does not preclude the need for ACC approval and vice versa. It is recommended that the ACC approval be obtained prior to applying for a state or county permit to avoid extra expenses in the event of ACC design change or denial.

IV. THE ACC REVIEW AND APPEAL PROCESS

1. The homeowner or authorized tenant mails or delivers a written application to a member of the ACC. Requests from authorized tenants must include permission from the homeowner to submit the application. It is the responsibility of the homeowner or tenant to ensure the chairman of the ACC has received the application.
2. The ACC will answer a request in writing as promptly as possible. In the event the ACC fails to approve or disapprove within thirty (30) days after plans and

specifications have been received, approval will not be required and the related covenants shall be deemed to have been fully complied with.

3. If the proposal is rejected, the homeowner or authorized tenant has the following courses of action at his or her disposal:

a. The applicant may submit in writing new or additional information to the ACC which might clarify the request and/or demonstrate its acceptability. The homeowner or authorized tenant will be notified of a decision by the ACC in writing within fourteen (14) days of receiving new or additional information.

b. The applicant may appeal the ACC decision to the Board of Directors. The appeal must be in writing. A simple majority vote of the Board shall decide any appeal. The applicant will be notified of a decision by the Board in writing within thirty (30) days of receiving the appeal.

NOTE: For the homeowner or tenants benefit, the appeal may include an oral presentation before the board.

c. ACC will be represented at such hearings.

V. ENFORCEMENT OF COVENANTS AND ACC GUIDELINES

1. Procedures:

a. Violation Reported - The enforcement procedures which are outlined below apply to three major categories:

1. Request application approved by ACC but not executed in accordance with the approved application.

2. Exterior change made by the homeowner after disapproval by ACC.

3. No request application made to the ACC for exterior alteration, addition, or modification.

A potential violation may be identified by the ACC, the Board of Directors, or any resident of Caroline Oaks. If a homeowner wishes to report a potential violation, he or she may do so with complete anonymity. Violations shall be reported in writing to the ACC or any Board member.

After a potential violation is reported, the ACC shall check to see if it is a violation and determine whether an application for changes to the property in question has been made.

If an approved application is on file, the ACC shall visit the property and determine whether it has been executed in accordance with the approved application. If the

change or improvement has been properly executed, the case is closed. If the change or improvement does not conform to the approved application, the homeowner will be notified in writing by the ACC to correct the deficiency or submit an amended application. The amended application shall be processed by the ACC under normal procedures (see ACC Review and Appeal Process). If the amended application is approved, the case is closed.

If the application is disapproved, the homeowner is notified in writing to correct the violation or meet with the ACC to determine what modifications must be made to receive ACC approval. The ACC will make every effort to work with homeowner to reach a reasonable solution. When authorized tenants are responsible for the violation, the ACC will notify the homeowner who will, in turn, notify the tenant. Ultimately, it is the homeowner's responsibility to insure that properties are in conformance with these regulations.

When a change or improvement is made without submitting an application, the ACC shall notify the homeowner in writing of the violation and request that an application be submitted. After notification, the same process as noted in Sections III and IV shall be followed.

b. Appeals - All actions of the ACC may be appealed to the Board of Directors as described in Section IV.

c. Legal Action - If a homeowner continues to refuse or cooperate, the association may initiate legal action by the authority of the Board of Directors, based on the advice of the ACC and legal counsel.

2. Periodic Property Review by the ACC

a. Periodically, members of the ACC shall conduct an architectural control walk-thru of the community from the sidewalk and common areas to check for compliance with restrictive covenants and the Architectural Control Guidelines and Procedures.

b. After completion of the walk-thru process, any homeowners with potential violations will be notified in writing by the ACC.

c. The potential violations will be handled in accordance with Section 1 above.

Variances - The ACC may authorize variances from compliance with any of the architectural control guidelines, including restrictions on height, size, placement of structures or similar restrictions when circumstances such as topography, natural obstructions, hardship, aesthetic, or environmental considerations may require it. Requests or variances must be justified in writing as part of the application.

If such variances are granted, no violation of the Restrictive Covenants or the

Architectural Control Guidelines shall be deemed to have occurred with respect to the matter for which the variance was granted. The granting of such a variance shall not operate to waive any of the terms or provisions of the Restrictive Covenants or the Architectural Control Guidelines for any purpose except as to the particular property and particular provision thereof covered by the variance, nor shall it affect in any way the homeowners obligation to comply with all government laws and regulations affecting the homeowners use of the property.

VI. GUIDELINES

NOTE: Some of the guidelines do not require the review and prior approval by the ACC and are so identified in the guidelines. All other guidelines require design review and written approval by the ACC prior to commencing work.

GUIDELINE 1 - FENCES

- 1.1 Fencing shall match the existing fencing installed by the builder to height, style and materials.
- 1.2 Fences shall be restricted to rear and side yards.
- 1.3 Fences shall be constructed of pressure treated, decay-resistant wood, which should match the type of wood in the existing fence, i.e., pine or cedar. Chain link or other non-wood materials are not permitted.
- 1.4 The surface of all fences shall be maintained in their natural wood color.

GUIDELINE 2 - ANTENNAS

- 2.1 Traditional T-shaped television or radio antennas are not permitted on the exterior of any unit.
- 2.2 Freestanding elevated antenna structures (towers, poles, trees, etc.) and elevated wires detached from the house are not permitted.

GUIDELINE 3 - DECKS

The definition of a deck shall be consistent with that of the County of Fairfax, Virginia and shall include any patio, balcony, terrace, gallery, verandah, piazza, porch, portico or similar projection from an outer wall of a house. A deck shall also include any associated stairs. ACC approval is required.

- 3.1 Decks are an extension of the house and thus have significant impact on its appearance. Decks may also affect the privacy of adjacent properties. These two factors are weighed heavily in the review of an application.
- 3.2 Decks are to be located in the rear yard.
- 3.3 Modifications to existing decks shall provide compatibility in detailing such as materials and the design of railings and trim. The natural wood color must be maintained. ACC approval is required.
- 3.4 Elevated decks shall be constructed of pressure treated or decay-resistant wood and must be architecturally compatible with the size and location of the house. The color must conform with Section 3.3 above.
- 3.5 Ground level decks shall be constructed of pressure treated wood, brick, stone and/or concrete.

- 3.6 No deck shall be used for storage of other than normal outdoor furniture and barbecue equipment. Freezers, refrigerators, or other such large, unsightly items are prohibited.
- 3.7 Screened porches, sun rooms, solariums, etc. will only be allowed on the ground level, and then no higher than the bottom of an approved deck.

GUIDELINE 4 - STORAGE SHEDS

- 4.1 While sheds must provide sufficient volume for their intended use, they must be of a size which is appropriate for the size of the property and be architecturally compatible with the applicants house and adjacent houses. These factors are weighed heavily in the review of an application.
- 4.2 Sheds must be located in the rear yards. Side and front yard sheds are prohibited. The shed can not be visible from the front of the lot.
- 4.3 Sheds must not be any higher than the height of the existing fence without specific design approval from the ACC.

GUIDELINE 5 - STORM AND SCREEN WINDOWS AND DOORS

- 5.1 Doors and windows must be compatible with the general architectural design and colors of the house and community.
- 5.2 If insulating sheets are used on windows or sliding doors, they must be made of clear material. No reflective material is allowed. The clear material must be on the interior of the door or window.

GUIDELINE 6 - SOLAR COLLECTORS

- 6.1 No solar collectors are allowed.

GUIDELINE 7 - RECREATION AND PLAY EQUIPMENT

- 7.1 Children's play equipment such as sandboxes, temporary wading pools having a depth of less than 24 inches, swing sets, playhouses, and tents shall not require prior approval of the ACC provided such equipment is not more than six (6) feet high and is in good repair (including painting). Equipment higher than six (6) feet requires approval.
- 7.2 Children's play equipment shall be generally located in the rear yards.
- 7.3 Equipment constructed of wood shall be pressure treated or decay-resistant.

GUIDELINE 8 - SWIMMING POOLS, HOT TUBS, SPAS

- 8.1 No swimming pools (permanent or portable) are permitted except for children's wading pools.
- 8.2 Hot tubs and spas will be considered for approval, if they are appropriately sized.
- 8.3 Hot tubs and spas including related equipment must be located in rear yards, not visible from the front of the lot, and must not be any higher than the height of the existing fence without specific design approval from the ACC.
- 8.4 The aesthetic value of any hot tub or spa will also be taken into consideration in the review process.

GUIDELINE 9 - MAJOR EXTERIOR ALTERATIONS

- 9.1 Major exterior building alterations are generally considered to be those which substantially alter the existing structure by subtraction and/or addition. ACC approval is required.
- 9.2 Any proposed alteration must be compatible in scale, material and color with the applicants existing house, and be in keeping with the existing lot size.
- 9.3 The location of a proposed alteration shall not impair the views of, the amount of sunlight on, or the natural ventilation of an adjacent property.
- 9.4 Windows and doors in any new construction shall match the type in the applicants existing house and shall be located in a manner which will relate well with the location of existing exterior openings in the house.
- 9.5 If changes in grade or other conditions which will affect drainage are anticipated, they must be indicated on the proposal.
- 9.6 All construction materials shall be stored in the fenced rear yard so that safety problems are minimized. Excess material and debris shall be immediately removed after construction.

GUIDELINE 10 - MISCELLANEOUS ITEMS

- 10.1 ATTIC VENTILATOR FANS - Attic ventilator fans shall only be installed on the rear roof and shall be below the ridge line. They must not be visible from the street in front of the house. ACC approval is required.
- 10.2 CHIMNEYS AND METAL FLUES - No new chimneys allowed.
- 10.3 AIR CONDITIONERS - Window air conditioners are not allowed.
- 10.4 CLOTHESLINES - Only umbrella type clotheslines no higher than the fence are allowed. Clotheslines must be in enclosed rear yard and not visible from the front of the property. Washing may only be dried 9 AM to 5 PM.
- 10.5 DOG HOUSES - Dog houses must be in the rear yard and should be located so as to provide the least inconvenience to neighbors. Homeowners must keep the dog house clean and well maintained.
- 10.6 EXTERIOR LIGHTING - No exterior lighting shall be directed outside the homeowner's property. Proposed lighting fixtures must be compatible with applicants house. Approval is required.
- 10.7 EXTERIOR PAINTING AND STAINING - Exterior trim and garage doors, shutter, and front door colors must conform to the McCormick Paint Company Exterior Colour Collection. The color combinations for each townhouse are listed in Appendix C. The approved colors are as follows:

Front Door:	202	Foxhall Green
	225	Old Colonial Red
	215	Cobblestone Grey
Trim and Garage Door:	101	Amber White
	103	Cypress
	108	Wheat
	116	Chadwicke Tan

Shutters:	216	Hearthstone
	220	Georgetown Green
	223	Old Carriage Brown
	224	Deep Forest Brown

Each house has a color combination. See Appendix C for approved front door, trim and garage door, and shutter color combinations. Color combinations may not be changed from those in Appendix C without approval of the ACC.

- 10.8 FLAG POLES - Flag poles are not permitted. A flag mount on the side of a porch is acceptable. Flag size will be appropriate to the size of the home. Flag display will be according to established protocol.
- 10.9 HOUSE NUMBERS - The location, style, and size of house numbers must remain the same as when the house was constructed.
- 10.10 RETAINING WALLS - Retaining walls require approval and shall be constructed of pressure treated or decay resistant wood. Walls must be designed to avoid adversely affecting drainage.
- 10.11 SHUTTERS - No shutters will be added without approval.
- 10.12 AWNINGS - No awnings allowed.
- 10.13 SIGNS - No sign shall be permanently displayed on any lot. Temporary "For Sale" or "For Rent" signs not larger than four (4) square feet are allowed. Notification is sufficient, approval not required.
- 10.14 LANDSCAPING AND VEGETABLE GARDENS - Landscaping work and vegetable gardens in general do not require prior approval and shall be designed to avoid adversely affecting drainage. Planting of shrubs in the front yard that are similar to existing shrubbery do not require approval. Significant deviations from the original plan will require ACC approval. Vegetable gardens must be in the rear yards. No garden borders are permitted without approval except in rear yards. Exterior landscaping shall be maintained in conformance with generally accepted standards within the community. Lawns should be mowed at periodic intervals during the growing season. Edging of sidewalks is considered to be part of normal lawn maintenance.
- 10.15 TEMPORARY STRUCTURES - No structure of a temporary character, trailer, tent, shack, garage, barn or other outbuilding shall be used on any lot at any time as a residence either temporary or permanent.
- 10.16 TRASH AND GARBAGE - No lot shall be used or maintained as a dumping ground for rubbish. Garbage shall be stored in animal proof containers. Paper bags or boxes are not acceptable. All equipment for storage and disposal of waste shall be kept in a clean sanitary condition. No material or refuse or any container for the same shall be stored in the front of any house or on the patio stoop at any time. The Association shall have the right to impound any trash can or garbage receptacle placed in violation of this article and to enter on any lot for this purpose.
- 10.17 ANIMALS - No animal, livestock or poultry of any kind, including horses, cattle, hogs, or fowl such as chickens or pigeons shall be raised, bred or kept on any property. Breeding of animals for any commercial purpose is prohibited. No more than two (2) domestic pets such as dogs or cats may be kept. No prior

approval required. Residents must comply with Fairfax County laws pertaining to pet control and loud or objectionable noise.

NOTE: It is the pet owners responsibility to clean up pet waste.

- 10.18 YARDS - All yards, shrubbery, lawns, and lots in general shall be maintained in a neat and attractive manner so as not to detract from the appearance of the community. Edging of lawns is deemed to be part of responsible lawn care and maintenance.
- 10.19 VEHICLES - No commercial truck, commercial bus, or other commercial vehicle of any kind shall be permitted to be kept or parked overnight upon any portion of the properties. Vehicles without trade markings shall be deemed commercial if they are equipped with accessories primarily associated with commercial use i.e., ladder racks, snow plow blades, etc. No vehicles shall be parked on sidewalks or grass areas of the community. No boats, trailers, tents or other structures of a temporary character or other portable vehicle other than automobiles shall stay parked forward of any dwelling exceeding four (4) days. Small boats without trailers may be stored in rear yards provided they are stored so that they do not exceed the height of the fence. No portion of the properties shall be used for the repair of automobiles, including the changing of oil, nor shall any vehicle other than a private automobile be parked in any of the association parking spaces. Parking in Fire Lanes designated by signs or yellow painted curbs is prohibited.
- 10.20 PARKING SPACES – Ownership of each lot shall entitle the owner or owners thereof to the use of not more than two (2) automobile parking spaces. If the unit does not have a garage, then 2 parking spaces will be reserved at the curb for that unit. All other parking spaces are unreserved.
- 10.21 FIREWOOD - Firewood shall be stored in neatly stacked piles that are kept off the ground to prevent rodent and insect infestation. The firewood piles shall be placed inside the rear yard only. No approval required.
- 10.22 FRONT PORCH COVERINGS - No porch covering of any type allowed. Appropriately sized doormats are permitted.
- 10.23 DOORS - Door knockers must be made of brass and appropriately sized. Brass kick plates are permitted.
- 10.24 FRONT PORCH ACCESSORIES - No porch swings are allowed. Properly maintained planters of appropriate size are allowed. No baby carriage, velocipede, bicycle or other articles shall be deposited, allowed or permitted to remain overnight on any lot except in the enclosed rear area. The Association may impound all such articles and charge a fee for their return.
- 10.25 CONDITIONS NOT INCLUDED - Any condition or material not included within these guidelines shall become a matter of judgment on the part of the ACC and the Board of Directors.

**APPENDIX A
REQUEST FOR APPROVAL FORM**

HOMEOWNER'S NAME _____

ADDRESS _____

TELEPHONE _____

DESCRIPTION OF PROPOSED ALTERATION, MODIFICATION, OR ADDITION:
Specify design, including size, color, materials, contractor to be used (if applicable), and location on the house/lot.

ATTACHED:

- Plans and specifications
- Pictures, if appropriate (e.g., storm door, storage shed, etc.)

Approved/Disapproved by ACC _____

Chairperson

Date received _____

Date _____

APPENDIX B ARCHITECTURAL CONTROL COMMITTEE (ACC)

Purpose

The ACC is charged with establishing and maintaining design policy which insures that exterior alterations, additions or modifications to, and the proper maintenance of common areas and homeowner lots, are consistent with the requirements of the Restrictive Covenants.

The Board of Directors is the ultimate arbiter of questions regarding the Restrictive Covenants and their compliance.

Composition of the ACC

The ACC is composed of a minimum of three (3) members (chairperson and two members). The chairperson and other members are appointed by the Board of Directors for three (3) year terms. Any homeowner shall be eligible to serve on the Committee. A quorum of the ACC shall be one over half the total ACC membership at the time.

Decision of the ACC

A majority of the ACC members present is required for all ACC actions.

Duties of the ACC

1. Chairperson
 - a. Preside at all meetings of the ACC and inform the other members of such meetings.
 - b. Have sole responsibility for seeing that all committee orders and decision, written or otherwise, are carried out.
 - c. Represent the ACC at all necessary official community functions.
 - d. Communicate regularly with the Board of Directors regarding ACC decisions and suggestions.
2. Committee Members
 - a. Develop, adopt and promulgate, subject to the approval of the Board of Directors, community architectural control policy standards, guidelines and

procedures needed to maintain and improve the quality of the living environment in Caroline Oaks.

- b. Receive proposals from the homeowners for altering exterior elements; providing for the orderly, fair and expeditious review and approval or disapproval of such proposals; and inspect such proposed alterations to ensure their timely completion and conformity with approved policies, guidelines and procedures.
- c. Meet at regular intervals throughout the year, and special meetings as needed.

Applications or Violations by ACC and Board Members

An application submitted by or violation charged to an ACC or Board Member shall automatically remove the member from the decision making process on their own application or violation. For the purpose of determining Board of ACC quorum under this situation, the legal size of the full Board or ACC shall be one (1) less than the normal size.

**APPENDIX C
APPROVED HOUSE COLOR COMBINATIONS**

	<u>Shutters</u>	<u>Doors</u>	<u>Trim</u>
<u>Glenbard Court</u>			
6500	220	225	108
6502	224	202	108
6504	223	202	108
6506	220	225	116
<u>William Kirk Lane</u>			
9400	220	225	108
9401	224	225	101
9402	224	202	103
9403	220	202	108
9404	220	202	116
9405	216	225	116
9406	224	202	103
9407	224	202	103
9408	223	225	101
9409	224	225	103
9410	216	202	108
9411	224	202	103
9412	224	215	116
9413	220	225	108
9414	223	225	101
9415	224	225	101
9416	216	215	101
9417	224	202	103
9418	216	225	108
9419	223	225	101
9420	224	202	103
9421	224	215	103
9422	224	225	108
9423	223	225	101
9424	224	202	103
9425	220	215	103
9426	224	225	108
9427	224	202	116
9428	220	202	103
9429	216	225	116
9430	223	225	108
9431	224	202	103
9432	220	202	101
9433	220	202	108
9434	223	225	116
9436	223	202	103
9438	223	225	116

APPROVED HOUSE COLOR COMBINATIONS

	<u>Shutters</u>	<u>Doors</u>	<u>Trim</u>
9440	223	225	101
9442	220	215	108
9444	216	225	116
9446	224	225	101
9447	224	225	101
9448	224	202	103
9449	220	202	103
9450	216	225	116
9451	216	225	116
9452	223	225	108
9453	220	202	108
9454	224	202	103
9455	224	202	103
9456	216	225	116
9458	220	215	108
<u>Peter Roy Court</u>			
9345	216	225	116
9346	220	202	108
9347	220	202	103
9348	224	225	108
9349	224	202	101
9350	220	202	101
9351	220	202	108
9352	216	225	116
9353	216	225	116
9354	220	215	101
9355	224	202	103
9356	224	202	103
9357	224	225	101
9358	223	225	101
9359	220	202	108
9360	216	225	116
9361	216	225	116
9362	224	202	116
9363	224	225	108
9364	224	215	108
9365	216	202	103
9366	223	225	101
9367	220	202	101
9368	216	225	116
9369	224	225	101
9371	224	225	116
9372	224	202	108
9373	216	202	103

APPROVED HOUSE COLOR COMBINATIONS

	<u>Shutters</u>	<u>Doors</u>	<u>Trim</u>
9374	216	225	101
9375	220	225	116
9376	216	225	108
9377	224	215	108
9378	220	215	101
9379	216	202	103
9380	216	225	116
9381	223	225	101
9382	224	225	101
9384	224	202	103
9386	216	225	103
9387	216	225	101
9388	220	215	101
9389	220	215	101
9390	223	225	101
9391	224	225	101
9392	216	225	116
9393	224	202	116
9394	224	202	116
9395	216	225	116
9397	220	202	101
9399	224	225	101

Shutters

- 216 Hearthstone
- 220 Georgetown Green
- 223 Old Carriage Brown
- 224 Deep Forest Brown

Front Doors

- 202 Foxhall Green
- 215 Cobblestone Grey
- 225 Old Colonial Red

Trim & Garage Doors

- 101 Amber White
- 103 Cypress
- 108 Wheat
- 116 Chadwicke Tan

**APPENDIX D
SAMPLE REAL ESTATE DISCLOSURE FORM**

**CAROLINE OAKS HOMEOWNERS ASSOCIATION
c/o Cardinal Management Group. Inc.
4330 Prince William Parkway, Suite 400
Woodbridge, Virginia 22192**

May 26, 2019

Ms. Jane Doe
Long & Foster Realtors
11351 Random Hills Road
Fairfax, VA 22030

Ref.: Caroline Oaks
Lot 36
9386 Peter Roy Court

Dear Ms. Doe:

Listed below are the items required by the Property Owners' Association Disclosure Packet for the property listed above:

1. The name of the association is the Caroline Oaks Homeowners Association. The association is incorporated in the Commonwealth of Virginia. Our registered agent is Juan Cardenas of Rees Broome, 1900 Gallows Road #700, Vienna, VA 22182. A copy of our DPOR license is attached.
2. There are no known expenditures of funds that will require an assessment in addition to the regular assessment during the current year or in the immediate succeeding fiscal year.
3. The quarterly dues are \$255.00, with a \$5.00 late charge for dues not paid by the end of the month in which they are billed. There are no post-closing fees. Second Quarter 2019 dues (April 1, 2019-June 30, 2019) have been paid. There is a \$5.00 credit balance. A \$58.50 Account Origination Fee, to be paid by the buyer, will be collected at Settlement.
4. There is no other entity or facility to which the homeowner may be liable.
5. The current reserve study, dated May 20, 1992, and the reserve study update, dated August 30, 2016, are attached.
6. A copy of the 2019 budget, the latest financial audit, and Policy Resolutions #1, #2, 12-1, and Administrative Resolution 12-1 are attached.
7. There are no pending suits or unpaid judgments to which the association is a party and would have a material impact on the association or its members.
8. Insurance for the association is provided by Griffin-Owens & Associates, 847 Station Street, Herndon, VA 20170. Limits of

- liability and other insurance questions can be obtained by calling 703 471-0050. Our insurance certificate is attached.
9. This property is not in compliance with the association's Architectural Control Guidelines. Comments from the Architectural inspector are as follows: There appears to be either a round hole or black spot on the roof rake board on the side of the house (it is an end unit). The spot or hole, about 1"-2" in diameter, is inches back from the front corner of the house on the roof rake (trim board just below the edge of the shingles). The other end of the roof rake, abutting the chimney, has a small damaged or deteriorated area.
 10. There are no restrictions on the placement of For Sale signs.
 11. Flagpole restrictions are covered in the Architectural Control Guidelines, Guideline 10.8. A copy of the revised Guidelines and the transmittal letter dated October 1, 2006, are attached.
 12. Copies of the Articles of incorporation, Schedule B (Covenants), and the Bylaws are attached.
 13. Copies of the minutes of Board of Directors meetings during the last six months and the 2018 Annual Meeting are attached.
 14. Not required. See item #9.
 15. The association has filed the annual report required by the Common interest Community Board.
 16. Solar collectors are not allowed.

Please be advised that Commercial Vehicles cannot be parked overnight in Caroline Oaks. (See Schedule "B", Declaration of Covenants, Conditions and Restrictions, Article VIII-PROTECTIVE COVENANTS AND RESTRICTION, (13) and Policy Resolution 98-2 (Parking), I-Definitions, B-Unapproved Vehicles, 1.) These regulations may be more restrictive than the Fairfax County definition of a Commercial Vehicle. Residents that possess vehicles falling under the Caroline Oaks definition of a Commercial Vehicle should make alternative parking arrangements to avoid towing.

The Disclosure Document Package fee of \$100 has not been paid and should be collected at Settlement. Additionally, the \$58.50 Account Origination Fee should be collected. Please insure that all monies due the Association and a copy of the HUD-1, showing the new owner's name, are sent to Cardinal Management Group, Inc., 4330 Prince William Parkway, Suite 201, Woodbridge, VA 22192.



Vernon R. Smith
President
Caroline Oaks Homeowners Association

Copy to: Antonio Nguyen, Keller Williams Capital Properties (via e-mail)

Attachment-Virginia Property Owners' Association Disclosure Packet Notice

Common Interest Community Board
VIRGINIA PROPERTY OWNERS' ASSOCIATION DISCLOSURE PACKET NOTICE

The lot being purchased is in a development subject to the Virginia Property Owners' Association Act. Properties subject to the Act are considered "common interest communities" under the law. Upon accepting title to a lot within a common interest community, the purchaser's membership in the property owners' association (association) is mandatory and automatic.

Ownership in a common interest community carries with it certain benefits, rights, and responsibilities. Benefits may include the right to use common areas, which may include swimming pools, parks, playgrounds and other recreational facilities. Owners have rights to participate in governance of the community through the association. Owners have the responsibility, among other things, to comply with the restrictive covenants and rules that outline what owners may and may not be permitted to do on their lots. In order to finance the operation of the association, each owner is responsible for and obligated to pay periodic assessments, and if necessary, special assessments to ensure that the association's financial requirements are met.

Use of common areas, financial obligations of owners and other rights, responsibilities and benefits associated with ownership in a common interest community are subject to the provisions of governing documents that typically include a declaration, articles of incorporation, bylaws and rules and regulations. The governing documents may contain covenants that control what an owner may or may not do on the lots and common area. Some decisions are made by the association board of directors, while other decisions are reserved to a vote of association members.

Failure to comply with the governing documents may result in monetary penalties, suspension of certain privileges and legal action taken against the lot owner. Failure to pay assessments and/or mandatory fees may result in the association filing a lien and/or lawsuit against the lot owner, foreclosing the lien, and other actions permitted by the governing documents and the Property Owners' Association Act.

Governing documents and other information contained in the disclosure packet describe the basis for living in a common interest community. These documents and information are important and should be reviewed carefully prior to purchase. Pursuant to § 55-509.4 of the Code of Virginia:

- The contract to purchase a lot shall disclose that the lot is located in a common interest community governed by an association.
- The contract to purchase a lot in a common interest community governed by an association is a legally binding document.
- The purchaser may have the right to cancel the contract after receiving the disclosure packet.
- The purchaser may request an update of the disclosure packet.

The Association Disclosure Packet must include the following:

- Association name, and if incorporated, the state of incorporation and the name and address of its registered agent in Virginia;
- A statement of any expenditures of funds approved by the association or the board of directors that shall require an assessment in addition to the regular assessment during the current year or the immediately succeeding fiscal year;
- A statement, including the amount of all assessments and any other mandatory fees or charges currently imposed by the association, together with any post-closing fee charged by the common interest community manager, if any, and associated with the purchase, disposition, and maintenance of the lot and to the right of use of common areas, and the status of the account
- A statement of whether there is any other entity or facility to which the lot owner may be liable for fees or charges;
- The current reserve study report or summary thereof, a statement of the status and amount of any reserve or replacement fund, and any portion of the fund allocated by the board of directors for a specified project;
- A copy of the association's current budget or a summary thereof prepared by the association, and a copy of its statement of income and expenses or statement of its financial position (balance sheet) for the last fiscal year for which such statement is available, including a statement of the balance due of any outstanding loans of the association;
- A statement of the nature and status of any pending suit or unpaid judgment to which the association is a party and that either could or would have a material impact on the association or its members or that relates to the lot being purchased;
- A statement setting forth what insurance coverage provided is for all lot owners by the association, including the fidelity bond maintained by the association, and what additional insurance would normally be secured by each individual lot owner;
- A statement that any improvement or alteration made to the lot, or uses made of the lot or common area assigned thereto, are or are not in violation of any of the declaration, bylaws, rules and regulations, architectural guidelines and articles of incorporation, if any, of the association;
- A statement setting forth any restriction, limitation, or prohibition on the right of a lot owner to place a sign on the owner's lot advertising the lot for sale;
- A statement setting forth any restriction, limitation, or prohibition on the right of a lot owner to display any flag on the owner's lot, including but not limited to reasonable restrictions as to the size, place, and manner of placement or display of such flag and the installation of any flagpole or similar structure necessary to display such flag;
- A statement setting forth any restriction, limitation, or prohibition on the right of a lot owner to install or use solar energy collection devices on the owner's property;
- A statement indicating any known project approvals currently in effect by secondary mortgage market agencies;
- Certification that the association has filed with the Common Interest Community Board the annual report required by §55-516.1 which certification shall indicate the filing number assigned by the Common Interest Community Board, and the expiration date of such filing;
- The current declaration, the association's articles of incorporation and bylaws, and any rules and regulations or architectural guidelines adopted by the association;
- The notice given to the lot owner by the association of any current or pending rule or architectural violation;
- Any approved minutes of the board of directors and association meetings for the six calendar months preceding the request for the disclosure packet; and
- The association complaint procedure required by 18 VAC 48-70-60 and pursuant to 18 VAC 48-70-40 and 18 VAC 48-70-50.