

ARTICLE IV - DEVELOPMENT AND USE RESTRICTIONS

Section 1. Development and Use Restrictions.

1.1 **Residential.** Each Lot shall be used for single-family residential purposes only. No trade or business of any kind may be carried on in or from any Lot. No Lot may be subdivided to create additional lots. No one other than the Developer may use any Lot, portion of a Lot, or property within the Development as a means of access (by easement, license, or any method) to any other Lot or property. This article shall not be construed to interfere with normal home occupation or the owners right to rent said premises.

1.2 **Trees.** No person may cut at any time any trees measuring six inches or more in trunk diameter without the written consent of the Committee, unless such tree is located within twenty feet of the approved building site. No trees may be removed from any lot without the written consent of the Committee until the owner is ready to begin construction. The only exception to this restriction is that if the tree is damaged by lightning, wind, or other natural causes and poses a threat to the property.

1.3 **Height Limitations.** The height of all improvements shall be compatible with all other improvements adjacent to such Lot, Unit or improvement. No improvement shall exceed three and one-half (3 1/2) ground stories in height, measured from the finished grade of a Lot in the front of the improvement facing a street or roadway.

1.4 **Minimum Living Space.** The minimum heated living space requirements for the main structure of any improvement, exclusive of open porches and garages, shall be 1800 square feet.

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1.5 **Landscaping.** In order to preserve the natural aesthetic appearance and beauty of the development, the natural state of the property will be considered appropriate landscaping. Any plans to change the natural state must be submitted to the Committee for approval. Any minor landscaping needed to restore the pre-construction state of the land does not need prior approval from the Committee, but must be completed within one year from construction completion.

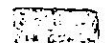
1.6 **Lawn Care.** No owner shall allow the lawn grass on a Lot to grow in excess of six inches. Should the owner fail to observe this restriction, the Committee reserves the right to have the grass cut. Any cost incurred shall be reimbursed to the Committee by the owner.

1.7 **Seasonal Decorations.** Seasonal or holiday decorations which included by way of example but not limitation, Christmas lights, pumpkins, and Easter decorations shall be promptly removed from each lot or improvement as soon as the holiday passes. Such decorations shall not create a nuisance.

1.8. **Roofing.** No solar or other energy collection panel, equipment or devise shall be installed or maintained, including, without limitation on the roof of any improvement if the same would be visible from any street or from any other improvement.

1.9 **Vents.** No plumbing or heating vents, stacks or projections of any type shall be placed on the front roof of the improvement. All such vents, stacks and any other projections from the roof of any improvement shall be located on the rear roof and shall be painted the same color as the roofing material used to the extent practical and shall not be visible from the street. No projections shall be placed or permitted to remain above the roof except for approved chimneys and vent stacks.

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1.10 **Exterior Lighting.** All exterior lighting must be approved by the Committee.

1.11 **Exterior Material and Finishes.** Approved exterior building material finishes shall include brick, stucco, stone, wood and to the extent permitted by the Committee, dryvit and such other materials. All exterior wood surfaces shall be painted or stained. Prohibited exterior finish materials shall include particle board, plywood, vinyl siding, laminated or fabricated siding, aluminum siding, simulated brick or stone and any other type of materials as the Committee may from time to time determine. All brick, stonework and mortar, as to the type, size, color and application must be approved by the Committee. All exterior colors, including the color of all roof shingles, brick stone, stucco, wood, trim, cornices, eaves, railings, doors and shutters shall be subject to Committee approval. Any improvement constructed on any Lot must be of high quality construction, both as to materials and workmanship. Any exterior stuccoed or dryvit finish must be of such permanent quality as to reasonable assure that deterioration from weather and age shall not result in subsequent exposure of the underlying concrete block or other material to which the stuccoed finish is applied. No concrete block or cinder block shall be used as an exposed building surface. Any material used in construction of an improvement, foundation, and retaining walls shall be finished in the same material utilized for the remainder of the improvement by way of example, but not limited to brick, stone, stucco, etc.

1.12 **Chimneys.** The exterior of all chimneys shall be constructed of either brick, stone or stucco. No cantilevered chimneys or chimneys with siding shall be permitted. All metal or other materials placed around a chimney shall be painted to blend with the color of the roofing material used for such improvement unless approved by the Committee.

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1.13 **Garages.** Without prior approval by the Committee, and as may be required by the topography of the property, no garage doors shall open onto or front a street. Garage doors shall be constructed of such materials as are approved by Committee.

1.14 **Fences.** No Chain link, vinyl coated or wire fences shall be permitted within the Community with the exception of those needed for tennis courts and swimming pools. The type of materials utilized for (including color) and the location must be approved by the Committee. Safety fences for swimming pools/tennis courts cannot be placed closer to the street line than the front line of the primary improvement.

1.15 **Windows, Window Treatments and Doors.** No reflective glass, foil or other reflective materials shall be permitted on any windows. No aluminum or metal window shall be utilized on the front or sides of any improvement. Cantilevered bay windows shall be approved by the Committee (which may require additional landscaping in front of such bay window). Burglar bars or wrought iron doors shall not be permitted.

1.16 **Mailboxes.** All mailboxes must be approved by the Homeowners' Review Committee.

1.17 **Utility Meters and HVAC Equipment.** Except as permitted by the Committee, all electrical, gas, telephone and cable television meters shall be located at the rear or side of all improvements. All utility cables, lines and wires shall be underground. All exterior heating, ventilating, and air conditioning compressor units and equipment shall be located, to the extent practicable, at the rear of the structure, and if the same are visible from the street, such units and equipment shall be screened from public view by either walls or landscaping to be approved by the Committee.

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1.18 Outside Communication Antennas Limited. Satellite dishes shall be allowed with approval of the Committee as to placement and screening so as to minimize the visual impact of any such satellite dish. No satellite dish shall exceed thirty-six inches in diameter. No radio or television antenna, radio receiver or other similar device shall be attached to or installed on any lot unless the same is not visible from any street or adjacent Lot or improvement unless approved by the Committee.

1.19 Driveways. All driveways in the Community must be finished in a manner approved by the Committee. Driveways must be completed within ninety days of occupancy of the residence.

1.20 Miscellaneous Outdoor Items. Wood piles, toys, recreational equipment, playhouses and treehouses, barbecue grills, birdfeeders, wood carvings and other types of homecrafts shall be in the rear yard and to the extent practicable, should not be visible from any street. Outside clothes lines will not be permitted.

1.21 Pets and Animals. No farm animals, livestock or poultry of any kind shall be kept by any homeowner upon any lot. Dogs, cats or other common household animals may be kept as long as they are not kept for breeding or any commercial purposes. No pet shall be allowed to make an unreasonable amount of noise or become a nuisance. Pet housing shall be at the rear of the improvement. Dogs will not be allowed to roam free. Any pet which, in the opinion of the Association, is considered to be dangerous will not be permitted.

1.22 Oil and Mining Operations. No oil drilling, oil development operations, oil

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refining, quarrying, or mining operations of any kind shall be permitted upon or under any lot, nor shall derrick or other structure designed for use in boring for oil or natural gas be erected, maintained, or permitted upon any lot.

1.23 **Garbage.** No lot shall be used as a dumping ground for rubbish. Trash, garbage, or other waste shall not be kept, except in sanitary containers suitably sunken in the ground or otherwise adequately hidden from other lots or improvements. Trash containers moved to the roadside for pick-up must be stored away the same day. No burning of rubbish or garbage shall be permitted. No burning of trees, shrubbery or other plant material will be allowed, except as may be permitted by the Committee consistent with applicable law.

1.24 **Vehicles and Parking.** Recreational vehicles, campers, lawnmowers, tractors, and similar types of equipment, must be kept stored in an enclosed building or garage. No non-operational vehicles will be parked on a street, driveway or lot.

1.25 **Signs.** No signs of any kind shall be displayed to the public view on any lot except for one sign of not more than five square feet advertising the property for sale or rent, or signs customarily used by the developer or the builder to advertise the property during the construction and sales period.

1.26 **Prohibited Structures.** No structure of a character such as, but not limited to trailers or mobile homes, tents, shacks, garages, barns, or other outbuildings, shall be used on any Lot at any time as a residence. This will not apply to shelters used by a contractor or builder during construction.

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1.27 **Improvements.** All structural and permanent landscaping improvements will be subject to Committee review and approval.

1.28 **Re-construction.** In the event of natural or other disaster, reconstruction shall be commenced within a reasonable time frame not to exceed six months. All debris will be removed promptly. Property will be returned to its prior condition if no rebuilding is to occur.

1.29 **Construction Cleanliness.** During any type of construction, the property owner will take precautions to keep the construction site clean and orderly to the extent practicable. The owner shall be responsible for the removal of mud or debris from all streets.

1.30 **Swimming Pools and Tennis Courts.** Swimming pools, outdoor hot tubs, reflecting ponds, saunas, and tennis courts may be constructed, installed and maintained with the prior written approval of the Committee. Above ground pools shall not be permitted.

1.31 **Responsibility of owners.** Each owner will have responsibility to maintain his/her Lot, Unit or improvement in a neat, clean and sanitary condition. Such responsibilities include, but are not limited to, maintaining appropriate paint and stain finishes, re-roofing or replacing shingles and keeping the Lot in a well maintained manner. Routine maintenance that does not change the appearance or color of the improvement (for example, repainting and re-roofing) does not require Committee approval.

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