

To: Members of the Avallon Homeowner's Association, Inc.

From: Board of Directors of the Avallon Homeowner's Association, Inc.

Date: September 14, 2011

Re: **GUIDE TO ARCHITECTURAL REVIEW STANDARDS AND PROCEDURES**

The Board of Directors of the Avallon Homeowner's Association, Inc. (HOA) with the assistance of the Architectural Committee has completed and approved the attached GUIDE TO ARCHITECTURAL REVIEW STANDARDS AND PROCEDURES. The provisions included in this document will be administered by the Architectural Committee of the Association and establish a consistent standard to follow in planning and implementing any exterior changes to your property or the Common Properties of the Avallon subdivision. **Please retain this document as part of your permanent Avallon documents for future reference. This document and any future new provisions or amendments should also be made available to prospective buyers of your home.**

Authorities. The *HOA Board of Directors* has final authority for HOA issues. The *Architectural Review Committee*, (hereinafter the "ARC") appointed by the Board, is charged with establishing and implementing consistent architectural standards. Any issues covered in the Guide will be handled by the ARC, including applications, information requests, guidance, and requests for approvals or disapprovals. The ARC will provide responses in a timely manner. All properly submitted requests will receive a response within thirty (30) days of receipt. After the decision of the ARC a homeowner will have thirty (30) days to submit an appeal (in writing, utilizing an ARC appeal form) to the HOA to dispute a decision and will receive a final ruling within thirty (30) days of the receipt of that appeal. The *management company* provides administrative functions for the Board.

Architectural Review. Owners must use the attached Architectural Review Application when applying to the ARC for approval of any proposed change to the exterior of your property. Normal upkeep, maintenance, or repair to original condition of the property, without changes, is the ongoing responsibility of the owner and requires no review or approval. Following a standard application process will ensure fairness, full disclosure and speed in handling your requests. No request for a change can be considered unless accompanied by an Avallon Architectural Review Application as well as necessary drawings, a plot plan and supporting exhibits.

You should return your completed applications to the management company at the address shown on the application form. Provided you have no outstanding monetary obligations to the Association, an application will be considered received by the ARC on the fourth calendar day after it is date-stamped by the management company. If, however, you have outstanding monetary obligations to the Association at the time you submit an application it will be deemed denied upon receipt. If an application is incomplete in any respect it will also be deemed denied upon receipt. Notification of such to the homeowner will be within four calendar days of receipt. In such instances an applicant will be permitted to resubmit an application to the ARC once any previously missing elements are provided. The ARC will evaluate all properly submitted applications and notify the Board of its decision within thirty (30) calendar days of its formal receipt of that application. The management company will then inform the applicant in writing of this decision.

Remember, as required by the Avallon Declaration of Covenants, you **must obtain written** approval from the ARC **before** any exterior change or staging can be permitted to your lot, home, deck, porch, patio, fencing, landscaping or any other exterior physical feature or attribute of your property. Written approval is also required by the City of Raleigh before any construction permits will be issued. Your adherence to these standards and procedures will not only preclude the potential expense of rework but will also be in the best interests of our community as a whole. Please be aware that failure to follow the provisions in the attached document can result in legal action against you for injunctive relief, fines or both as allowed under the recorded documents for the community and the Planned Community Act. It is essential that all owners take this process seriously.

AVALLON ARCHITECTURAL REVIEW STANDARDS AND PROCEDURES

I. OVERVIEW

In a planned community such as Avallon, the question naturally arises as to how to preserve and enhance a harmonious and quality development. For Avallon, the answer is provided by this statement of Architectural Review Standards and Procedures. It is specific as well as flexible, defining benchmarks that any architectural element must meet as well as general procedures for Avallon homeowners to follow in proposing exterior changes that will enhance the use, value and presentation of their individual properties. As such, it provides the basic framework for addressing and balancing the interests of individual owners and the broader Avallon community. These responsibilities and procedures are specifically contemplated and authorized by the Declaration of Covenants, Conditions, Easements and Restrictions for Avallon Subdivision recorded at Book 010141, pages 01115 - 01144 of the Wake County, NC Register of Deeds (the "Covenants").

The Covenants, which run with the land and establish the authority of the Architectural Committee to maintain the quality and consistency of design, effect, and construction throughout the development, are binding upon all homeowners. They exist to ensure that high standards are uniformly applied throughout Avallon to protect property values and harmoniously preserve the community's overall quality, effect and environment. Through ownership, every homeowner is subject to and assumes a duty of care to comply with these Covenants.

The Architectural Committee shall be comprised of not fewer than three persons who shall be appointed by the Board of Directors (hereinafter, the "Board") of the Avallon Homeowner's Association, Inc (hereinafter, the "Association"). The Covenants require that the Association, on behalf of the ARC, shall provide prior *written* approval or disapproval of *any* proposed exterior change, addition or alteration to any property. Such changes shall include, but not be limited to, the erection or alteration or addition to the exterior of any building in any manner or to the erection or alteration or addition to any fence, wall, abutment, steps, hardscaping, swimming pool, spa, water feature, ramp, shrubs, trees, grading or other landscaping. Successful applications to the ARC will be evaluated based on their harmony with the key architectural elements, materials and visual concepts established by the developer and builder, their compatibility with the lot sizes and topography of Avallon, their suitability for a densely planned cluster community and their general ability to preserve property values and promote an exceptional and responsible quality of life for the residents of Avallon.

The ARC will evaluate all properly submitted applications and notify the Board of its decision within thirty (30) calendar days of its receipt of that application. The Board will then inform the applicant in writing of this decision.

The standards and procedures in this document will be applied by the ARC to manage and maintain the exterior standards, presentation and attributes of Avallon. We hope that they serve as a positive tool to assist you in the use and improvement of your property in a manner that is consistent with the quality and aesthetic standards of our community.

II. ARCHITECTURAL COMMITTEE RESPONSIBILITIES AND GUIDING PRINCIPLES

The key responsibility of the ARC is to harmoniously preserve the aesthetic attributes, architectural concepts and overall presentation standards of Avallon in a way that protects property values, emphasizes shared responsibility, promotes community safety and ensures a high quality of life for all. In this way, the term “architecture” extends beyond the design and construction of structures on individual lots and the Common Properties of Avallon to the appearance and overall presentation of each property. This responsibility is established by Article V and elaborated in Articles VII and VIII of the Covenants.

In fulfilling this responsibility, the ARC will emphasize three central principles in evaluating any change to the exterior of an individual property or to the exterior use of an individual property:

Harmony and Quality of the Architectural Environment. Any approved change will preserve and be consistent with the harmony and architectural integrity of existing structures, landscaping and hardscaping of individual homeowner properties and the Common Properties of Avallon;

General Welfare and Safety of the Community. Any approved change or permitted use will be compatible with the general welfare and safety of those living in, serving and visiting Avallon; and

Quiet Enjoyment of Property. Any approved change or permitted use will be compatible with the quiet enjoyment of all immediately neighboring owners as well as any other owners whose quiet enjoyment may be adversely affected by any exterior change or conduct of an owner

III. APPLICATION REVIEW CRITERIA

The Architectural Committee evaluates each application on its individual merits. The ARC’s decisions will be guided by the following criteria:

Validity of Concept

The basic idea of the exterior change must be sound and appropriate to its surroundings.

Impact on Landscaping and Environment

The exterior change must not adversely impact the condition or aesthetics of either the natural or man-made landscape or environment.

Relationship of Structures and Adjoining Property

The proposed change must relate harmoniously to its surroundings and to any existing buildings and terrain that are visually related to the change.

Protection of Neighbors

The interests of neighboring owners must be protected by making reasonable provisions for such matters as surface water drainage, sound and sight buffers, preservation of views, light and air, and other aspects of design that may have negative effects on the value or enjoyable use of a neighboring property.

Design Compatibility

Any proposed change must be compatible with the design characteristics of the applicant's home and the general neighborhood setting. Compatibility is defined as harmony in design, style, scale, materials, color and construction details.

Design: Proposed changes must not alter the essential design, appearance, function or construction of your dwelling or any other approved structure although new and compatible design elements will be considered

Style: Proposed changes must conform to the original style of the dwelling, structures attached to the dwelling, landscaping and hardscaping

Scale: The three dimensional size of any proposed change must relate satisfactorily to adjacent structures and its surroundings.

Materials: Continuity will be established by the use of identical or highly compatible materials as used in the existing home, deck, porch, landscaping or hardscaping, as applicable.

Color: Color of all paints and other materials must be identical to the existing color scheme of the home, deck, porch or hardscaping, as applicable.

Workmanship

The proposed and completed quality of any approved work must equal or exceed that of existing structures. No variances or allowances for sub-standard or non-conforming workmanship will be granted. Any instances of such workmanship will be required to meet prevailing Avallon standards.

Project Schedule and Completion Date

All complete applications will contain a planned work schedule and maximum time period from start to completion of any exterior construction work. If the proposed time period is considered unreasonable, the ARC may not approve the application. After approval is obtained, any change in project plans or delays in the implementation or completion of the project of one (1) month or greater will require resubmission of the applicant's plans to the ARC for corrective review. Failure to comply with this requirement will result in the project being declared non-compliant with Avallon standards and subject to the Correction Procedures contained herein and all remedies at law and in equity to which the Association is entitled.

Owners are **cautioned to not purchase project materials or hire a contractor** in anticipation of application approval by the ARC. All applicants should wait for **written** approval from the ARC before entering into contracts or purchasing materials for such work. Some exterior changes may require City of Raleigh permits which may not be issued without prior written approval from the ARC. Finally, please plan well ahead to allow time for your application to be reviewed and processed carefully. The ARC may respond to your application with questions that must be answered in writing, it may request additional supporting detail and it may request a visit to inspect proposed work or installation sites.

IV. APPLICATION AND PROJECT MANAGEMENT PROCESSES

The Association's processes for application, review, inspection and enforcement of design review are outlined in this section.

Submitting Your Application

Complete the standard application form (included with this document) and attach all required exhibits and sample materials. Be sure to include full details of the proposed change. If the change is structural, landscaping, hardscaping, fencing or grading submit a sketch or plan and list all specifications related to dimensions, brand, model, style, materials, finish, texture and location as appropriate to the proposal. **Attach a copy of your plot plan** and indicate the location of the proposed exterior design change on your lot in relation to the dwelling and other existing structures. Also attach any other sketches, specifications, pictures, paint charts, finish samples or the like that will assist the ARC in reviewing your application. The ARC also encourages you to speak with your neighbors about proposed changes. They may be able to offer valuable input.

It is highly recommended, but not required to provide written approval from adjacent neighbors. The application provides a location for neighbors to approve.

Transmit your completed application either by **hand-delivering, certified mail, courier or electronic mail** to the management company at the address shown on the application form. If you hand-deliver your application request a dated receipt. Incomplete applications will be returned and deemed denied.

The ARC will rule on your application within thirty (30) calendar days of the date it will be deemed to have received it. The management company, on behalf of the ARC, will inform you of the decision of the ARC by letter. **The thirty-day ARC review period begins on the fourth day after the management company receives your application.**

Completed applications are considered on their individual merit following the steps and processes outlined below.

Action on Your Application

During the review period for an application, ARC member(s) may view the site, talk to the applicant or neighbors and verify that neighbors are aware of the proposed change. Any concerns raised by neighbors will be documented and given considerable weight by the ARC. However, the ARC will also be required to consider general standards of reasonableness and fundamental fairness along with the standards, principles, criteria and processes set forth in this document. Immediate neighbors will not, consequently, possess any "veto" power over an application.

After initially reviewing an application and gathering additional data and input as appropriate, an application will be formally reviewed and discussed by the ARC. Following such discussion the ARC will vote to **approve, approve conditionally, or disapprove each application**. A simple majority will determine the will of the ARC. If an application is conditionally approved or disapproved, the ARC will briefly state in writing on the application its reason(s) for this action. The applicant will be notified in writing by mail and by the use of a duplicate copy of the application or other correspondence of its action on that application. The ARC will record the disposition of each application by placing a copy of the executed application, all supporting documentation and related correspondence in the ARC's electronic and paper archives. Duplicate copies of all records will also be forwarded to the management company for safekeeping.

If an application is granted conditional approval the applicant may commence work or other proposed changes provided the applicant provides proof to the ARC that all additional requirements have been met either during or at the conclusion of the approved work. Proof can be provided by inspections, photographs or certifications provided by licensed professionals.

Work-in-progress and completed work will be periodically inspected by or on behalf of the ARC. Any instance of work that fails to comply with the specifications of the approved application and the general standards adopted by the ARC will result in a written request to the applicant to correct any deficiencies before further work is undertaken. If an applicant fails to comply with such a request within seven business days from the date of notification the ARC will issue a letter stating that the project does not comply with the approved application. The owner of any non-compliant project will stand in violation of the provisions of this document and the Covenants and will be subject to the Correction Procedures set forth below.

Project Staging and Inspection

Applicants are advised to minimize the visible staging or storage of work tools and materials during the construction phase of any project.

As appropriate, the ARC may conduct final site inspections to confirm compliance with the approved application.

Correction Procedures

Reported Violations: The ARC may periodically inspect, with prior notification to the homeowner, all authorized work-in-progress and the community in general to identify violations. Additionally, all residents have the right and responsibility to bring to the attention of the ARC, the Board or the management company any apparent violation of any provision of the Covenants or these Architectural Review standards and procedures.

The ARC investigates each reported violation and seeks the cooperation of the owner. Notification of any known or apparent violation is made by letter to the owner to request a resolution. If temporary mitigating circumstances account for the violation the ARC may provide a temporary waiver to the owner. Should the owner fail to follow through on the ARC's proposed resolution or some other resolution that is acceptable to the ARC and the owner, the ARC will refer the violation to the Board for further attempts to resolve the matter with the owner or resident. If, after a reasonable period of time, the

Board is unable to achieve a mutually satisfactory resolution of a violation, it may, at its own discretion, exercise its authority to assess fines or file a legal claim against the owner, or both.

Confirmed Violations and Remedies: An exterior change made without the written approval of the ARC constitutes a violation of the Covenants and provisions of this declaration of Standards and Procedures. A confirmed violation requires either prompt removal or correction of the violation at the expense of the property owner and, as may be required, payment by the property owner of any legal expenses incurred by the Association in its efforts to restore the affected property as well as payment for any damages sustained by the Association as a result of unauthorized changes. In accordance with the North Carolina Planned Community Act, the Board may impose fines for violations of the Association's covenants, by-laws, rules and regulations including non-compliance with Architectural Committee standards and guidelines and conditions established by the ARC for the approval of a proposed design change, use change or property presentation change. Current legislation allows for assessment of fines for covenant violations up to \$100/day per violation.

Association, Board and ARC Exemptions

The ARC will review and act upon proposed plans, projects and other changes in accordance with the broad requirements and authorities granted to it by the Covenants. In approving an application neither the ARC nor the Board shall make or be understood or construed to have made representations as to the inherent quality, safety, soundness or structural integrity of any proposed plan, project or change and neither the ARC, the Board nor any of the officers or agents of the Association shall be held liable in the event applicant sustains financial or other damages or losses as a result of the failure of any work performed or changes undertaken or as a result of deviations from plans, or negligent or deficient construction of such plans or projects by the applicant's contractors, or any other damages arising from any approved plans or projects contemplated herein. All liability for the quality, usefulness, habitability, appearance and safety of a project shall reside with the owner.

V. DESIGN AND COMMUNITY GUIDELINES

This section is intended to guide you regarding particular design situations that may arise at Avallon. Generally acceptable practices for complying with the architectural standards outlined in this document are listed below. Changes, materials, devices and design concepts that are generally not acceptable are also indicated for your guidance. Please note that these guidelines may be neither universally applicable nor exhaustive. The ARC will reach its decision on individual applications by considering the intrinsic merits of each proposal as well as all relevant surrounding circumstances. In some cases proposed exterior changes that are allowed elsewhere may be denied because the applicant's property has unique characteristics, a location or topography that make such a change unsuitable. It is therefore important that owners not assume that an application will be approved simply because a similar exterior change has been approved elsewhere. The ARC must consider the impact of each proposed change on the property in question, neighboring properties and the community as a whole.

Finally, please note that these guidelines may be modified periodically. An amended document will be re-issued whenever significant changes occur.

Animal Dwellings/Runs

No dwellings, runs or other accommodations for any animal, including dog houses, bird cages, poultry coops, animal pens or similar structures are permitted.

Antennas

Except as described below with respect to certain devices that are designed to receive over-the-air video programming, no permanent attachments of any kind or character shall be affixed to the roof or exterior walls of any Dwelling. The installation, maintenance or use of antennas used to receive video programming is governed by the Federal Rules memorialized at 47 C.F.R. Section 1.4000. Accordingly, the Avallon ARC requires antenna size and placement restrictions that limit: 1) the size of "dish" antennas to no more than 1.0 meter (39.37 inches) in diameter or diagonal measurement; 2) the height of antennas that are designed to receive local television broadcast signals to no more than twelve feet (12') above the Dwelling roofline. Further, the Avallon Homeowners' Association requires that no "dish" antenna be visible in any respect from the front of the property; and must be gray or other neutral color and generally conform to the aesthetics of the community as a whole.

Awnings

Awnings will be considered on a case-by-case basis, and will not be approved in highly visible locations.

Bird Baths and Feeders

Bird baths and feeders may not be placed in a location that is visible from the front of the dwelling, and/or street side of the dwelling on corner lots. Materials, colors and general character must conform to the aesthetic standards of "Avallon".

Clotheslines and Drying Areas

Clotheslines and similar outdoor drying devices are not permitted.

Colors and Textures

All exterior colors on all homes throughout the community are consistent, must be maintained to the original colors. This includes exterior siding, trim, overhead garage door color, front door color, roofing shingles, gutters and downspouts.

Decks and Back Porches

The addition or modification of a deck or back porch is considered a major design change to an existing dwelling. As such, deck and porch plans will always require the prior approval of the ARC. Multiple building permits may also be required if the project calls for electrical installations. Materials specifically designed for exterior applications, with weather and moisture resistant properties, such as pressure treated deck lumber are recommended. Placement of major weight-bearing posts or pilings in concrete or on secured paving stone is required for strength and the prolonged service life of the structure. The criteria for design compatibility and workmanship (Section II, preceding) will apply to the review of all deck and porch applications. All projects of this type will also be required to conform to all setback and utility easements, applicable Covenants and building codes of the City of Raleigh and Wake County. Any permits required must be issued prior to commencing construction.

Doors and Window Shutters

Homeowners are requested to contact the ARC for guidance on the maintenance, recoating, repainting and re-staining of doors and the shutters that may frame some of your front-facing windows. The original appearance of “Finished Wooden Doors” must be maintained.

Downspouts and Gutters

The originally installed downspouts and gutters attached to your dwelling are vital part of the overall rainwater management system at Avallon. Owners are not permitted to disconnect, shorten, redirect or otherwise modify any originally installed gutters, downspouts or connections to rainwater diversion pipes that have been installed in the ground. Any proposal that requires changes to existing gutters or downspouts or the installation of new gutters or downspouts must be approved by the ARC.

Fences, Walls and Hedges

Fences, walls and hedges are governed by Article VII, Section 10 of the Covenants. No fence can be erected without ARC approval. Also, no fence, wall, or hedge can be erected or permitted in front of a dwelling on any Lot, except where original stone or brick retaining walls have been erected that are integral to the integrity of the Lot and the dwelling thereon.

Fences are permitted to enclose rear yards but may not be placed further forward than the front corners of the dwelling and, where possible, should be set back from the front corners of the dwelling. There are only two types of fences that are approved:

- Six-foot (6.0') high black aluminum ‘open style’ with vertical and horizontal rails
- Six-foot (6.0') high pressure treated ‘dog ear’ style wood fence. This fence must be painted the same color as the exterior trim color shown throughout Avallon.

Once erected, all fences must be properly maintained in as-new condition. No chain link, chicken wire, barbed wire or any other wire fence is allowed.

All fencing must follow the grade of the lot and may not exceed a six-foot (6.0') height at any point. Wood fences must be “site built”, and cannot be pre-built panels. Wooden fence boards shall be placed tight against one-another. The horizontal support members of the fence must be on the inside, leaving the more attractive side towards the outside. All City of Raleigh and Wake County laws and regulations that apply to the location, dimensions and other characteristics of fences shall also apply.

Any mass planting, hedge, other shrubbery planted in a row or wall of any nature or material that creates a natural fencing or barrier between properties requires ARC approval. Further, no other wall or abutment or other vertical stone, brick or concrete structure may be erected without ARC approval.

Flags

Except as noted below, permanently displayed flags are not permitted on or in the front of any dwelling. Owners are encouraged to display U.S. flags for only seven (7) days immediately preceding and following major commemorative U.S. holidays. No flag may exceed 4' x 6'. One standard-sized flag

may be displayed temporarily or permanently when attached to the rear of a dwelling, back porch or deck. All permanently displayed flags must be approved by the ARC. These Guidelines do not prohibit the display of the flag of the United States or North Carolina, of a size no greater than 4' x 6', which is displayed in accordance with or in a manner consistent with the patriotic customs set forth in 4 U.S.C. sections 5-10, as amended, governing the display and use of the flag of the United States.

Front Yard and Entryway Appearance

Owners and residents are encouraged to carefully consider the number, placement and appearance of artifacts, planters, urns and other decorative items placed at the entryway to your home or in your front yard. Excessive clutter or colors and materials that are not aesthetically consistent with the dwelling and landscaping will not be permitted. When considering the selection and placement of items you are encouraged to either consult the management company for guidance or submit an application to the ARC for formal approval of your changes.

Garage Doors

Homeowners and residents are requested to close their garage doors at least two-thirds at any time when they are not fully attended. This is an essential practice for maintaining the safety, value and appearance of the community.

Garaging of Personal Vehicles

Homeowners are requested to garage all personal vehicles when possible, or otherwise park them on your driveway. This is an essential practice for promoting the safety of all residents (i.e., by minimizing opportunities for vandalism and theft and easing vehicle flow through the subdivision). Minimizing obstructive views caused by on-street vehicles enhances the visual prominence of the design elements of the dwellings and landscaping of Avallon.

Holiday Decorations

Holiday decorations may be placed on the front exterior of your home not more than 30 days prior and not more than 14 days after the date of that holiday.

Gas Lamp Poles

The gas lamp poles that have been installed by the developer on each property in Avallon are actuated automatically from dusk to dawn by light-activated switches. Operation and maintenance of the lamps and the associated electrical circuitry are the responsibility of the property owner. To preserve the consistent night time ambiance of the community, owners must ensure that the lamps be in working order and functioning at all times.

Mailboxes

Mailboxes at Avallon have been standardized and may not be replaced with alternatives. Please contact the management company to address any maintenance or repair issues.

Materials and Colors not Acceptable

Exposed standard concrete blocks, un-surfaced poured concrete, prefabricated storage structures or pre-fabricated materials of any kind -- to include those made of aluminum, steel, particle board or other wood products -- unnatural brick tones, bright finish windows, high-gloss ceramic planters, pots or bird baths, or any other non-conforming structures, materials or colors are not permitted unless expressly approved by the ARC in writing.

Noise

The City of Raleigh enforces noise and nuisance ordinances to maintain a pleasant environment for everyone, particularly at night. Please familiarize yourself and any other residents in your home with these requirements (City code, Sec. 12-5007 {c}, Sec. 12-5008)

Outdoor Structures, Utilities and Equipment

Any approved equipment such as play structures, benches, planters, sculptures, fountains, water gardens etc., shall be compatible with and harmonious with the surroundings, installed only at the rear of the dwelling and may be required to be hidden by approved screening.

Portable electrical generators are permitted only for temporary use when a governmental emergency has been declared or for unique individually approved emergency situations. Proposals for permanent electrical generators that are affixed to a slab or to the dwelling will be considered on a case-by-case basis and must be approved in writing by both the ARC and any immediately neighboring owners, and may be used only in the event of a power outage

Parking and Storage of Vehicles, Boats, Trailers, etc.

Owners shall not park or store boats, marine craft, recreational vehicles, pick-up campers, travel trailers, small trailers and wagons, motor homes, camper bodies, hovercraft, aircraft, commercial vehicles or similar vehicles or equipment in the driveway or yard of any dwelling or on any public street in the community. Short-term exceptions to this rule (for example, visits by friends and/or family members) may be permitted with prior approval by the community manager.

Pet Management

Pet owners are responsible for being considerate of others in our community. Please do not allow your dog to bark excessively or aggressively, or permit any pet to be or become a nuisance to owners or residents. Also, ensure that your pets are fenced in your back yard and that all pet debris is immediately collected, sealed and placed in your trash receptacle for City collection. When walking your dog please be courteous to your neighbors, ensure that your dog is placed on a leash and pick up any pet-caused debris.

Plants, Gardens and Trees

ARC approval is not required for *minimal* plantings (such as annual beds, low growing perennials, and single shrubs). Approval is required for the following:

- Any landscaping project using hardscaping
- Any landscaping other than minimal low-growing plantings in your front yard

- Planting of trees or shrub clusters or rows in front and back yards
- Vegetable gardens and compost areas

Any approved garden or composting areas should be maintained in the rear yard and must not be visible from the street.

Removal of any live viable tree requires prior ARC approval. Diseased or damaged trees may be removed without approval; the management company must be notified of such plans prior to removal.

For safety reasons, before digging, all subterranean wires, cables, gas lines, water lines and electrical conduit should be located. This can readily be done by contacting the state's free underground line locator service, NC One Call Center; 1-800-632-4949.

Play Equipment

One item of play equipment may be permitted provided it is constructed principally of wood or composite materials and is shielded from the view of neighbors by appropriate landscape screening such as tall plants and shrubs. ARC approval is required for placing any stationary play equipment.

Portable play equipment must be stored out of view from the street when not in use. All play equipment must be maintained in good condition and repair.

Basketball goals of any type are prohibited. (Two basketball goals presently installed were approved prior to the creation and adoption of this document.)

Re-grading

Any plan to re-grade a Lot must be reviewed and approved by the ARC. While applications of this type should be rare, and can involve significant rainwater runoff issues affecting your property and neighboring properties, there may be instances where re-grading becomes necessary. Consequently, the ARC will require that you submit a written report prepared by a licensed professional engineer confirming the suitability of such work as supporting documentation for your application. Neither the Board nor the ARC accepts any liability for any damage caused by such grading action, whether or not approved by the ARC.

Repairs

Owners are responsible for repairs to existing structures, additions, etc. No application is needed to effect repairs and restoration to *original* condition.

Roofing

No roofs with less than 7/12 pitch (except front and or/rear porches) are permitted without written approval by the ARC. All roofs shall be fitted with the roofing material used for the dwelling. All dwellings shall be roofed continuously with the original roofing material style and color. In instances where the original roofing material becomes unavailable the ARC will specify a compatible alternative material. All roof vents, ducts, fans, etc. shall be painted to match the roof shingle color. All roof sections covered with custom copper sheeting must be maintained to the original standard with original materials.

Signs

For-Sale and For-Rent Signs. Owners may place low-profile “For Sale” or “For Rent” signs on their Lot during any period when their property is being marketed. No sign can be more than four (4) feet high or (3) feet wide and should be professionally made of metal or composite material. “Homemade” or handwritten signs of any type are not be allowed. “For Sale” or “For Rent” signs may **not** be attached to wooden posts, placed in any windows facing outward or nailed to a tree. No other signs related to the sale of that property are permitted on the Common Properties, including the entrance, of the subdivision.

Open-Dwelling Signs. One “Open Dwelling” sign is permitted during the hours that a house is open for public viewing.

Political Signs. Owners are encouraged to (i) display political signs only during the period beginning 45 days prior to an election and ending 7 days after that election (ii) display no more than one political sign during this period, (iii) display only signs provided by the campaign, (iv) limit the size of the sign to no more than 24” x 24” and (v) place such signs where normal lawn maintenance will not be impeded.

Alarm Signs. One alarm sign is permitted per property near the front or rear entrance. An additional alarm sign may be displayed in the rear of the property as long as it is not visible from the street.

No other signs, including “garage/yard sale” signs, placards, posters, billboards, or identifying name or number may be placed upon any lot, or any portion of the Common Properties, except as otherwise explicitly permitted by the Association.

Swimming Pools, Wading Pools and Hot Tubs

All permanently-installed swimming pools, wading pools and hot tubs – indicated by the presence of hardscaping in stone, brick, or concrete and/or permanent electrical-feeds or plumbing-feeds – must be approved by the ARC. In general, all such pools and tubs must be constructed of conforming materials, be aesthetically harmonious with the dwelling and surrounding area, produce no annoying motor noises and be set-back from the nearest property line by not less than fifteen (15) feet. In instances where this setback restriction cannot be feasibly achieved and a variance will not reasonably constitute an annoyance to a neighbor, it may be possible to site a pool or tub closer to a property line.

All other pools and hot tubs are not permitted.

Owners must ensure that no wading pool, fountain or other water containing device permits mosquitoes to reproduce.

Speakers

Only low-profile speakers may be installed outside the perimeter of the dwelling. All speaker installations must be approved through application to the ARC, constructed of all-weather materials, and finished in a color that either conforms to the exterior of the dwelling or in flat black, bronze or flat green. (See paragraph labeled “Noise” on page 10).

Storage and/or Accessory Buildings

Storage and accessory buildings are strictly prohibited.

Trash Management and Receptacles

Each owner must ensure that no trash receptacle or recycling bin is stowed in a manner that makes it visible when viewed from the street directly in front of the dwelling. **Doing so constitutes a City of Raleigh SWS Code Violation and may result in a fine.** In instances where trash receptacles or recycling bins are stowed outside the dwelling they should be screened using approved shrubs or trees. If a cluster of shrubs or trees is needed to produce the required screen for these items, ARC approval of a landscaping plan for this purpose is required.

Rental Property

Rental property within Avallon must be controlled by a conventional, written Rental Agreement that includes the tenant's telephone number(s). The owner must provide the management company with one copy of the Rental Agreement at least seven (7) days prior to rental occupancy, accompanied by the owner's new address and telephone number(s).

It is the property owner's responsibility to provide tenants with a copy of this document, and the Avallon HOA Covenants and to ensure their tenants' compliance with all provisions contained therein.

EXHIBIT A

AVALLON LANDSCAPING SELECTION GUIDELINES

Evergreen Trees for Screening

	Height	Growth Rate
1. American Holly; <i>Ilex opaca</i>	30-45'	Slow
2. Japanese Cedar <i>Cryptomeria yoshino</i>	30-50'	Moderate
3. Leyland Cypress	50-80'	Rapid
4. Holly, Foster's; <i>Ilex attenuata</i>	20-30'	Rapid
5. Eastern Red Cedar <i>Juniperus virginiana</i>	30-40'	Rapid
6. Carolina Hemlock* <i>Tsuga caroliniana</i>	30-50'	Rapid
7. Emerald Green Arborvitae <i>Thuja occidentalis</i>	10-15'	Moderate
8. Green Giant Arborvitae <i>Thuja standishii</i> x <i>plicata</i>	18-25'	Moderate

*requires cool shade

Tall Evergreen Shrubs for Screening

	Height	Growth Rate	Shade
1. Boxwood Tree; <i>Buxus sempervirens</i> <i>arborescens</i>	8-12'	Moderate	
2. Chinese Holly; <i>Ilex cornuta</i>	8-15'	Moderate	
3. Japanese Holly; <i>Ilex crenata</i>	10-12'	Slow	
4. Lusterleaf Holly; <i>Ilex latifolia</i>	8-12'	Moderate	PSh
5. English Laurel; <i>Prunus laurocerasus</i>	10-12"	Moderate	Sh
6. Waxleaf Privet; <i>Ligustrum lucidum</i>	8-12'	Rapid	Sh
7. Fortune's Tea Olive; <i>Osmanthus fortunei</i>	9-12'	Moderate	
8. Chinese Photonia*; <i>Photonia serrulata</i>	12-25'	Rapid	
9. Chindo Viburnum; <i>Viburnum awabuki</i>	15'	Rapid	S-Sh

PSh - partial shade, Sh - full shade, S-Sh - sun to shade. *Similar to Red-tip but not disease-prone