

FOREST RIDGE

ARCHITECTURAL AND LANDSCAPE GUIDELINES

09/15/2023

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DISCLAIMER

Please be advised the Town of Hillsborough requires a zoning compliance permit for site changes such as fences, new structures, accessory buildings, additions, etc.. Zoning Compliance Permits are intended to verify; that the use of property in town conforms with the regulations of the Unified Development Ordinance. Owners are responsible for verifying the municipalities requirements are met and a permit is issued if necessary. Should you have any questions regarding the zoning permit application, please contact the Town of Hillsborough Planning Department.

ARCHITECTURAL AND LANDSCAPE GUIDELINES

INTRODUCTION

These Architectural and Landscape Guidelines (the “Guidelines”) have been prepared by the Architectural Control Committee (the “ACC”) for Forest Ridge. The Guidelines are contemplated in and are promulgated pursuant to the Declaration of Covenants, Conditions and Restrictions for Forest Ridge (the “Declaration”). The Guidelines consist of three components: Architectural Guidelines, Landscape Guidelines, and Construction Rules, as set forth below. All defined terms used in the Guidelines, as indicated by the initial capitalization thereof, shall have the same meaning ascribed to such terms in the Declaration, unless otherwise specifically defined herein.

The Guidelines shall be employed in conjunction with the Declaration. If there is an express conflict between the terms of the Declaration and the terms of the Guidelines, the terms of the Declaration shall control and prevail; provided, however, the mere fact that the terms of the Guidelines may be more restrictive than the terms of the Declaration, or vice versa, shall not be construed as an express conflict, and in such case the most restrictive provision shall control and prevail. Of course, in the event governmental or quasi-governmental rules, regulations or requirements that are applicable to Forest Ridge are more restrictive or more stringent than the terms of the Declaration and/or the terms of the Guidelines, the applicable governmental or quasi-governmental rules, regulations or requirements shall control and prevail.

The Guidelines have been established to provide Lot Owners with a set of clean, concise, and enforceable guidelines for the construction and ongoing maintenance of residences and related Improvements on Lots (“Building Plans and Specifications”) and for the installation of landscape improvement on Lots (“Landscape Plans and Specifications”). The ACC has been created to explain and assist in the design review process as well as to review, approve, or not approve Plans and Specifications.

The ACC reserves the right to amend any or all provisions of the Guidelines at any time and from time to time, in the sole and absolute discretion of the ACC. Also, the ACC reserves the right to

rule on all issues on a case by case basis, taking into account the fact that these guidelines are to be used as benchmarks for policies and procedures, and may be interrupted from time to time by the ACC to reflect certain circumstantial issues.

Prior to commencing the preparation of Building Plans and Specifications and Landscape Plans and Specifications, it shall be the responsibility of each Lot Owner to obtain from the ACC the most current version of the Guidelines (and all amendments thereto). All Building Plans and Specifications and all Landscape Plans and Specifications shall be prepared in the compliance with the most current version on the Guidelines (and all amendments thereto) that has been promulgated by the ACC at the time such Building Plans and Specifications and Landscape Plans and Specifications are prepared.

Each Lot Owner shall comply with all regulations and permitting requirements of the Town of Hillsborough (“Town”) and Orange County (“County”).

ARCHITECTURAL GUIDELINES

1. APPLICATION AND APPROVAL

1.1 Timing

The ACC must receive, review, and approve the information submitted by the Lot Owner in compliance with the notice requirements set forth in Section 1.2 prior to the commencement of any construction activity.

1.2 Notices

Each notice, document, or submittal (collectively, “notice”) required or permitted under the Guidelines must in writing and be given in compliance with the requirements of this section.

Any notices to the ACC shall be deemed to have been duly served and to be effective only when a receipt acknowledging such delivery (such as a registered mail, overnight express service or hand delivery receipt) is signed by a member or authorized representative of the ACC. The ACC may also allow receipt of notices through the management application.

The ACC mailing address for delivery of notices hereunder shall be as follows:

Forest Ridge ACC c/o CAS
PO Box 83
Pinehurst, NC 28370

Any notice to be given to an Owner shall be deemed to be duly served when picked up by the Owner at the ACC’S office or when delivered to the Owner’s address by regular U.S. Mail Service (such delivery being presumed to have occurred on the second (2nd) day following the deposit of such notice by the ACC in the U.S. Mail). The address of an Owner shall be as set forth in the Owner’s submittal of Building Plans and Specifications. The ACC may also send notices to Lot Owners by e-mail.

Either the ACC or an Owner may change its address for notices hereunder by written notice to the other party designating the new address, such written notice of the changed address to be given to the other party in accordance with this Section 1.2.

1.3 Application for Building Plan Approval

Each application submittal should be sent via method selected by the Board and must include a completed application, complete set of the Building Plan and Specifications, and the Processing Fee (as needed) established by the ACC.

The ACC may change the amount of the Processing Fee from time to time. The Processing Fee check shall be made payable to the Forest Ridge Master Owners’ Association, Inc. (“Association”) and is intended to cover the cost of compensating any consulting architects, landscape architects, urban designers, inspectors, or attorneys retained by the ACC.

Note – all new building plans require proper permitting from the Town

of Hillsborough and/or Orange County.

1.4 Review of Application for Building Plan and Specifications Approval

To assist review, the ACC is authorized to request the submission of samples of proposed construction materials.

If submitted Building Plan and Specifications are approved (or approved with conditions) by the ACC, building can proceed based on the approved conditions specified by the ACC. If construction has not commenced within one (1) year following the date of ACC approval of the Building Plans and Specifications, the approval shall be deemed rescinded; therefore, a new submittal and approval would be required.

If the submitted Building Plans and Specifications are not approved by the ACC, the homeowner will be notified via written statement of items found not to be in compliance with the Guidelines or to be otherwise unacceptable to the ACC. If the first resubmittal of Building Plans and Specifications occurs more than a year from the original submittal, such resubmittal shall be accompanied by another Processing Fee (if needed).

1.5 Additions and Changes to ACC Approved Building Plans and Specifications

If a renovation or addition of heated square footage, any modification, addition, or change to the "Approved" set of Building Plans and Specifications must be submitted in duplicate to the ACC for its review and approval (using the same procedure as set forth herein relative to the submission and approval of the original Building Plans and Specifications). The ACC may require the Lot Owner to pay a processing Fee for its review of any submittal for modifications or changes to previously approved plans. If not a renovation or addition of heated square footage, any modification, addition, or change to the "Approved" set of Building plans and Specifications must be submitted using Form D (see Addendum) to apply for approval.

1.6 Failure of the ACC to Act

If the ACC fails to approve, disapprove, or notify Lot Owner that additional information is required by the ACC, any properly submitted Building Plans and Specifications which conform with the requirements of the Guidelines and of the Declaration within thirty (60) days after receipt thereof, it shall be conclusively presumed that the ACC has approved the submitted Building Plans and Specifications, EXCEPT that the ACC has no right or power, either by action or failure to act, to waive or grant any variances relating to any mandatory requirements specified in the Declaration or any Additional Declaration for the Phase in which the Lot is

located, and EXCEPT FURTHER, that the ACC shall not be deemed to have waived any of the requirements set forth in the Declaration or any corresponding provisions in the Guidelines.

1.7 Diligent Construction

All Improvements to be constructed on a Lot must be complete within ten (10) months following commencement of construction (i.e., commencement of grading) of the first of such Improvements, unless a longer time is approved in writing by the ACC. If construction activity ceases for a period of thirty (30) days, any disturbed area is to be stabilized to the ACC's satisfaction.

1.8 Final Inspection

Once all improvements have been completed, including Landscape Improvements, a final inspection by the ACC must be requested by the Lot Owner to the HOA Management Company to ensure compliance with the approved Building and Landscape Plans and Specifications. If any Improvements do not conform to the approved plans, the Association may utilize the Declaration's enforcement provision to ensure compliance.

2. SITE PLANNING

2.1 Lot Setbacks

Lot setbacks are noted on the Recorded Plat and form the Building Envelope.

Preservation of Trees

To the extent possible, existing trees should be preserved. Existing trees can be replaced without acquiring ACC approval.

2.2 Utility Easements

Landscape Improvements (as defined In the Landscape Guidelines) and the building of driveways or fencing within utility easements is permissible in accordance with the City and/or county rules (unless otherwise prohibited herein or by a recorded easement instrument). Provided, however, if in the future there is a need to disturb or remove such Landscape Improvements driveways or fencing to access such utilities, such removal and any necessary repair and restoration shall be the responsibility of the Owner of the Lot.

2.3 Drainage

Each Lot should be graded in a manner sensitive to the drainage impact on any adjoining Lots. However, it is to be expected that lots with a lower elevation than adjoining lots will receive run-off from the lots situated

on a higher elevation. The ACC may require that all drainpipes be piped underground away from the dwelling and “daylighted”. “Daylighted” ends of the pipes must be cut at an angle, flush with the ground level to be less visible.

3. ARCHITECTURAL DESIGN

3.1 Style

The intent of the Architectural Guidelines is to encourage the excellent design of a community of individual residences which, when view together, produce an outstanding total community environment.

Traditional architectural styles will inform the foundation of design. The designs employed shall be compatible with traditional architectural styling in terms of make, shape, profile, scale, and proportion particularly with respect to crawl space, roof pitch, and window placement.

3.2 Building

The minimum square footages for heated area per lot size are as follows:

Lot	Heated SF
22'	1,700
50'	2,200
75'	2,800
95'	3,300

3.3 Exterior Materials and Colors

Exterior materials shall be brick, stucco, stone, cedar shake, hardy plank or horizontal siding. Natural weathering of exterior wood materials is not desired. The ACC reserves the right to require builders to produce sample boards of colors if they are not on file with the ACC.

3.4 HVAC Equipment

No air conditioning or heating equipment or apparatus shall be installed on the ground in front of, or attached to any front wall of, any residence on a Lot. Additionally, air conditioning and heating equipment and apparatus shall be screened from view front streets and neighboring Lots as more particularly provided in the Landscape Guidelines herein.

3.5 Attachments; Satellite Dishes and Antennae

No permanent attachment of any kinds of character whatsoever (including, but not limited to, television and radio antennae, solar energy-

related systems, satellite or microwave dishes, flag poles or similar improvements) shall be made to the roof or exterior walls of any building on any Lot or otherwise placed or maintained on any Lot, unless such attachments or devices are approved in advance in writing by the ACC. Notwithstanding the above to the contrary, one satellite or microwave dish may be installed within the rear yard of the Building Envelope of any Lot, provided such satellite or microwave dish does not exceed eighteen (18) inches in diameter and is properly screen from view. The location and screening of the satellite or microwave dish must be approved in writing by the ACC prior to installation.

3.6 Pools, Therapy Pools and Spas

Pools, decks, spas, and related equipment require ACC approval and will not be allowed outside of the Building Envelope. Pool and pool equipment enclosures must be architecturally consistent and harmonious with the residence and other structures of the Lot in terms of their placement mass and detail. Pools, decks, spas and related equipment and structures shall be screened from the view of neighboring lots.

Above-ground pools are prohibited with the exception of wading pools which should not exceed 10 feet in diameter with a depth less than two (2) feet. Wading pools should only be located in the rear of the property and not visible from the street. They shall only be allowed during appropriate weather and must be emptied and stored when not in use.

3.7 Exterior Lighting

Exterior lighting (which must be approved by the ACC as part of the Building Plans and Specifications) must be limited to areas within the Building Envelope (unless otherwise approved in writing by the ACC), must not result in excessive glare and must not interfere with the privacy of nearby dwellings, all as determined by the ACC in its sole discretion.

3.8 Play Equipment

Elements of a planned park or playground, swing sets, trampolines, basketball goals, and similar outdoor play structures and equipment must be located where they will have a minimum impact on adjacent Lots and where they will be screened from general public view.

All play equipment must have ACC approval before being erected. All play equipment should be of earth tone colors, i.e. dark greens, browns, tans. Bright, eye catching colors will not be permitted.

Basketball goal backboards must be constructed of clear, see through

material. Solid colors will not be allowed. If possible, the basketball goal post must be located behind the front plane of the home. Goals cannot be placed in the street or blocking the sidewalk. Mobile goals cannot be weighted down with sand bags, cinder blocks, or other items not attached to the base of the goal as designed by the manufacturer. In addition, it is preferred the goal should not face the street.

Trampolines must be located in the rear 50% of the yard, as measured from the mid- point of the dwelling on the side that the trampoline is to be installed and must be screened from view of the street.

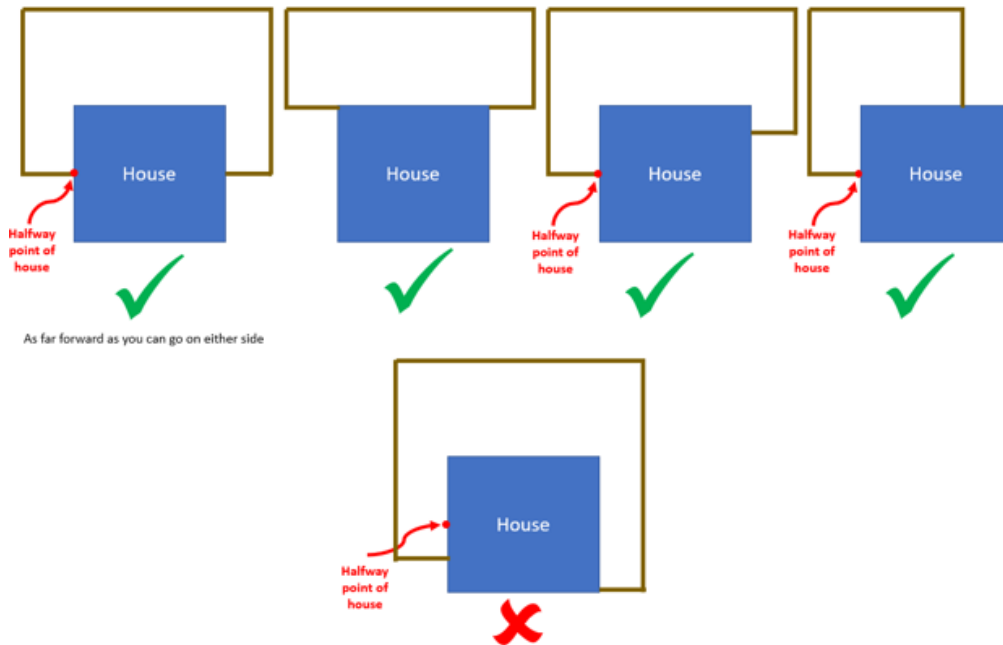
3.9 Fences and Walls

All fences and walls, including their location, material, design, and size, require ACC approval in advance of installation. Please refer to section 1.1-1.8 for application and approval.

The ACC reserves the right to make exceptions to the below guidelines on a case-by-case basis. Similar and previously approved exceptions do not obligate the HOA to allow a new or additional exception.

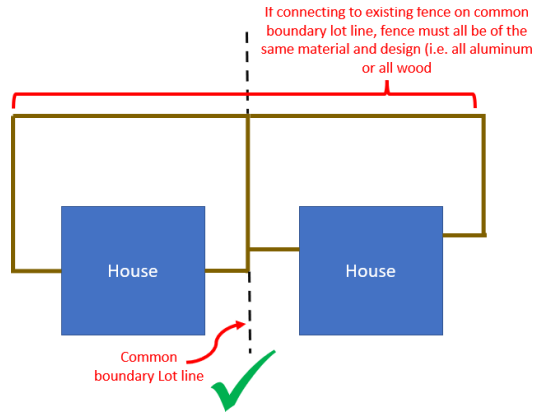
Guidelines for location of fences and walls:

- All fences and non-retaining walls shall be located no farther forward than the halfway point of the house.
- Fences and walls should be attached to the house
- Fences and walls should be installed such that no existing trees have to be destroyed or cut.

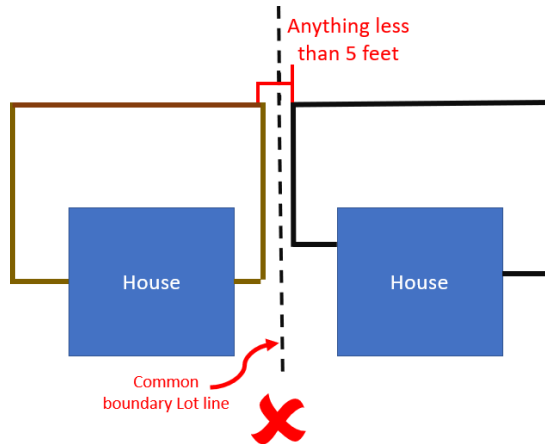
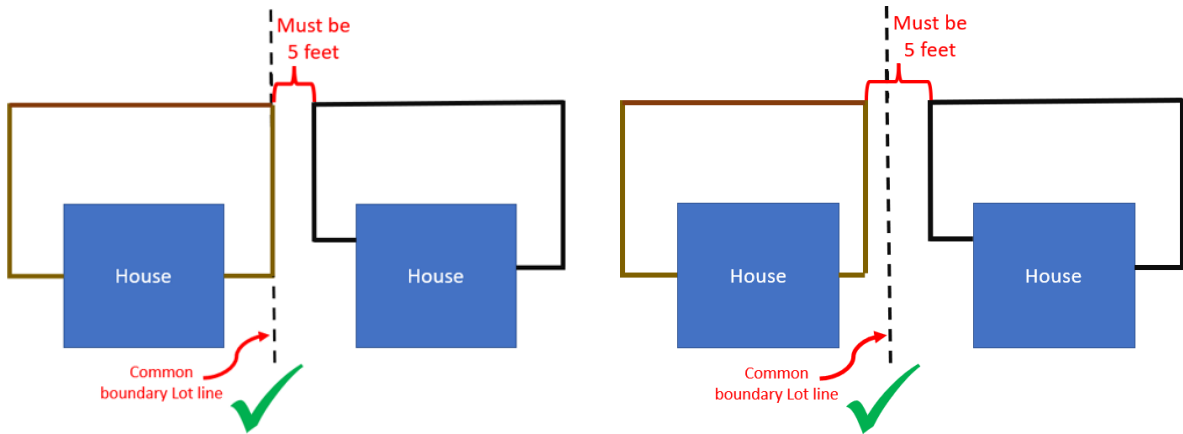


Once an approved fence or wall has been erected on a side Lot boundary line which is a common boundary with another Lot, that approved fence or wall design and material(s) will be the only approved fence or wall design and material(s) that may be erected on that common lot line.

An adjacent owner has the option to connect to this fence using a matching fence style as long as existing fence is on the common boundary line, with the permission of the fence owner. This fence style would then be required throughout the entirety of the fence. For example, if existing fence is wood, then adjacent owner cannot connect an aluminum fence to it.



If adjacent owner wants to construct a fence that differs in material or design from existing fence, or if existing fence is not on the common boundary line, then the new fence **must be constructed at least five feet from adjacent fence.**

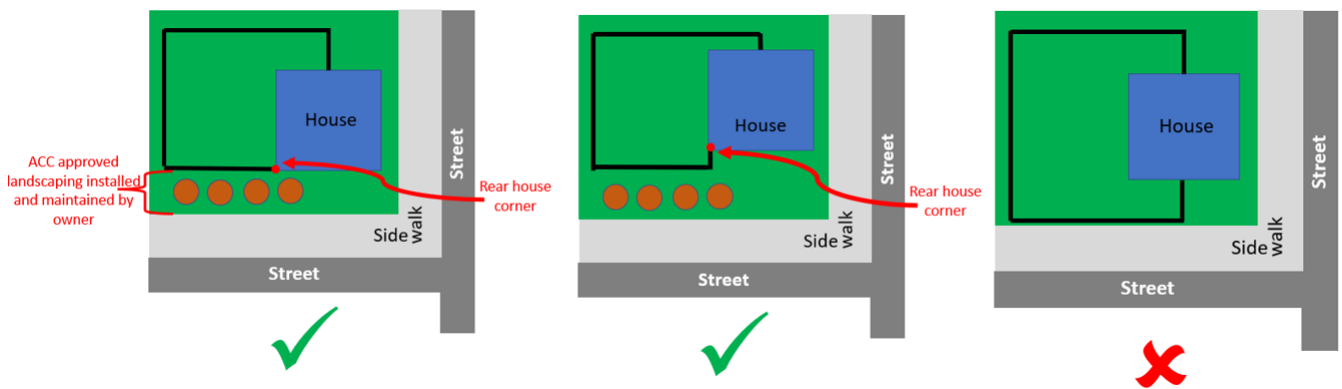


Owners are responsible for maintaining their respective property between the two fences.

Fencing on corner lots also must abide by the following guidelines:

- The side fence closest to the street shall be located no further forward than the rear corner nearest the street and must be installed no closer than 4 feet from the sidewalk.
- ACC approved landscaping shall be installed between the fence closest to the street and the street.

No double fencing will be allowed on side or rear Lot lines.

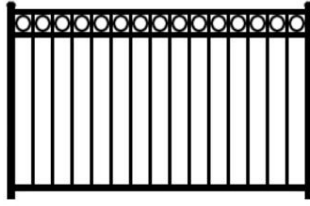


Guidelines for materials, design, and size of fences and walls:

All sides of fence must be of one material. Combination of fence materials, such as both wood and aluminum, are not allowed. Only aluminum and wooden fences are allowed. Prefabricated wood, prefabricated brick, chain link, vinyl, or welded wire fencing will not be permitted.

The following fence styles are permitted:

- Four-foot black aluminum Windsor Plus style fence
- Six-foot wooden scalloped fence with decorative posts
- Six-foot wooden lattice design fence
- Six-foot wooden cap and trim design fence



Four-foot black aluminum Windsor Plus style fence



Six-foot wooden scalloped fence with decorative posts



Six-foot wooden lattice design fence



Six-foot wooden cap and trim design fence

The wood fencing owner must stain and seal 6 months after installation, weather permitting. Brown hues will be the only acceptable stain colors. All other colors are not permitted. Examples of recommended stain colors:



Fences must be properly maintained over their lifespan. This includes replacing broken, rotting, molding or missing boards. Fence must be resealed or stained at appropriate intervals in order to minimize fading.

The replacement, extension, alteration or modification of an existing fence requires submitting a new application and approval by the HOA, even if the style and/or placement of the fence will not change from the previous one. The Board is under no obligation to approve any replacement, extension, alteration or modification on the basis of the previous fence or other existing, similar fences in the neighborhood.

A retaining wall that is attached to the residence on a Lot shall utilize the same material as the residence wall that it adjoins, unless otherwise approved by the ACC. Cross-tie timber walls may be used for retaining walls if set apart from the residence.

3.10 Outbuildings and Other Structures

The construction and location of outbuildings, gazebos, statues, gates, playhouses, etc. shall be subject to the review and approval of the ACC. Their design and location in relationship to the house is essential. Building materials should reflect those of the main house. Wherever possible, building should be oriented so that access is indirect, and their opening does not face the street.

Plans for outbuildings or structures shall be submitted to the ACC for review and approval, prior to being shown on landscape plans. Approval of the landscape plans does not constitute approval of any outbuildings.

LANDSCAPE GUIDELINES

4. APPLICATION AND APPROVAL

4.1 Key Terms

For the purpose of the Guidelines, and to distinguish landscape elements from other site structural elements (which are covered by the separate Architectural and Design Guidelines), “Landscape” shall be deemed to be the combination of existing and introduced plant material and all of the land area within each Lot located outside the boundaries of the building perimeter of the house. As used in the Guidelines, “Landscape Improvements” include, but are not limited to trees, shrubs, ground covers, annual and perennial flowers, turf grasses, mulches, irrigation, and landscape lighting systems, and similar existing and introduced Improvements.

4.2 Timing

The ACC must receive, review, and approve the information and documentation required to be submitted under the Section 7.2 prior to commencement of Landscape installation.

4.3 Application for Landscape Plan Approval

Each application must be submitted electronically to the HOA Management Company and shall include the items required under section 4.3.

Furthermore, if final Landscape Plans and Specifications are not submitted to the ACC by the date the Lot Owner occupies the residence of the Lot, fines shall accrue against such Lot (as a lien), and shall constitute a personal obligation of the applicable Lot Owner, at a rate of \$100.00 per day from the occupancy date until the date on which the final Landscape Plans and Specifications submittal (including all elements and documentation required herein) is received by the ACC.

Submittals must comply with notice requirements set forth under Section 1.2.

4.4 Required Elements of Landscape Plans and Specifications

All Landscape Plans and Specifications shall include the following:

- Lot boundaries
- Adjoining street right-of-way lines, accurate back of curb and face curb lines, and the appropriate names of adjoining street(s).
- Locations and widths of all utility easements, each labeled as to the specific type of utility occupying the easements (i.e., septic, water, electric power, etc.)
- Location of Lot Building Envelope (defined by setbacks shown on recorded plat)
- North direction arrow
- Precise location of the dwelling, garage and all other structures as depicted on the ACC approved Building Plans and Specifications for the Lot.
- Precise location of driveways, walkways, decks and steps, screened porches, gazebos, swimming (or other) pools, fountains, spas/hot tubs, fences and gates, garden walls, sculptures, sundials, bird houses, basketball goals, play equipment/swing sets, retaining and freestanding walls etc.
- Location of all proposed new Landscape Improvements, clearly labeled and indicating the species, sizes, and quantities. Show all lawn areas as "Bermuda sod" unless a turf alternative is requested due to shade.
- Plant list/planting schedule listing all proposed plant material, quantities, their common name and their botanical/specific name, their size at the time of planting, and any special or notable distinguishing characteristics. (See the same final Landscape Plans and Specifications attached hereto as Schedule J and the recommended plant list, Schedule H).
- Location of gas and electric meters, location of heating, ventilating and air conditioning units and pool equipment/pump or other utility-related equipment and apparatus.
- Any plants to be installed in a later phase (i.e., following the initial

- planting of the Lot) must be clearly labeled to that effect.
- Street trees must be located, and the species must be noted as is specified by the Street Tree Planting Plan for each street.
- The type(s) of mulch material(s) to be used and their location(s) must be clearly indicated.

If any of the foregoing information or detail is not provided in the final Landscape Plans and Specifications, in whole or in part, the approval request for Landscape Plans and Specifications will be rejected until all of the required information and detail is included, regardless of how elaborate and extensive the actual design may be.

4.5 Review of Application for Landscape Plan Approval

If submitted Landscape Plans and Specifications are approved (or conditionally approved) by the ACC the installation of such Landscape Improvements must be promptly commenced and diligently pursued to completion.

If submitted Landscape Plans and Specifications are not approved by the ACC, the homeowner will be notified with changes required for approval. The homeowner is able to revise and resubmit their request.

4.6 Additions and Changes to ACC Approved Landscape Plans and Specifications

If a renovation, new front yard planting bed, or a screen planting, any modification, addition, or change to the “Approved” set of final Landscape Plan and Specifications must be submitted to the ACC for its review and approval using the same procedure as set forth herein relative to the submission and approval of the original final Landscape Plan and Specifications. The ACC may require the Lot Owner to pay an additional review fee in connection with any submittal of modifications or changes to previously approved final Landscape Plans and Specifications.

4.7 Failure of the ACC to Act

If the ACC fails to approve or disapprove any final Landscape Plans and Specifications which conform with the requirements of the Landscape Guidelines and of the Declaration within thirty (60) business days after receipt thereof, and provided such submittal was a full and complete submittal in accordance with the Landscape Guidelines and the Declaration, it shall be conclusively presumed that the ACC has approved such conforming Landscape Plans and Specifications and other submittals EXCEPT that the ACC has no right or power, either by action or failure to act, to waive or grant any variances relating to any mandatory requirements specified in the Declaration or any Additional Declaration for the Phase in which the Lot is located, and EXCEPT FURTHER, that the ACC shall not be deemed to have waived any of the requirements set forth in the Declaration or any

corresponding provisions in the Guidelines.

4.8 Lot Owner Responsibility

Each Lot Owner is responsible for making those individual acting on behalf of such Lot Owner aware of the requirements contained herein relating to the preparation and submittal of the final Landscape Plans and Specifications.

4.9 Postponement of Planting

Under circumstances of extreme weather conditions, the ACC may in its sole discretion, grant a Lot Owner a postponement of the initial Landscape Improvements planting. The request for such a postponement must appear in writing on the final Landscape Plans and Specifications as submitted to the ACC for review. Generally, postponements of the initial Landscape Plans and Specifications

4.10 Final Inspection

Following the installation of Landscape improvements, the Lot Owner shall contact the management company to request the ACC to conduct a final inspection of Building and Landscape Improvements. If any Improvements do not conform to the approved plans, the Association may utilize the Declaration's enforcement provision to ensure compliance.

5. LANDSCAPE GUIDELINES

The following guidelines shall be followed by all Lot Owners and the builders, contractors, subcontractors, and architects of the Lot Owners when planning for and installation Landscape Improvements on Lots within Forest Ridge. These guidelines contain specific required practices and techniques for creating an aesthetically pleasing landscape. Also, landscape design must not create unreasonable maintenance issues for neighboring Lots.

5.1 Driveway Location

Driveways, which must be a concrete surface, shall not be located closer than two (2) feet to the side Lot boundary line unless approved by the ACC. Where a driveway exists on a Lot that is adjacent to a neighboring Lot which does not have a driveway on the same adjacent side, the Owner of the Lot on which the driveway exists shall be responsible for landscaping the two (2) foot strip between such Owner's driveway and the side Lot boundary line.

5.2 Walkway Layout

Walkways from the driveway to the front door or porch of the house shall be designed with smooth, flowing curves (where possible), rather than rigid straight lines. Walkways must have a concrete or stone surface and shall be at least three (3) feet wide.

5.3 Turf

Bermuda sod shall be used to establish front, side, and rear lawns. The ACC will consider an alternative turf type only in the event shade would prohibit Bermuda turf health. The strip between the back of curb and the sidewalk shall be planted with Bermuda sod and not otherwise landscaped.

5.4 Beds

Planting beds containing plant materials such as trees, shrubs, ground covers, and annual flowers shall be designed and constructed with smooth, flowing curves and raised with appropriate soil content to promote plant material health. Existing trees, shrubs, and annual flowers can be replaced without acquiring ACC approval. The Town of Hillsborough has a list of recommended trees that can be found on the Town's website. Foundation planting beds on all sides should accomplish an established appearance in the short term without creating a future problem of overgrowth, be predominately evergreen, and offer an abundance of seasonal color. Use of native or locally proven, drought tolerant plant material is strongly encouraged. Front yard area beds, anchored by a sub-canopy tree or large shrub, are encouraged to soften walkway/driveway intersections. Rear yard area beds should soften sight lines to other dwellings; however simply row planting along the property line is not permitted. ACC approved rear yard play equipment or structures should be screened from neighboring lots.

5.5 Street Trees

This section pertains to new construction homes only. Street trees will be required on each Lot. The required species, size and location of each required street tree will be shown on the construction plans provided by the developer or the ACC in connection with the initial sale of each Lot. The precise size and species of tree described on the construction plans provided by the developer or the ACC must be planted in the designated location(s) shown on such plans and must be maintained in perpetuity. Street trees must be installed at the same time ACC approved Landscape Improvements are installed hereunder. Trees other than required street trees should not be planted to disrupt the linear path of street trees.

5.6 Mulch

Annual flower beds and perennial flower beds shall receive of small/fine hardwood or pine bark mulch. All planting beds and natural areas require a cover of mulch. Acceptable mulch materials for covering planting beds and natural areas include pine straw, pine bark nuggets, or shredded hardwood mulch. To accomplish a harmonious and natural aesthetic, white gravel and red mulch will not be permitted as mulch materials. Consistent use of the mulch material for any given Lot is required.

5.7 Screening of HVAC Units, Utility Meters, Utility Transformers, Outside

Refuse Containers, Etc.

All heating, ventilating, and air conditioning units, utility meters, electric utility transformer boxes, swimming pool pump equipment, permitted satellite dishes and similar equipment, apparatus and fixtures on each Lot, including all refuse containers stored outdoors, should be screened from view from streets and neighboring Lots to the extent possible.

5.8 Retaining Walls

As set forth in the Architectural and Design Guidelines, all retaining walls must be approved by the ACC prior to construction, and the material, location, and height of all retaining walls must be clearly labeled on the final Building Plans and Specifications. Where retaining walls are located on a Lot in an area that is visible from a street or neighboring Lot, plant material will be required to screen, or otherwise “soften” the retaining wall from view at the street. Such plant screening material must be installed at the same time the Landscape Improvements are installed hereunder.

5.9 Elevated Decks and Patios

Decks and patios that are elevated above ground level shall be landscaped around their perimeters with appropriately sized plant material to screen the view of the space underneath the structure where possible. It is especially important to screen those portions which are visible from the public street (especially on corner lots with elevated rear decks) or neighboring Lots where possible. In cases where it is not possible to screen decks and patios, the areas under them must not be used as storage and properly maintained.

5.10 Fishponds and Fountains

Fishponds and fountains are permitted to be installed on Lots in rear yards only, subject to ACC approval. Generally, such site amenities must be restricted. Professional design and installation service are highly recommended for such amenities.

5.11 Yard Ornaments

All yard ornaments including but not limited to bird houses, bird baths, exterior lighting, weathervanes, sculptures, and fountains constitute Landscape Improvements and therefore are subject to review by the ACC. If in the sole discretion of the ACC, such landscape elements are incompatible with the objectives of the Guidelines, they must be removed or relocated by the responsible Lot Owner as specified by the ACC, within ten (10) days from the date of written notification to the Lot Owner.

Outdoor holiday décor can be displayed no more than 30 days prior to holiday and must be removed within 45 days following the holiday. Décor should be

securely anchored (if necessary) and consideration should be made for neighbors in regards to lights and sounds.

5.12 Garden Plots

Garden plots require approval and must be located in the rear portion of the lot. Attempts should be made to screen from the street and adjoining lots. All garden plots require approval by the ACC.

5.13 Garbage/Trash Cans

Garbage and recycling bins should be stored out of view from the street as much as possible. The garage or rear of the house are the recommended storage locations. If bins are stored on the side of the house it is preferred that the bins be concealed from the street view with a fence, screen, bush or some other means.

5.14 Window Air Conditioning Units and Clotheslines

Windows air conditioning units and clotheslines are not permitted.

5.15 Maintenance

All turf areas, planting beds and street trees must be maintained i.e. edged, weed free, fertilized as appropriate and mowed/trimmed/pruned at best practice intervals. Dead plant material must be immediately removed and replaced at first seasonally viable planting opportunity.

Single family homeowners are responsible for the maintenance of their lawn landscaping. Minimum standards include, but are not limited to:

- Mowing lawn at a maximum height of 4 inches weekly. Trimming lawn with a string trimmer does **not** constitute mowing.
- Weeding (including up to the curb, sidewalks, road right of way areas, and driveways) and bed definition. Grass should be removed from mulched areas.
- Edging (including the sidewalk)
- Regular weed control. Weeds must be kept to a minimum including all turf areas, beds, and between the sidewalk and curb
- Trimming of shrubs, trees, and flowers.

No items (toys, bikes, garden equipment, wood, etc.) may be stored in the front or side yards or on porches when not in use.

Paint and stain must be maintained in uniform and good repair (with no peeling, chipping, cracking, fading, or discoloration) on the trim or siding.

5.16 Signs/Flags

Signs/flags are prohibited unless otherwise noted below:

- No signs are permitted in the windows with the exception of alarm, pet and no soliciting signs. Security, burglar alarm, or dog fence

- signs may be located discreetly in the front yard of the house.
- Homemade signs in the yards are prohibited.
 - Signs may be placed in the homeowner's yard for the express purposes of selling and/or renting the property.
 - Signs may be placed in the homeowner's yard but are subject to review by the ACC. If in the sole discretion of the ACC, such signs are incompatible with the objectives of the Guidelines, they must be removed or relocated by the responsible Lot Owner as specified by the ACC, within ten (10) days from the date of written notification to the Lot Owner.
 - Political signs may be placed discreetly in the front yard of the homeowner's property expressing support or opposition to a candidate, in accordance with city guidelines.
 - No signage may be located in the common area, with the exception of an open house or community event.
 - Yard/Garage Sale signs are permitted the day prior to and day of the event then need to be removed promptly.
 - Temporary signage during the period of home improvements is permitted. Signs must be removed as soon as the job is complete.

6. PARKING

There shall be a maximum of four (4) vehicles permitted per household for each Single Family Lot and a maximum of three (3) vehicles permitted per household for each Townhome Lot, unless otherwise approved by the Board

6.1 Street Parking

Per the covenants, "to enhance the streetscape in the Property, it shall be required that each Owner park its vehicles in the garage on the Lot whenever possible. All garages shall be used primarily for the storage of vehicles. No vehicles of any type shall be parked on the sidewalk, nor shall vehicles of any type be parked or stored on any part of a Lot other than in the garage or driveway of such Lot, excepting occasional overflow parking for guests or other reasonable purposes provided that no inconvenience is imposed on the Owners of other Lots."

For safety and aesthetic purposes, parking on the street should be used as a last resort. Garages and driveways should be the primary parking locations for vehicles (as permitted by the covenants). All other parking options (garage and driveway) should be exhausted before parking vehicles on the street. Vehicles parked on the street must be parked facing the direction of traffic

If occasional daytime overflow parking at the pool lot is needed, parking is not permitted in designated mailbox spaces. Please be mindful of peak pool season (May – September) to allow for sufficient parking spaces for pool patrons. Owners may be required to remove their vehicles from the parking lot during neighborhood community events (e.g. Food Trucks, festivals) and for parking lot maintenance (lining parking spaces, asphalt sealing, etc.).

Street parking is not permitted within 25 feet of intersections or stop signs and 15 feet of fire hydrants per the NCDOT. When possible, do not park directly across from another vehicle parked on the opposite side of the street.

For events such as Yard/Garage Sales or parties, it is the responsibility of the homeowner hosting the event to inform neighbors and make provisions to not inconvenience neighbors and prevent damage to neighbors' yards.

Prohibited areas for on-street parking include but are not limited to:

- East side of Talondale Ct.
- Quincy Cottage Rd.
- Ellsworth Mannor Drive (except between the end of the townhomes and the intersection with Prestwood Dr)
- In the alleyways

6.2 Campers and Other Vehicles

Campers and other vehicles (trailers, campers, camper trucks, RVs, boats, waterborne vehicles, airplanes, or commercial vehicles) must be parked in a closed garage and are prohibited from parking at the pool parking lot unless approved by the Board. Parking of these vehicles is prohibited on the street.

Parking of trucks with a tonnage in excess of one (1) ton by Owners, his household, or tenants is not permitted on the streets or pool parking lot.

Automobiles requiring over 48 hours to repair must be stored in a closed garage.

6.3 Guest Parking

Overnight guests should park at the pool parking lot if space is not available in the Owner's garage or driveway. For safety and aesthetic purposes, parking on the street should be used as a last resort.

6.4 Overnight Parking

Parking in the street overnight is highly discouraged and not permitted by the Covenants. Overnight parking of vehicles by Owners, his household

or tenants in the pool parking lot required Board approval if the duration exceeds four (4) consecutive nights. The Board may request details about the vehicle to assist in identification such as make, model, and license plate number.

7. Golf Carts

Golf carts should be stored in a closed garage. While the Association has no rules regarding the operation of golf carts, there are several important facts that residents need to be aware of in order to comply with local laws:

- Drivers need to be at least 16 years of age and have a valid driver's license to drive a golf cart on the roads of North Carolina.
- According to the NCDOT, you have to have your driver's license in your possession when operating a golf cart on public roads and streets in North Carolina.

CONSTRUCTION RULES

1. **Applicability.** These construction rules (collectively the "Construction Rules") shall apply to all Lot Owners and any reference herein to an Owner shall also apply to the Owner's builder and subcontractors. All Owners shall abide by the Construction Rules and such other rules as the Board and/or the ACC may establish from time to time.
2. **Construction Hours and Noise.** All construction activities must be conducted, and all deliveries must be made from 7:00 am-7:00 pm Monday through Friday and 8:00 am-5 pm on Saturdays. However, no construction activities shall be conducted, and no deliveries shall be made on Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Christmas Day or New Years Day.
3. **Rubbish and Debris.** Always maintain a neat and orderly appearance , the following rubbish and debris rules must be strictly followed. Burning or burial of construction debris or vegetation is prohibited.
4. **Street Cleaning.** It is the responsibility of each Lot Owner with a home under construction to keep the street cleaned in front of and around the Lot.
5. **Silt Fences.** Silt fences and/or other devices for sedimentation control shall be installed where necessary or as directed by the ACC.
6. **Material Storage.** No construction materials, equipment or debris of any kind may be stored anywhere other than in the location approved by the ACC.
7. **Construction Access.** During the time a residence or other

improvements are being built, all construction access shall be confined to the approved driveway for the Lot, unless the ACC approve an alternate access way.

8. **Gravel Drives.** Prior to the commencement of construction on a Lot, the Owner of such Lot or such Owner's contractor shall provide at the approved driveway location a gravel drive with a minimum of five (5) inches of #5 crushed stone base from the paved street to the house under construction.
9. **Parking.** All vehicles must be parked so as not to impede traffic or damage vegetation.
10. **Accidents.** The Association and the ACC shall be notified immediately of any accidents, injuries or other emergency occurrences.
11. **Portable Chemical Toilets.** An enclosed and regularly service portable chemical toilet must be provided for at least every two homes under construction and must be located in as inconspicuous a location as possible.
12. **Signs.** Building permits and Marketing/Sales Lot ID signs are the only signs or documentation that may be posted at a residence or on a Lot during construction. Business permits are to be attached to a post in a manner protected from the elements; and in no event may building permits or any other signage or documentation be attached to trees.
13. **Property Damage.** Any damage to streets or common area may be repaired by the Association and the cost of such repairs will be billed to the responsible Owner. If not paid promptly, the repair cost will be deducted from the Construction Deposit. If the Construction Deposit is not sufficient to cover the entire repair cost, the additional amount will be charged to and promptly paid by the owner.
14. **Failure to Abide.** Failure to abide by any of the Construction Rules may result in a fine levied for infractions.