WATERFALL POA, INC.

Architectural Review Board Guidelines

WATERFALL ARCHITECTURAL REVIEW BOARD

October 2022

TABLE OF CONTENTS

List of Architectural Standards	3
INTRODUCTION	4
THE ARCHITECTURAL REVIEW BOARD	4
THE JOB OF THE ARCHITECTURAL REVIEW BOARD	4
WHAT YOU AS A HOMEOWNER NEED TO KNOW ABOUT THE ARB.	4
THE ARCHITECTURAL REVIEW BOARD GUIDELINES	4
CONTACTING THE ARB	5
PART I – IMPROVEMENTS OR CHANGES TO EXISTING HOMES	6
SECTION 1 – WHEN ARB APPROVAL IS NOT REQUIRED	6
SECTION 2 – WHEN ARB APPROVAL IS REQUIRED	6
SECTION 3 – CONDITIONS APPLYING TO ALL WORK DONE IN THE WATERFALL COMMUNITY	7
SECTION 4 – THE ARB APPROVAL PROCESS FOR IMPROVEMENTS CHANGES TO EXISTING HOMES AND LANDSCAPING	
PART II - WATERFALL ARCHITECTURAL STANDARDS	10
WATERFALL ARCHITECTURAL STANDARDS	10
PURPOSE:	10
PART III - NEW CONTRUCTION AND MAJOR RENOVATIONS	15
SECTION 1 - APPROVAL PROCESS	15
SECTION 2 – UPON FINAL APPROVAL	17
EXHIBITS	20
EXHIBIT A	1
EXHIBIT B	2
EXHIBIT C	3
EXHIBIT D	4
EXHIBIT E	6
EXHIBIT F	8
EXHIBIT G	11
EXHIBIT H-1 Errorl Bookmark not do	ofinad

EXHIBIT H-2	12
EXHIBIT H-3	15
EXHIBIT I	16
EXHIBIT J	17
EXHIBIT K	18
EXHIBIT L	19
EXHIBIT M	20
EXHIBIT N	21
EXHIBIT O	22
EXHIBIT P	23
EXHIBIT Q	24
EXHIBIT R	25
EXHIBIT S	26
EXHIBIT T	27

Index of Architectural Standards

(Details are on pages 9-13)

Building Height - Standard 20

Building Setbacks - Standard 22

Cast Stone Address Insert - Standard 33

Chimneys - Standard 36

Clotheslines - Standard 41

Column, Wall and Wall Cap Standard Paint and Stain Colors - Standard 14

Contractor and Sub-Contractor Work Rules - Standard 39

Decks/Porches/Patios - Standard 37

Driveway and Walkway Lighting - Standard 6

Driveways, Curb Cuts and Parking Areas - Standard 38

Dwelling Size - Standard 21

Exterior home walls - Standard 24

Exterior Light Fixtures - Standard 7

Flags and Holiday Decorations - Standard 4

Front Yard Landscaping - Standard 1

Garage Doors - Standard 11

Gates - Standard 17

Lake Lot Pony Walls, Columns and Railings - Standard 16

Lake Lot Privacy Walls - Standard 15

Landscape Lighting – Standard 5

Mailboxes - Standard 10

Mortar - Standard 25

Perimeter Lot Privacy Walls - Standard 13

Pools, Outside Spas, Saunas - Standard 19

Porch Ceilings and Siding - Standard 27

Recreational Equipment - Standard 3

Roof Overhangs/Drip Lines - Standard 23

Roof Pitches - Standard 31

Roof Shingles – Standard 32

Service, Utility and Storage Areas - Standard 18

Shutter Colors - Standard 29

Shutters - Standard 28

Solar Panels – Standard 40

Stucco or Cast Stone Window, Door and Other Openings -Trim Detail - Standard 35

Trees – Standard 43

Trim facia, and soffits - Standard 26

Vehicle Storage - Standard 42

Vents and Louvers - Standard 30

Walls/Fencing - Standard 12

Water Elements and Fountains - Standard 9

Windows - Standard 34

Yard Ornaments - Standard 2

ARCHITECTURAL REVIEW BOARD GUIDELINES

INTRODUCTION

THE ARCHITECTURAL REVIEW BOARD

The Waterfall Architectural Review Board (ARB) was created by the Declaration of Restrictions and Protective Covenants for the overall purpose of protecting the desirability and property values of the Waterfall Community.

Comprised of five community members, the ARB is charged with reviewing and approving not only new construction and landscaping, but also modifications, additions or alterations to existing structures or landscaping.

THE JOB OF THE ARCHITECTURAL REVIEW BOARD

A community's reputation is important in assessing your home's value. The ARB works to uphold Waterfall's reputation as an up-scale community to protect the value of your home. It does this by ensuring that homes in the community are built to design standards, and that any changes or modifications to those homes meet those same standards.

The ARB's role is limited to review and approval and does not extend to enforcement. Enforcement and fining for violations are the responsibility of the POA Board of Directors. The ARB does notify the Board of Directors of any violations it becomes aware of and if requested to do so, will assist the Board in dealing with the matter.

WHAT YOU AS A HOMEOWNER NEED TO KNOW ABOUT THE ARB

As a homeowner in the Waterfall community you are a member of the Waterfall POA. Your membership brings with it certain rights and responsibilities which are spelled out in the Community Documents. It is important that you read and are familiar with those documents because they contain rules and regulations, all members of the community must follow. The Architectural Guidelines are one set of those rules and they apply when you make a change or improvement to your home or your landscaping.

The ARB Guidelines have recently been revised to make it easier for homeowners to know when ARB approval is required for an improvement or change. Standards have been centralized making them easier to find and the approval procedure has been simplified.

THE ARCHITECTURAL REVIEW BOARD GUIDELINES

The ARB Guidelines contain the standards for all homes in the Waterfall Community. The Guidelines are divided into three Parts.

Part I of the Guidelines contains the rules and procedures which apply when making improvements or changes to your existing home or landscaping. This is the starting point when considering any project that will result in a change to the appearance of your home or your landscaping.

Part I is divided into four sections:

Section 1 lists changes which can be made without ARB approval.

Section 2 lists changes which require ARB approval. If the changes you plan on making are not listed in either Section, you should consult with the ARB before doing the work.

Section 3 lists conditions applying to all work done in the Waterfall community whether the work requires ARB approval or not. Remember when making any change or improvement to check the conditions in Section 3 even if you do not need ARB approval.

Section 4 explains how you go about obtaining ARB approval.

Part II of the Guidelines contains the Architectural Standards that apply to all construction in Waterfall, be it new construction or a change to an existing home or landscaping, whether requiring ARB approval or not. It is important that you check these Standards when considering any changes to the appearance of your home or landscaping. To make checking for any applicable Standards easier there is a list of the Standards on page 3.

Part III of the Guidelines deals with new home construction and major renovations. As such it is the most detailed section of the Guidelines. It is also a section not likely to be of concern to existing homeowners unless making major renovations to their home.

CONTACTING THE ARB

The ARB meets on an as needed basis, convening when an application for review and approval is filed or when an issue arises. Applications for review and approval under Part I of the Guidelines can be obtained online at Waterfallarb.com. Questions for the ARB can sent directly to the ARB using the link on Waterfallarb.com

Please remember that the ARB is here to serve the community. Members of the ARB are your neighbors and are doing a job that at times can be difficult.

DISCLAIMER:

ARB approval is limited solely to compliance with ARB Guidelines and no other representations are made or should be assumed by the approval. ARB approval is not an endorsement of the adequacy or effectiveness of the proposed work to achieve a specific result, nor does it replace required governmental approvals all of which remains the responsibility of the homeowner.

PART I

ARB RULES, CONDITIONS AND PROCEDURES FOR IMPROVEMENTS OR CHANGES TO EXISTING HOMES AND LANDSCAPING

SECTION 1 – WHEN ARB APPROVAL IS NOT REQUIRED

ARB approval <u>is not required</u> when making the following improvements or changes to existing homes or landscaping:

- Repainting or restaining with the same color see Exhibit M for wall and column paint colors
- Adding plant materials on the Approved Plant List, Exhibit A be sure to check Waterfall Architectural Standard number 1, Front Yard Landscaping
- Replacing mulch with the same mulch or mulch from the Approved Mulch List, Exhibit B.
- Re-roofing with the same color and style shingle
- Display of seasonal and holiday decorations
- Replacing an existing mailbox with the Community Standard mailbox
- Display of American flags and small banners as per Architectural Standard No. 4
- Placement of non-permanently installed and less than three (3) yard ornaments no taller than four feet (4') high, visible from Common Area
- Improvements or modifications not visible from Common Areas or neighboring homes.

SECTION 2 – WHEN ARB APPROVAL IS REQUIRED

ARB approval <u>is required</u> when making the following improvements or changes to an existing home or landscaping:

- Additions to an existing home, garage or building
- Additions or changes to any driveway
- Changes to front yard landscaping not in compliance with Waterfall Architectural Standard number 1
- Building of any walls or fences or changing any walls or fences (Check Exhibits for details)
- Changes to decks, porches and patios, including changes to railings
- Screening or enclosure of any existing open area
- Replacement of any external door or window with a differing style door or window

- Repainting or restaining any walls or parts of the home with new colors (See Exhibit M for details)
- Re-roofing with new color shingles or differing materials (See Exhibit R for details)
- Placement on the lot of any storage building or structure of a temporary nature if visible from Common Area
- Placement of yard ornaments taller than four feet (4') high, or permanently installed, or numbering more than three (3), and visible from Common Area
- Removal or cutting any tree more than four inches (4") in diameter or more than ten feet (10') tall
- Placement of recreational equipment visible from the street or neighboring homes
- Placing or allowing to be placed on the lot any commercial sign not previously approved by the ARB
- Placement of mercury vapor or similar lights on poles.
- Adding plant materials **not** on the Approved Plant List, Exhibit A.(Refer to Section 4.7 below for the simplified procedure for approval)
- Adding or changing the mulch with materials not on the APPROVED MULCH LIST, Exhibit
- Placement of an antenna or satellite dish on the lot or home
- Placement of water fountains or raised planting beds visible from Common Areas

SECTION 3 – CONDITIONS APPLYING TO ALL WORK DONE IN THE WATERFALL COMMUNITY

- 3.1 All improvements or changes to existing homes or landscaping, whether requiring ARB approval or not, must comply with **Waterfall Architectural Standards** contained in the Part II of these guidelines. It is the responsibility of the homeowner to ensure a proposed improvement or change complies with those standards.
- 3.2 Any questions regarding the need for ARB approval should be resolved before any work is started. Failure to obtain ARB approval when required can result in fines being imposed by the POA, or in the case of the work not meeting ARB Guidelines, a demand that the work be undone or corrected.
- 3.3 Failure of the POA to have acted in the past against a violation of the Guidelines, does not constitute a waiver of the Guidelines, nor does it preclude the ARB from denying an application based on that Guideline.
- 3.4 Approvals granted for improvements or changes to existing homes or landscaping under this section are valid for ninety (90) days and work must be completed within ninety (90) days unless an extension is granted by the ARB.
- 3.5 All contractors and sub-contractors working in the community are required to comply with the **CONTRACTOR WORK RULES**, Exhibit C as well the **Waterfall Architectural Standards**. It is the responsibility of the homeowner to ensure the contractor is aware of the Work Rules and Standards

and abides by them. Failure of the contractor or sub-contractors to do so can result the homeowner being fined by the POA.

SECTION 4 – THE ARB APPROVAL PROCESS FOR IMPROVEMENTS OR CHANGES TO EXISTING HOMES AND LANDSCAPING

- 4.1 When ARB review and approval is required under PART I of these Guidelines the following steps should be taken:
 - 1. Review the ARB Guidelines and the Architectural Standards for any standards that apply to the proposed work and ensure the proposed work complies with those Guidelines and Standards. Begin by checking the list of Architectural Standards on page 3 to determine which might apply then refer to Part II for the specifics.
 - **2.** Complete an ARB Approval Request form which can be obtained online at Waterfallarb.com
 - **3.** Submit the completed ARB application together with any plans, specifications, sketches or other documents supporting the application to the ARB using the link on Waterfallarb.com.
 - 4.2 If the ARB determines in its sole discretion that a proposed change or improvement constitutes a major renovation it will return the application and require it be refiled under PART III, NEW CONSTRUCTION AND MAJOR RENOVATIONS.
 - 4.3 If the proposed work is to be performed by a contractor other than the Developer, or an Approved Builder, the ARB can in its sole discretion require the submission of completed Contractor Questionnaire form as part of the application process.
- 4.4 Approval or disapproval of an application rests solely in the discretion of the ARB. In deciding on a request for approval the ARB will consider, among other things, whether the proposed improvement or change, (1) complies with ARB Guidelines and the Community Standards for color and materials, (2) is appropriate to its surroundings, (3) is compatible with the architectural design of the community, (4) has any impact on neighboring homes or Common Area, and (5) the qualifications of the proposed contractor.
- 4.5 Within fifteen days (15) of the filing of the application the ARB will issue a written decision unless circumstances require a longer time for consideration. If that happens a decision will be issued in not more than thirty (30) days from the filing date. The written decision will be either (i) an approval, (ii) an approval with conditions or (iii) a denial.
 - 4.6 Upon receiving the ARB's decision you have three options, you can, (1) accept the decision, (2) reapply after addressing the issues resulting in the denial, or (3) within three days file a written appeal of the decision to the POA Board. The decision is binding while the appeal is pending and remains in full force and effect.

4.7 **Procedure for adding plant materials not on the Approved Plant List.** Submit a written request to the ARB that includes the botanical and common name of the plant material, the number and when possible a picture of the plant material. The approval process applies only to the addition of plant materials and does not apply to any significant alterations to the existing landscaping of your front or side yards or lakeside rear yards, nor to new construction.

PART II

WATERFALL ARCHITECTURAL STANDARDS

PURPOSE:

To maintain a classic cohesive architectural styling and design in the Waterfall Community, and to ensure that the community remains an attractive and pleasing place to reside, detailed standards have been established by the ARB for the design and construction of all homes in the community.

DISCLAIMER:

Architectural standards have been created for aesthetic purposes only and compliance is not a guarantee or an endorsement of the adequacy of the proposed work, nor does it eliminate or replace the need for applicable governmental reviews, inspections, and approvals.

WATERFALL ARCHITECTURAL STANDARDS

The ARB has adopted the following Architectural Standards for all homes built in Waterfall. The ARB in its sole discretion can approve additional styles, materials, or colors on a case-by-case basis.

- 1. Front Yard Landscaping Unless otherwise approved by the ARB, a minimum of 40% of the Front Yard Landscape Area must be planted with grass. The Front Yard Landscape Area consists of all unpaved portions of the front yard including proposed or existing flower beds. Paved portions of the front yard include, by way of example, driveways, turnouts, paths, and any other permanent soil covering. All planting beds should be covered with Approved Mulch. No pine straw is allowed as this encourages bug nesting and is a fire hazard. Unless approved by the ARB, all plantings must on the ARB Approved Plant List. Exhibit A. All mulch must be on the Approved Mulch List Exhibit B.
- 2. <u>Yard Ornaments</u> Yard ornaments taller than four feet (4') high, or permanently installed, or numbering more than three (3), and are visible from Common Area must be approved by the ARB.
- 3. <u>Recreational Equipment</u> No basketball courts, goals, playground equipment, gymnastic equipment, swing sets, etc. of any kind or nature shall be placed on a lot in Waterfall to be visible from the street or neighboring homes.
- 4. <u>Flags and Holiday Decorations</u> American flags and small banners hung from the home are permitted as are seasonal and holiday decorations. Flag poles are prohibited.

- 5. <u>Landscape Lighting</u> Landscape lighting is defined as illumination designed to enhance the evening beauty of the natural elements of the property and is separate from driveway and walkway lighting, and exterior light fixtures.
- 6. <u>Driveway and Walkway Lighting</u> Driveway and walkway lighting must be low wattage and candlepower, extend no higher than twelve inches (12") above the ground and spaced so as not to overlap.
- 7. **Exterior Light Fixtures** Exterior light fixtures must be in keeping with the architectural style of the home and appropriate size. Landscape lighting if any, is to be included in the landscape plan.
- 8. <u>Signs</u> All commercial signs, including but not limited to, For Sale, Contractor, Sub-Contractor and Vendor signs, placed on any lot must be approved by the ARB. Signs cannot exceed eighteen inches (18") by twenty-four inches (24") and can be no taller than three feet (3') when installed. Contractor, sub-contractor, and vendor signs are allowed only during construction and must be removed when the trade work is completed or upon receipt of the certificate of occupancy, whichever occurs first. For Sale signs must be Waterfall approved signs and may contain a single phone number only. Signs must be placed at least ten feet (10') and no more than fifteen feet (15') from the front property line and must be vertically straight. Any signs not meeting this criterion are subject to removal without notice.
- 9. <u>Water Elements and Fountains</u> Water Elements and Fountains are permitted but only as approved by the ARB.
- 10. <u>Mailboxes</u> All mailboxes installed with new construction or mailboxes installed to replace existing mailboxes must comply with the following standards:
 - i. Exhibit H-1: The Required Standard Mailbox.
 - ii. Exhibit H-2: Mailbox Installation Standards
 - a. A USPS required installation standards and
 - b. B Community Location Standards
 - iii. Exhibit H-3: Manufacturer's recommended installation standard

THE FOLLOWING PROVISIONS APPLY TO MAILBOXES INSTALLED IN THE COMMUNITY PRIOR TO December 31, 2015:

Mailboxes installed in the Community prior DECEMBER 31, 2015 ("Existing Mailboxes") may remain in place except as otherwise provided herein.

Existing Mailboxes must be properly maintained in accordance with general Community standards. Members who do not maintain their Existing Mailboxes to general Community standards will be required to replace their Existing Mailboxes with the Required Standard Mailbox.

Existing Mailboxes are exempted from the **Location Standards** of Exhibit H-2, except: if the Existing Mailbox is located on a Lot other than that of the Existing Mailbox owner **and** if the location of the Existing Mailbox interferes with the placement of a Required Standard Mailbox on the Lot under the **Location Standards** of Exhibit H-2,

Then the owner of that Existing Mailbox is required to relocate the Existing Mailbox to comply with the **Location Standards** of Exhibit H-2.

- 11. <u>Garage Doors</u> All garage doors must be vinyl clad metal with window patterns shown in Exhibit I. Garage door colors shall be white, almond or beige.
- 12. Walls/Fencing

- b. Privacy walls are required for all homes in Waterfall.
 - For lots around the perimeter of Waterfall the privacy walls shall extend across the rear property line and along both side property lines as specified in Standard 12.
 - ii. For lake lots the privacy wall shall be extend only along the side property lines and not extent to the rear property line nor across the rear property line as specified in Standard 14.
- c. Lake lot pony walls.
 - i. Lake lots shall have in addition to the privacy walls, pony walls, a standard short wall with a standard railing as specified in Standard 15.
- d. No walls or fences are allowed past the front corners of the homes and no chain link fences are allowed.
- 13. <u>Perimeter Lot Privacy Walls</u> must extend across the entire rear property line or berm and along the side property lines to at least the rear corners of the house or any further point provided they do not extend past the front corners of the house The privacy walls and columns shall be of concrete block with stucco or stone texture and fabricated as per the specifications in Exhibits J, K, and L.
- 14. Column, Wall and Wall Cap Standard Stain and Paint Colors All columns, walls and wall caps shall be painted with the paint and colors specified in Exhibit M.
- 15. <u>Lake Lot Privacy Walls</u> must extend along the side property lines from the rear corners of the house at least 12' (twelve feet), or more if approved by the ARB. Columns on these walls are not to exceed 7'11" (seven feet, eleven inches) in height including 8" (eight inch) wall caps. Construction of the walls and columns to be in accordance with the specifications in Exhibits J, K, and L unless otherwise approved by the ARB.
- 16. <u>Lake Lot Pony Walls</u>, <u>Columns and Railings</u>-shall be constructed as detailed and specified in Exhibit N along the side property lines from the end of the privacy wall to or near the rear lot corners and along the rear property line, where possible. If that is not possible then as approved by the ARB in its sole discretion. Pony wall railings shall be black metal. The pony wall along the rear property line shall have a gate of the same material as the railing and be centered on the rear property line or on a major feature of the rear elevation of the home or another feature in the rear yard as illustrated in Exhibit O.
- 17. <u>Gates</u> Gates maybe vinyl or metal except as otherwise required herein. Vinyl gates shall be white. Metal gates shall be black metal and must be approved by the ARB. All rear pony wall and ring railing gates shall be black metal.
- 18. <u>Service, Utility and Storage Areas</u> –All air conditioning equipment, propane tanks, garbage cans, electric meters, and the like, not located inside privacy walls must be screened from street level view by an enclosure constructed with materials compatible with the exterior materials of the home. Details for the enclosure must be shown on all plan elevations. Landscaping alone is not acceptable for the screening of these areas except in special circumstances as approved by the ARB.
- 19. <u>Pools, Outside Spas, Saunas</u> Pools, outside spas, and saunas must be properly positioned and located on the lot. It is the responsibility of the homeowner when installing a pool, outside spa or sauna to ensure compliance with all applicable governmental rules,

- regulations, and ordinances. Plans, specifications and a plot plan must be submitted for ARB approval.
- 20. <u>Building Height -</u> No building shall be more than three (3) stories or a height of thirty-five feet (35') measured from the finished grade at the building line to the highest point of the roof or the average height of the roof as calculated in accordance with the provisions of the Standard Building Code.
- 21. <u>Dwelling Size</u> Except as otherwise provided in the Declaration of Restrictions and Protective Covenants no home shall be erected on any lot unless such home contains at least two-thousand (2,000) heated square feet, exclusive of open porches and garages unless a smaller home is authorized by the ARB.
- 22. <u>Building Setbacks</u> Building envelops are generally specified on the recorded subdivision plat of your property. The front setbacks are twenty feet (20'), back line setbacks are ten feet (10') and sideline setbacks are five feet (5'). Corner lot setbacks are twenty feet (20') front, ten feet (10') rear, five feet (5') on sides facing other lots and seven and a half feet (7.5') on sides facing street rights-of-way. In some cases, landscape berms, drainage easements or other conditions may limit your actual building envelope or other exterior features and architecture.
- 23. <u>Roof Overhangs/Drip Lines</u> Drip lines may extend up to eighteen inches (18") into the setback lines. Eaves shall be measured from the exterior face of the siding material to the outside edge of the fascia board.
- 24. <u>Exterior home walls</u> Exterior walls must be brick. Stone details are permitted if approved by the ARB. All stone must be Cultured Stone (Cultured Stone is a manufactured stone name found at www.culturedstone.com). The ARB may approve other materials for areas of the exterior walls.
- 25. <u>Mortar-</u> The standard mortar color is grey however additional mortar colors may be approved by the ARB.
- 26. <u>Trim facia and soffits</u> All trim facia and soffits must be vinyl. Color chips for trim facia and soffit shall be white. Facia boards must be at least 6" (six inches) and all freeze boards must be 6" (six inches). The ARB in its sole discretion may require larger facia and freeze boards.
- 27. <u>Porch Ceilings and Siding</u> All porch ceilings and siding other than brick when approved must be vinyl. Color shall be white.
- 28. Shutters Shutters shall be in styles and with details as shown in Exhibits P & Q.
- 29. **Shutter Colors** Shutter colors are shown in Exhibit Q and serve as a guideline. Other colors may be approved by the ARB on a case by case basis.
- 30. <u>Vents and Louvers</u> All vents and louvers shall be in the shapes & styles as approved by the ARB.
- 31. **Roof Pitches** Roof pitches shall range from 7/12 to 10/12. Because of the expected diversity of architectural designs, roof pitches steeper or shallower may be approved by the ARB in its sole discretion on a case by case basis.
- 32. <u>Roof Shingles</u> Roof shingles must be asphalt, have an architectural profile or relief and a minimum 25-year warranty. Exhibit R shows color samples of shingles. Other colors and alternate roof materials may be approved by the ARB in its sole discretion. However, in all

- cases the shingles must have an architectural profile or relief and a minimum 25-year warranty.
- 33. <u>Cast Stone Address Insert</u> All homes must have a cast stone address insert as shown in Exhibit S. It must be located in the front elevation and have the street # and name displayed.
- 34. <u>Windows</u> All windows shall be solid vinyl clad, of the type and styles approved by the ARB.
- 35. <u>Stucco or Cast Stone Window, Door and Other Openings -Trim Detail</u> Exhibit T shows typical trim detail for all openings and is required on all front elevation openings. Approved colors are shown at the bottom of the page.
- 36. <u>Chimneys</u> No chimneys and/or chimney caps can be installed without prior ARB approval.
- 37. <u>Decks/Porches/Patios</u> –Decks, porches, or patios, should be located with a mind to not only your own privacy but also that of your neighbors. Location of all decks, porches and patios must be shown on the site plans and approved by the ARB.
- 38. <u>Driveways, Curb Cuts and Parking Areas</u> –No driveway or turnout shall be closer than one foot (1') to any side property line. All driveways and turnouts must be paved from the garage to the curb with uncolored concrete or such other materials approved by the ARB. Driveways and parking areas near the property line shall provide adequate landscape buffering from the adjacent residents of not less than 1' from the property line on each property. Drainage swales or other such situations existing between properties may require this area be larger and will be determined on a case by case basis by the ARB. The ARB must approve the tie-in details along with the method of drainage (pipe or swale) for any special situations. Owners, may with ARB approval and on such conditions as the ARB may in its sole discretion impose, replace the roll curb at the driveway entrance with a flatter design.
- 39. <u>Contractor and Sub-Contractor Work Rules</u> -As a condition to working in the Waterfall community all contractors and sub-contractors must agree to abide by the Contractor and Sub-Contractor Work Rules contained in Exhibit C.
- 40. **Solar Panels** Solar Panels are not allowed in Waterfall.
- 41. <u>Clotheslines</u> The use of clotheslines in Waterfall is discouraged. Clotheslines are prohibited on Lake Lots and may only be used on perimeter lots if positioned in the rear of the home and out of sight from Common Areas and adjoining Lots.
- 42. <u>Vehicle Storage</u> No boats, trailers, trailer hitches, campers, recreational vehicles, vehicles larger than a standard passenger vehicle, or other non-self-propelled vehicle shall be stored on any lot unless within an enclosed garage, or behind a privacy fence and only then if the boat or vehicle is not visible from Common Areas or adjoining Lots.
- 43. <u>Trees</u> Except as may be approved by the ARB no tree four inches (4") in diameter or ten feet (10') in height shall be cut, removed or intentionally damaged on any Lot unless such tree interferes with construction of improvements, is dead, or presents a hazard to persons o the Property.

PART III

NEW CONSTRUCTION AND MAJOR RENOVATIONS

DISCLAIMER

ARB approval is limited solely to compliance with ARB Guidelines and no other representations are made or should be assumed by the approval. ARB approval is not an endorsement of the adequacy or effectiveness of the proposed work to achieve a specific result, nor does it replace required governmental approvals all of which remains the responsibility of the homeowner.

SECTION 1 - APPROVAL PROCESS

1.1 Pre-Application Research

Before beginning design preparation, the owner and architect/design professional should review the following documents for specific design and construction requirements and constraints:

- 1. The Purchase Agreement.
- 2. The recorded plat of the subdivision.
- 3. The Declaration of Restrictions and Protective Covenants and By-Laws for Waterfall.
- 4. The Architectural Review Board Guidelines.
- 5. Horry County Zoning Ordinances.
- 6. Applicable local and state building codes, and
- 7. All other rules and regulations applicable to the work.

1.2 Application Submittal and Payment of Fee

A "Waterfall New Construction Application" (Exhibit D) must be completed and submitted to the ARB together with the Application Fee of \$250, by the property owner or the property owner's agent to begin the review and approval process.

1.3 Conceptual and Design and Layout Review

To facilitate the preliminary architectural review, process the ARB recommends that the architect/design professional prepare and submit a Conceptual Sketch of the proposed building design and site layout to the ARB early in the design process for general comments and suggestions.

1.4 Preliminary Architectural Review and Preliminary Approval

Prior to the completion of the final working drawings, the architect/design professional shall submit to the ARB for preliminary review and approval a set of preliminary design plans including the following:

A. Site plan, drawn to scale not smaller than 1" = 20' showing:

- 1. Owner's name
- 2. Architect's or designer's name, address, and telephone number
- 3. North arrow and scale
- 4. Property lines with dimensions and bearings
- 5. Setback limits
- 6. Preliminary or conceptual landscaping plan, including lighting
- 7. Access to street, drives, parking areas, walks, decks, and patios
- 8. Entry to lot of water, electrical, telephone, and sewer services
- Dwelling accurately located from property lines and setback lines. If there are homes on adjacent lots, distances to the eaves of those homes must be indicated along with existing, columns, walls, fences, and screens
- 10. Dwelling to be indicated as a solid line, for exterior walls with entry area, stairs, walks, decks, patios, and driveways shown. A dashed line shall be used to indicate roof overhangs. All exterior elements including walls, columns, water features, etc. shall be shown on the plans.
- 11. All utility structures, catch basins and sewer and water tap locations should be noted

B. Elevation drawings showing:

- 1. All four elevations
- 2. Scale $\frac{1}{4}$ " = 1'
- 3. Relation of building to grade level at front center of elevation
- 4. Height of structure and first floor elevation
- 5. Overall height from grade to ridge of roof
- 6. Description of all exterior material, roof materials and colors of the materials

C. Floor Plan drawings showing:

- 1. Each floor, mezzanine, and ground level plan
- 2. Scale $\frac{1}{4}$ " = 1'
- 3. Overall dimensions
- 4. Square footage area of structure
- 5. Room use labeled
- 6. All walls, windows, and doors (with swings indicated)
- 7. All overhangs of floors or roofs
- 8. Ground level plan showing foundations, enclosures, driveway locations, stairway, garbage and HVAC enclosures

The ARB decision and comments will be forwarded to the applicant as quickly as reasonably possible. If a substantive modification is required as a result of the preliminary review the applicant may elect to repeat the Preliminary Review process before proceeding to final working drawings.

1.5 Final Drawings Review and Approval Process

A complete set of the following drawings and documents together with those drawings required in the Preliminary Architectural Review process must be submitted to the ARB for a final review and approval before any construction or pre-construction activity is begun.

- 1. Final site plan
- 2. Final grading plan
- 3. Final floor plans and elevation
- 4. Exterior lighting plan
- 5. Landscape Plan (preferred scale 1" = 10') detailing
 - i. The variety, size, number, and locations of all plant material
 - ii. Type and description of seeded arears with soil retention method
 - iii. Irrigation or sprinkler plan
 - iv. Drainage requirements
 - v. Landscaping items such as fountains, lawn ornaments, edging, plant wells and the like
 - vi. Lighting as applicable
- 6. Final construction specifications
- 7. Sample materials and color selections for exterior components
- 8. Proposed construction schedule
- 9. Sections:
 - i. Typical wall from grade to roof
 - ii. Typical decks and railings
 - iii. Typical screened porch
 - iv. Typical service yard fence or screening detail
 - v. Typical window, door, and corner trim detail

Plans submitted for review, or any parts or portions thereof, may be disapproved upon any grounds consistent with the purposes of the ARB set out in these Guidelines.

SECTION 2 – UPON FINAL APPROVAL

2.1 Check List and Final Approval Agreement

Upon final review and approval by the ARB, a Submission Check List (Exhibit E) and a Final Approval Agreement (Exhibit F) will be forwarded to the applicant to be signed by the owner, the architect/design professional and a member of the ARB.

2.2 Deposits and Fees

When the owner is ready to commence construction, the ARB requires that deposits and/or fees be paid for the following items:

•	Preliminary Architectural Review	\$150
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• Final Architectural Review \$250

Construction Bond and Landscape Deposit \$1,000
 Standard Mailbox and Post \$300
 Curb Change Deposit if applicable \$300 (Refundable after approved installation)

All fees are payable to the Waterfall POA.

2.3 Approval Conditions

- A. The approval is granted to the owner of the lot and is not transferable.
- B. The approval is contingent on Owner complying with the provisions of the Final Approval Agreement and any violation thereof can result in a revocation of the approval and such other and further remedies as provided for in the Final Approval Agreement.
- C. If visible construction is not begun within six (6) months after the date of the Final Approval Agreement, the agreement shall be deemed to have expired unless prior to the expiration date the applicant or owner has requested an extension in writing from the ARB and the ARB has granted the extension. Such extension shall be for ninety (90) days unless the ARB determines special circumstances warrant a further or longer extension.
- D. Any and all changes to the Approved Plans, or any additions thereto must be approved in writing by the ARB before constructed.
- E. The approval of any plans, specifications, or other submittals to the ARB in the review and approval process shall not be construed as representing or implying that such plan, specification, or other submittals will, if followed, result in a properly designed or constructed residence.

2.4 Construction Rules and Regulations

- A. Only Preferred Builders or ARB approved contractors may build homes in the Waterfall Community. If the proposed contractor is not a Preferred Builder the proposed contractor must submit a Contractor Information Form (Exhibit G), to the ARB for approval before any construction or pre-construction work is begun.
- B. All contractors must agree in writing to be bound by the CONTRACTOR & SUB-CONTRACT WORK RULES (Exhibit C) and to be bound by the rules and regulations herein.
- C. All construction must be completed in accordance with approved plans and the requirements of the Waterfall Architectural Guidelines.
- D. All construction must be completed within twelve (12) months from the start of visible construction or the date of the issuance of the building permit, whichever comes first, except where such completion is impossible or would result in great hardship to the owner or general contractor due to strikes, fires, national emergency or national calamities, or for any further reason as determined by the ARB.
- E. A dumpster is required on all job sites upon the start of construction. When full, the dumpster must be emptied or replaced.
- F. A portable toilet is required on the job site at all times and must be serviced regularly.

2.5 Periodic Inspections During Construction

- A. The right of entry and inspection is specifically reserved by the ARB, its agents and representatives to visit all or any portion of the owner's property for the purpose of verifying compliance with the requirements, terms and conditions of the ARB, the ARB Guidelines and the Final Approval Agreement.
- B. Periodic inspections may be made at any time without notice during the entire construction period.
- C. The ARB will notify the owner in writing of any exceptions noted during the periodic inspections and the owner shall have thirty (30) days to correct the exception or otherwise resolve it to the satisfaction of the ARB.

2.6 Final Inspection and Completion of Construction

- A. The applicant or owner shall notify the ARB when construction is complete, and a representative of the ARB will make a final inspection.
- B. If the construction fails to comply with the ARB Guidelines or with the Final Approval Agreement the ARB may:
 - 1. deny final inspection approval
 - 2. refuse to allow utilities to be activated
 - 3. notify the county building inspector and other authorities of its opposition to the issuance of a Certificate of Occupancy, or
 - 4. exercise any or all other rights or remedies it may have.

EXHIBITS

- **EXHIBIT A APPROVED PLANT LIST**
- **EXHIBIT B APPROVED MULCH LIST**
- EXHIBIT C CONTRACTOR AND SUB-CONTRACTOR WORK RULES
- EXHIBIT D NEW CONSTRUCTION APPLICATION
- EXHIBIT E SUBMISSION CHECK LIST FOR NEW CONSTRUCTION
- EXHIBIT F FINAL APPROVAL AGREEMENT
- EXHIBIT G CONTRACTOR INFORMATION FORM
- EXHIBIT H REQUIRED STANDARD MAILBOX
- EXHIBIT I - APPROVED GARAGE DOOR WINDOW PATTERNS
- EXHIBIT J PRIVACY WALL & COLUMN DETAIL
- EXHIBIT K PRIVACY WALL COLUMN DETAIL
- EXHIBIT L TYPICAL COLUMN & WALL CAP DETAIL FOR PRIVACY WALLS AND COLUMNS
- EXHIBIT M COLUMN, WALL & WALL CAP- STANDARD PAINT AND STAIN COLORS
 - EXHIBIT N SHORT COLUMNS AND PONY WALL DETAILS
- EXHIBIT O ILLUSTRATION OF TYPICAL LAKE HOME PONY WALL AND GATE
 - EXHIBIT P APPROVED SHUTTER STYLES
 - EXHIBIT Q APPROVED SHUTTER STYLES AND COLORS
 - EXHIBIT R APPROVED ROOF SHINGLE COLORS
 - EXHIBIT S CAST STONE ADDRESS INSERT SAMPLE
- EXHIBIT T STUCCO OR CAST STONE WINDOW, DOOR AND OTHER OPENINGS TRIM DETAIL

EXHIBIT A

APPROVED PLANT LIST

Trees Bamboo Cedar, Eastern Red Crepe Myrtle Cypress Dogwood Elm Holly Ligustrum Waxleaf Loquat Magnolia Maple Oak Pear, Bradford Palmetto Palms Loblolly Pine Red Bud Riverbirch Tea Olive Wax Myrtle Weeping Willow	SHRUBS Abelia Anise Arborvitae Aspidistra Aucuba, Gold dust Azalea Barberry Bottlebrush "Red Cluster" Boxwood Camellia Cleyera Elaeagnus Pineapple Guava Gardenia Augusta Holly comuta Indian Hawthorne Juniper Loropetalum Ligustrum Nandina Variety's Oleander Osmanthus Pittosporum	GROUND COVER* Agapanthus Cast Iron Creeping Fig Daylily varieties Holly Fern Ivy Grasses* Mexican Heather Hydrangea Jasmine Lantana Liriope Society Garlic
Weeping Willow	Osmanthus	
	Podocarpus Pyracantha Spiraea	
	Viburnum	

Wax Myrtle Yucca

To add additional plant materials to the Approved Plan List, see Section 4.7 of Part I of the ARB Guidelines.

^{*} For front yard landscaping, refer to Architectural Standard # 1

EXHIBIT BAPPROVED MULCH LIST

ORGANIC MULCH	INORGANIC MULCH
	River Stone

THE USE OF PINE STRAW AS A MULCH OR FOR DECORATIVE LANDSCAPING IS STRICTLY PROHIBITED AS IT A FIRE HAZARD AND A NESTING AREA FOR INSECTS

EXHIBIT C

CONTRACTOR & SUB-CONTRACTOR WORK RULES

As a condition to working in the Waterfall community all contractors and sub-contractors must agree to abide by and observe the following work rules. Failure to comply with the work rules can result in fines to the homeowner. Continuous or multiple breaches of the work rules can result in the contractor or sub-contractor being banned from the site.

- 1. Working hours are limited to 8:00 AM to 6:00 PM, Monday through Saturday. Work is prohibited on Sunday.
- 2. Construction sites together with neighboring lots are to be maintained in a neat and orderly fashion.
- 3. All debris must be collected and deposited daily in dumpsters or similar containers located on site. When full the dumpster must be emptied or replaced.
- 4. A garbage can with a securable cover must be kept on the site for the disposal of liter, such as soda cans, lunch bags, food containers and the like. All liter must be properly disposed of and not allowed to blow onto adjoining lots or the street.
- 5. Portable toilets, if required by these Guidelines, must be located on the work site.
- 6. No burning of any kind is permitted anywhere in the community.
- 7 Streets must be kept accessible and passable at all times. Driveways are not to be blocked or used for turnarounds. Parking is permitted on the streets so long as the parked vehicles do not interfere with or impede traffic. Parking is also permitted on the work site but not on lots adjacent to the work site.
- 8. Trucks, trailers, or other equipment cannot be parked on the street overnight.
- 9. The street area adjacent to the work site must be cleaned of mud, dirt and debris daily.
- 10. All vehicles driven into the community must observe the posted speed limits.
- 11. Contractor signs must conform to Architectural Standard #7.
- 12. The lake and the Amenity Center are private property and are off limits to contractors, sub-contractors, their employees, and their suppliers.
- 13. Workers are expected to conduct themselves in a professional manner. Loud music, unnecessary shouting and cursing or similarly obnoxious behavior will not be tolerated.

Contractors are prohibited from washing or rinsing their equipment or tools on the community streets, or in any area which would cause the run-off from such washing or rinsing to flow into the community streets. Excess liquid materials must be removed from the site and cannot be discharged onto community streets or dumped into community catch-basins.

EXHIBIT D

WATERFALL - NEW CONSTRUCTION APPLICATION

OWNER		
NAME	LOT :	#
MAILING ADDRESS		<u> </u>
PHONE #	CELL PHONE #	
DESIGN TEAM		
ARCHITECT/DESIGN PROFESSIONAL	·	
MAILING ADDRESS		
PHONE #	CELL PHONE #	
LAND SURVEYOR		
MAILING ADDRESS		
PHONE #	CELL PHONE #	
STRUCTURAL ENGINEER		
MAILING ADDRESS		
PHONE #	CELL PHONE #	
LANDSCAPE DESIGNER		
MAILING ADDRESS		
PHONE #	CELL PHONE #	

CONTRACTOR				
(IF NO CONTRACTOR HAS YET BEEN SELECTED THIS INFORMATION MUST BE FILED WITH THE ARB WHEN A CONTRACTOR HAS BEEN SELECTED. NO APPROVAL FOR CONSTRUCTION WILL BE ISSUED UNLESS AND UNTIL THIS APPLICATION IS COMPLETED.				
NAME				
MAILING ADDRESS				
PHONE # CELL PHONE #				
WATERFALL PREFERRED BUILDER YES NO NO If the answer is NO, then a Contractor Information form must be filed with the ARB				
LICENSE NUMBER				
INSURANCE COMPANY				
POLICY NUMBER				
SIGNATURE AND DATE				
DATE OWNER OR OWNER'S AGENT				
PRINT NAME				

EXHIBIT E

SUBMISSION CHECK LIST FOR NEW CONSTRUCTION

LOT	NUMBER	OWNER	
Site F	Plan (not smaller tha	n 1" = 20') with the fol	lowing information
	North Arrow indicate	ed	
	Property line with di	mensions and bearings	
	Proposed finished fl	oor elevations	
	Proposed setbacks		
	walks, decks, patios	s, and driveways shown	r exterior walls with entry area, stairs . A dashed line shall indicate roof ove , columns, water features, etc. shall be
	Indicate location, se	tbacks, columns and w	alls on adjacent homes, if any.
	Indicate any utility b	oxes, storm drains, and	l location of water and sewer taps.
Archi	tectural Drawings		
	Four elevations (1/4	" scale minimum for fro	nt and rear)
	Indicate foundation	height and finished floo	r elevation
	Overall height of str		
	Floor plans (1/4" sca	ale)	
	Square Footage Su	mmary	
	Exterior materials of	learly indicated	
	Typical wall section		
	, ,		
		•	
□ Exter	Eave detail, indicate ior Finish	width of overhang	
Brick	Details		Color
Stone	accent material if use	ed	
Roof ı	material		Color
Trim r	material		Color
Front	Door – Example of m	aterials	Color
Accer	nt Features (e.g. shutt	ers, vents, etc.) submit	materials and colors.

Landscape Drawing

□ Landscape Plan (preferred scale 1' = 10")

_ F	Plant material indicated with the follow Variety (common and botanic Size (height and canopy to be Quantity	al name)	
_ I	rrigation Plan (if applicable)		
	Orainage Plan		
	Hardscape Item Details (statuary, fou	ıntains, edging, etc.)	
_ E	Exterior Lighting Plan		
Deposit	: Paid		
Make ch	necks payable to the Waterfall POA		
Total fee	e deposits paid with this submission	\$	
			_
(OWNER	DATE	
(CONTRACTOR	DATE	
	FOR ARB USI	E ONLY	
Date received _	Fees Received	\$	
Missing Details	·		
Date Owner Notified of Missing Details			

EXHIBIT F

FINAL APPROVAL AGREEMENT

This Final Approval Agreement is made as of this _	day of	202, by and
between the Waterfall Architectural Review Board, ((the "ARB"), and	
, (the "Owne	r") owner of the pr	operty known as
(the "Proper	rty").	

1. Grant of Approval. The ARB hereby grants its approval to the Owner for the construction of improvements on the Property in accordance with the plans and specifications, site plans, grading plans, floor plans and elevation, plans for ancillary detached structures, exterior lighting plan, final construction specifications, and all other documents submitted to the ARB in conjunction with the preliminary architectural review and approval, subject to conditions contained herein and the following conditions, changes and modifications;

The approval granted herein shall permit the Owner to cause the construction of improvement on the property in accordance with the conditions and requirements hereof. No approval of any, locations, or specifications by the ARB and no publication of any architectural standards shall be constructed as representing or implying that such plans specifications or standards will, if followed, result in a properly designed or constructed residence.

2. Agreement of Owner.

- a. Owner agrees to cause the improvements to be constructed in accordance with the Plans and in accordance with the ARB's Standards and Guidelines, a copy of which is hereby acknowledged as having been provided to the Owner.
- b. Owner agrees to submit any changes in the Plans or construction to the ARB for its supplemental review and approval.
- c. Owner agrees to cause all construction and property to be completed within twelve (12) months from the start of visible construction or receipt of the building permit for the Property, whichever comes first, except when such completion is impossible or would result in great hardship to the Owner or general contractor due to strikes, fires, national emergency or national calamities, or for any further reason as determined by the ARB.
- d. Owner agrees to cause the general contractor and all subcontractors to comply with the Contractor and Sub-contractor Work Rules, and to provide them with same.
- e. Owner agrees that the ARB, their agents, and representatives have the right to enter the Property and to conduct periodic inspections of the Property and improvements with or without notice during construction.
- f. Owner agrees that if any exceptions are noted during the periodic inspections provided for in Section 2(e) above, Owner shall cause such exception to be corrected or otherwise resolved to the satisfaction of the ARB within thirty (30) days thereafter, including, but not limited to, such corrections and resolutions as

- may be required to be performed by the general contractor, for which Owner shall be responsible hereunder.
- g. Owner agrees and understands that in the event the construction of the improvements of the Property fails to comply with the provisions herein and with the requirements of the ARB's Architectural Standards and Guidelines, the ARB may deny final inspection approval, refuse to allow utilities to be activated on a permanent basis on the Property, notify the Horry County Building Inspector or other such agency of its opposition to the issuance of a Certificate of Occupancy for the project, or exercise any or all other rights and remedies available to it at law or in equity.
- h. Owner agrees and understands that the approval granted hereunder shall expire if visible construction is not begun on the Property within six (6) months from the date hereof, unless the Owner makes a written application within the same period of time for a ninety (90) day extension which the ARB may in its sole discretion grant or deny. Longer extensions may also be granted in special circumstances at the sole discretion of the ARB.
- i. Owner agrees, understands, and represents that all construction on the Property must be supervised by the licensed builder or by the Owner.
- **3. Non-Transferable.** This approval is granted only to the Owner named herein and shall not be transferred or assigned by Owner without prior written consent from the ARB which consent may be withheld in the sole discretion of the ARB.
- **4. Breach.** If Owner breaches any of the requirements, conditions or covenants contained herein the ARB has the right to revoke its grant of approval until such breach or breaches have been remedied without incurring liability to the Owner or general contractor for any loss or damage claimed to have resulted from such revocation. In the event of a revocation of approval Owner will cease all construction activity on the Property and make arrangements satisfactory to the ARB to secure the work.

5. ARB Fees and Deposits Due

a. Preliminary Architectural Review

\$150

b. Final Architectural Review

\$250

(The Preliminary Architectural Review fee, if previously paid will be credited against the Final Review fee)

c. Construction Bond and Landscape Deposit \$1,000
 (The deposit will be returned once the landscaping is completed and the contractor is released from any fines or damages assessed.)

d. Standard Mail Box and Post

\$300 (Refundable)

The above deposits are subject to change without prior notice.

Checks should be made payable to Waterfall Homeowner's Association.	
Homeowner	Date
Contractor or builder	Date
Water Fall Architectural Review Board	
By:	 Date

EXHIBIT G

Builder Profile Name: Business Legal Name: Business Address: (Street or PO Box) City,State,Zip ____ Business Phone: __ Mobile Phone: Business Fax: Email Address:___ Taxpayer ID: Social Sec.#: _ **General Information** Business Structure:__ (Corporation, Partnership, Sole-Proprietorship, LLC) Is Builder Incorporated: (Y/N) Officer Names (If Applicable) President Vice President_____ Secretary__ _Treasurer_____ Partner Names (If Applicable) Partner Partner Partner_ Number of years in business _____ Average Number of Homes Built/Year_ Number of Homes in process _____Number of Homes complete and unsold _____ Number of Lots financed and Unsold Have you been building in the same name for 10 years or more?(Y/N)______If No what other names have you built under? Have you filed for Bankruptcy in the last 10 years? (Y/N) _____ If yes, when? _____ Do you have any legal actions pending? (Y/N) _______If yes, please explain _____ **Documentation Requirements** Please provide the following Copy of current Builder's License Received Initials ____ Certificate of General Liability Insurance Received Initials _____ References: Supplier or Sub-Contractor (trade references only) Name Street Address City/State Phone number References: Personal Name Street Address City/State Phone number ARB NOTES ARB SIGNATURE DATE

EXHIBIT H-1
Required Standard Mailbox



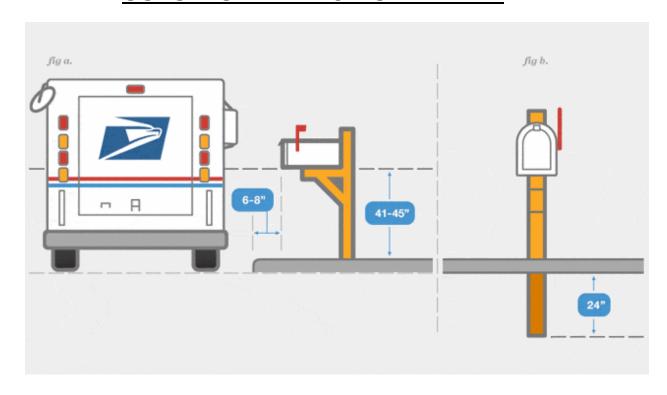
Manufactured by Eagle Sign & Design

Mailbox order forms can be download on the ARB website, www.waterfallarb.com

EXHIBIT H-2

Α

USPS INSTALLATION STANDARD



B

LOCATION STANDARDS

The United States Postal Service requires at that all mailboxes in the community be located on the same side of the street.

THE FOLLOWING STANDARDS APPLY TO ALL NEW MAILBOXES
INSTALLED IN THE COMMUNITY AND ALL MAILBOXES REPLACING EXISTING
MAILBOXES

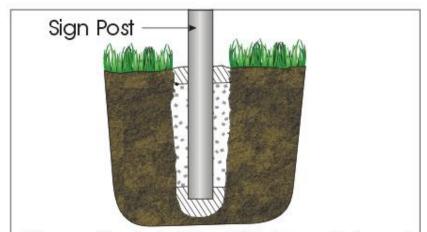
The location of all mailboxes installed in the Community must be approved by the ARB prior to installation. The following guidelines are provided to assist members in choosing an appropriate location and are for convenience only.

- Unless otherwise approved by the ARB mailboxes must be installed within five (5) feet of the property line.
- Wherever possible mailboxes must be installed so that there are no more than two mailboxes on any Lot and that there are no more than two mailboxes adjoining each other.
- The distance between two adjoining mailboxes shall be no more than 2 (two) feet and no less that 18 (eighteen) inches.
- Until such time as all mailboxes in the Community conform to the Exhibit H-1 and H-2 the ARB will use its best judgement in approving mailbox locations, balancing between accommodating existing conditions and achieving long range goals.

EXHIBIT H-3

MANUFACTURER'S POST INSTALLATION STANDARD

Post Installation



Dig post hole 20" to 24" deep. Set post in hole, add 40 pounds of concrete. Check for levelness & tamp concrete. Fill hole with dirt until level with ground.

F Drive Company Forms Ms.c. Installation@heets/PostIrst allationDiagram

EXHBIT I

EXHIBIT I

Approved Garage Door Window Patterns

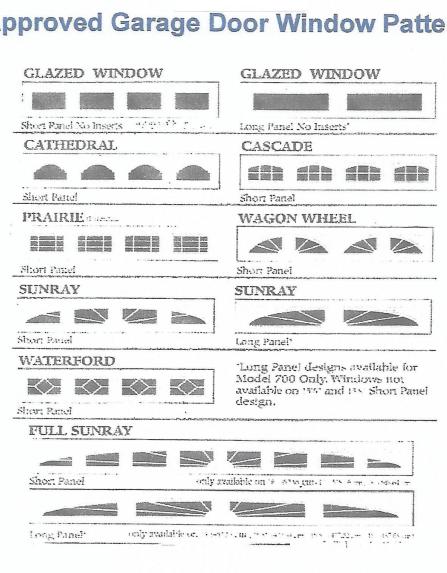


EXHIBIT J

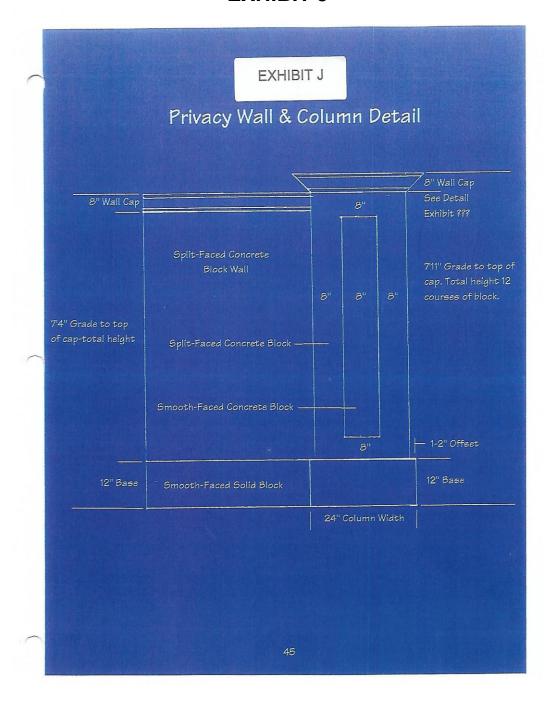


EXHIBIT K

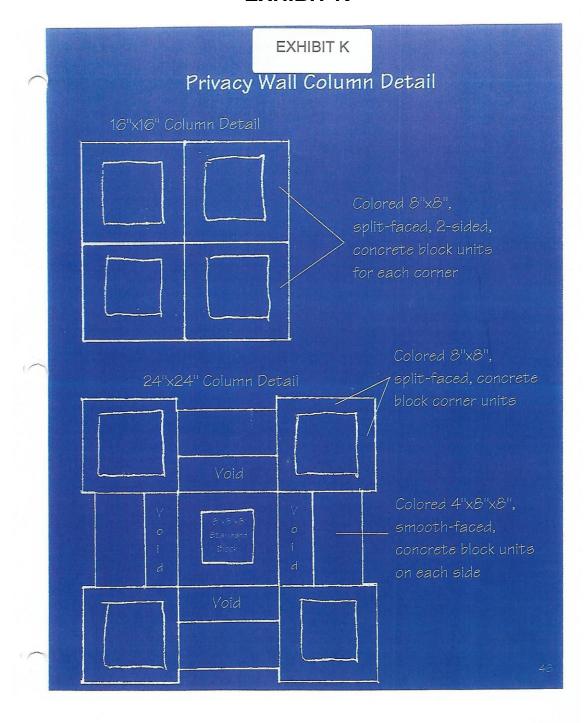


EXHIBIT L

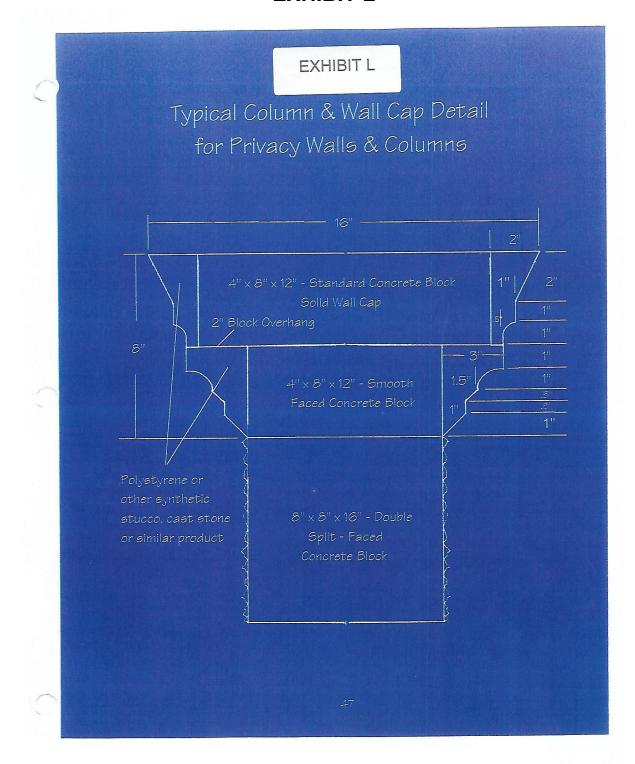


EXHIBIT M

Wall, Column, and Wall Cap Standard Color & Column Trim Standard Color

WALLS, COLUMNS, AND WALL CAPS

BEHR - MASONRY & STUCCO FLAT

EGGSHELL WHITE - BASE 270

CLRNT	AX	C	L
OZ	0	0	0
384 th	76	8	184

COLUMN TRIM

BEHR - MASONRY & STUCCO FLAT

SADDLE BACK - BASE 270

CLRNT	AX	C	L
OZ	0	0	0
384 th	104	40	144

EXHIBIT N

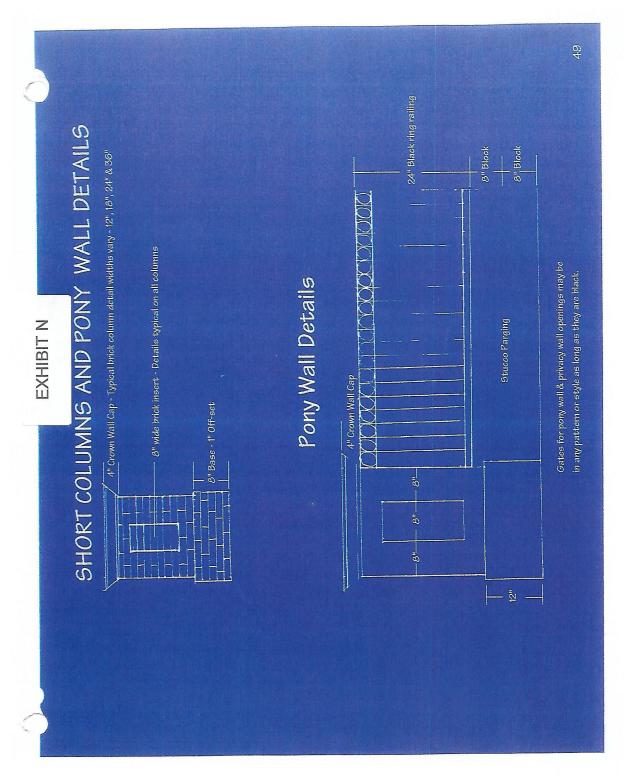


EXHIBIT O

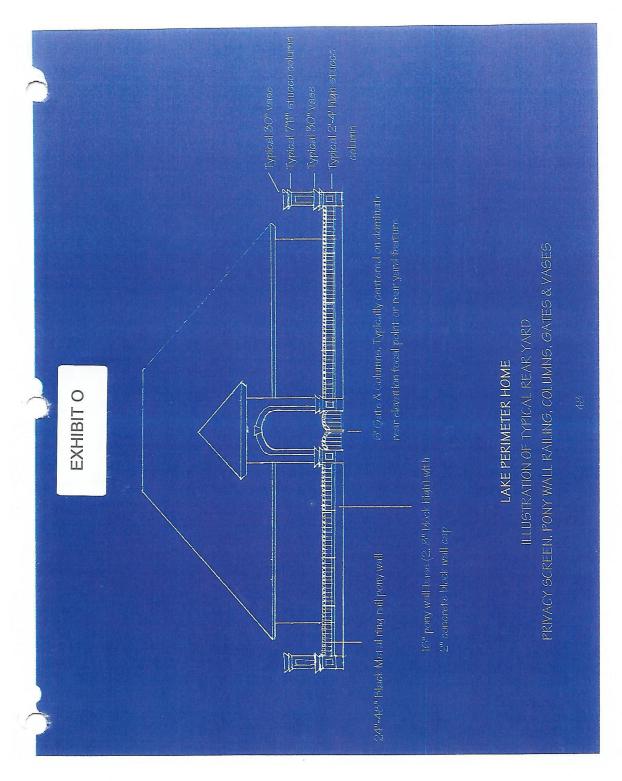


EXHIBIT P

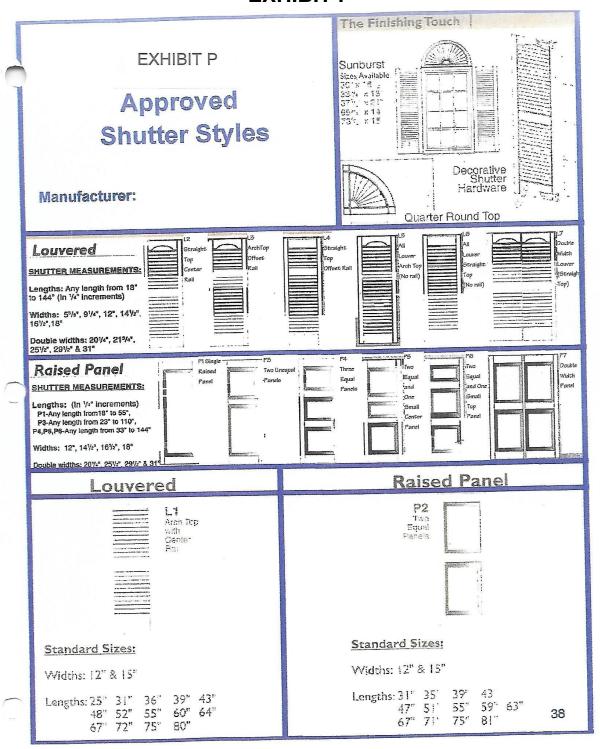
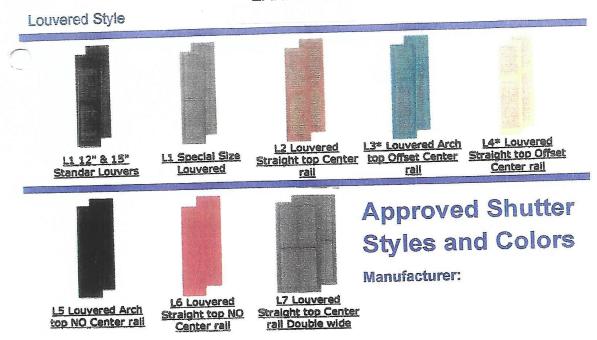


EXHIBIT Q

EXHIBIT Q



Raised Panel Style



Panels

40/20/40

Note: All samples may change due to change in manufacturer or in their available color selection. When and if changes occur due to these and other circumstances, the ARB will have sole discretion in approving these substitutions. Before making any final decisions or color and material choices, homeowners must understand that the samples shown in the ARB documents have been scanned, painted, copied or recreated from a variety of sources and each homeowner is strongly advised not to rely on these samples in making a final decision on color and material choices. Actual samples should be examined.

EXHIBIT R



EXHIBIT S

EXHIBIT S

Cast Stone Address Insert Example

Style: Large Recessed

Size: 12" x 16"

Manufacturer: Masonry Casting Corp.

1-800-687-8663

www.MasonryCasting.com



43

EXHIBIT T

