Townes at Crabtree

Homeowners Association, Inc.

Rules & Architectural Guidelines

August 22, 2017

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1.0 Introduction

1.1 Applicability

This guide to Rules and Regulations ("Guide") is adopted pursuant to the *Articles of Incorporation*, and the *Declaration of Covenants, Conditions, and Restrictions*, ("Declaration"). These documents provide for the establishment of reasonable rules and regulations concerning the use of individual lots and common areas. The Architectural Review Committee ("ARC") serves as representatives of the Board of Directors ("Board") while enforcing the Guide. Compliance with this Guide is required, but is not the sole basis for review or approval, nor does it guarantee approval of any application. In reviewing each application, the ARC may consider any factors it deems relevant. Decisions may be based purely on aesthetic considerations. Each owner acknowledges that determinations as to such matters are purely subjective in nature and that opinions may vary as to the desirability and attractiveness of a proposed addition or modification.

1.2 Purpose

This document is not intended to replace the Declaration, but to clarify the process by which homeowners may customize and modify the exterior presentation of their homes and/or lots. The intent is to provide consistent guidance to owners regarding requirements for additions and modifications to property in the community, and matters of particular concern to the ARC when considering applications for approval of such conditions and modifications. Additionally, the Guide sets forth various restrictions on other matters relating to community standards and the overall appearance of property in the community.

1.3 Application and Review Process

Unless otherwise specifically exempted by the Declaration or this Guide, ***each and every proposed exterior modification/addition to residential units or lots require prior approval of the Architectural Review Committee***. Submit one copy of the Request for Architectural Approval form to PPM, Inc., 11010 Raven Ridge Road, Raleigh, NC 27614.

Each application must include a copy of the lot survey showing the size and location of the proposed modification/addition as well as a list and description of the materials to be used. Color samples may assist the ARC in rendering its decision and expedite the review process. The ARC may require submission of such additional information as may be reasonably necessary to consider any application. Review of the application and notification to the applicants shall be conducted as described in the Declaration. Contact the ARC chairperson for status if there is no response within three weeks. Where specifically permitted to proceed without prior approval, such permission shall only be effective so long as the Owner complies with every requirement of this Guide. The ARC is not responsible for ensuring structural integrity or compliance with state and local building codes. Homeowners must obtain all necessary building permits and other government approval that may be required for the proposed modification or addition.

Suggestion: It is strongly encouraged that you share and discuss your ARC plan and request with your neighbors on either side of your property and directly behind or adjacent to your property. Their signature on the form only indicates that they are aware and have viewed the planned activities. This may prevent any questions or an objection surfacing after any installation work as been performed.

Important Note: Architectural Review Committee (ARC) approval on landscaping does not constitute engineering approval. ARC Approval is aesthetic in nature. Improvements and consequences are the sole responsibility of the homeowner or person making the improvements. Changes to existing grading and swales are not approved.

2.0 General Architectural Standards

2.1 Antennas, Satellite Dishes (DBS, MDS, DSS)

Homeowners who wish to place a satellite dish on the exterior of the residence are encouraged to submit a *Request for Architectural Approval* to the ARC.

Pursuant to FCC Section 207 of the Telecommunications Act of 1996, the Association will not require prior approval for antennas/dishes in the attic, crawl spaces, garage, or other interior space of the dwelling, or another approved structure so as not to be visible from the exterior of the residence.

Freestanding antennas/dishes (mounted on a pole anywhere on the lot) are **not** permitted.

A maximum of two satellite dishes measuring one meter or less in diameter may be erected on any lot. If installation is required in other than the following approved locations, include a statement from the installer with the ARC application. Standard, approved placement of a satellite dish is:

- Attached to or mounted on a deck or patio in the rear of the residence and extending no higher than the eaves of that portion of the roof of the dwelling directly in front of such antenna; or,

- Attached to or mounted on a deck or patio in the rear of the residence so as to extend no higher than the ridgeline of the residence at a point directly above the position where attached or mounted to the wall.

If installation of the satellite dish antenna meets the foregoing requirements, no ARC approval is required. However, ARC approval is encouraged.

2.2 Birdbaths, Birdfeeders, Birdhouses

Birdbaths require ARC approval. Birdfeeders and birdhouses are pre-approved provided they are no larger than one foot in width, one foot in depth, and one foot in height. Any pole on which a birdhouse or birdfeeder is located may not exceed two inches in diameter and six feet in height (including the house and feeder). Birdhouses and birdfeeders should not be placed directly on the deck or front porch.

Birdbaths, birdhouses, and birdfeeders shall not be placed in the front yard, side yard, or in common areas or wetlands/marshes.

2.3 Clotheslines

Clotheslines of any type are not approved or will not be allowed to remain on any Lot; including porches.

2.4 Decks, Patios, Porches

No Indoor-outdoor carpeting, hot tub or screened porch may be installed. Any furniture on the deck, patio or porch shall be appropriate outdoor furniture and shall be maintained in a neat, tidy and good condition. Personal property such as bicycles and recreational equipment should be stored inside a Dwelling Unit.

2.5 Pets

It is required that owners maintain control of pets at all times. Pets must be on a leash.

Animal nuisance of any kind will not be tolerated, including noise and improper waste disposal. While outside the confines of the owner's property, animal waste will immediately be collected by the owner and disposed of in an approved waste receptacle. For disease prevention and sanitary reasons violators will be subject to aggressive penalties, including fines.

Other than normal household pets, no other animals, livestock or poultry of any kind shall be raised, bred or kept on the properties. Dogs, cats or other normal household pets may be kept in homes provided that such pets are not kept, bred or maintained for any commercial purpose. It is suggested that homeowners familiarize themselves with any applicable municipal ordinances relating to pets.

2.6 Exterior Colors, Shutters, Doors, Planters, Other Exterior Modifications

Exterior color change is not permitted. Repainting using an existing paint color, reroofing, minor repairs, and the like shall not require the approval of the Committee. The picture of the planter at the end of this document is the approved planter which may be attached to the window bottoms of the townhome unit. An ARC Application along with a picture of the planter must be submitted for approval prior to installation.

Deck Stains

Changing the color requires written approval of the Board of Directors prior to work beginning. Pre-approved deck colors that you may use (alternately, please apply). Red stains are prone to fading and may more frequent staining.

- Behr - Deckover - Pyramid
- Cabot - Napa Vine (semi-transparent)
- Cabot - Sagebrush (semi-transparent)
- Cabot - Sycamore (semi-transparent)
- Cabot - Juniper (semi-transparent)
- ReadySeal Wood Stain - light oak
- *Sherwin-Williams stains:*
  - *Cheyenne Red*
  - *Sequoia*
  - *Ranchero Red*
  - *Yankee Barn*

2.7 Exterior Lighting, Seasonal Decorations

Seasonal holiday decorative lights are pre-approved from Thanksgiving through the 15th of January. Seasonal decorations are approved two weeks prior to the event until two weeks after the event.

2.8 Fences

No fence, other than a fence constructed by the Declarant, shall be constructed or erected on any Lot.

2.9 Flagpoles, Flags and Statuary

Freestanding flagpoles are not permitted. Flags, which, in the Board's judgment, tend to incite or antagonize are not permitted. Flags meeting the following criteria are pre-approved.

- One flagpole, not to exceed two inches in diameter and sixty inches (60") in length, may be mounted on the front of a dwelling.
- Flags shall not exceed 5'x8' in size. Flags must be maintained in good condition and shall not be displayed if mildewed, tattered, or faded.

Statues require ARC approval and shall be located in the rear yard area only.

2.10 Garage Sales, Garage Sale Signs, Items for Sale

It is recommended that garage sales be limited to a maximum of four times per year per residence. Each garage sale may last a maximum of 48 hours. Sale items must be kept in the immediate area of the garage area.

Advertising signs may be placed at the residence 48 hours in advance of the sale and must be removed immediately after the conclusion of the sale. Signs placed other than at the residence must follow the guidelines in paragraph 2.16.

Other than garage sales, items for sale such as cars, boats, lawnmowers, etc. may not be displayed at the residence or on any common areas.

2.11 Garbage Containers, Recycle Containers, Garbage

Garbage containers must be stored in the following pre-approved location:

- Inside the garage, except on garbage collection days.

Garbage containers and Recycle Containers may be placed at the curb no earlier than dusk the day prior to collection and must be retrieved and stored back inside the garage before dusk the day of collection.

2.12 Home-Based Businesses

Home-based businesses are permitted provided the following criteria are met:

- It is not evident that home-based business is being conducted.
- No unusual traffic, other than normal residential traffic, is permitted. The Board may have sole discretion as to whether amount of traffic generated is unusual.
- Only removable signs are permitted on vehicles and said vehicles must be parked in the garage or the signs may be required to be removed while in the community.
- No items or equipment related to the business may be stored or otherwise kept on the owner's lot outside of the dwelling or garage.
- Business activities should comply with all applicable federal, state and local laws.

2.13 Hot Tubs, Spas, Saunas, Pools

Hot tubs, spas, saunas and pools are not permitted.

2.14 Outdoor Furniture

No furniture shall be used, stored or kept on the exterior of any residence except on porches, patios, and decks. Furniture not enclosed in a room shall be limited to such types as is designated for outdoor use.

2.15 Parking, Recreational Vehicles, Campers, Boats, Trailers

A. Parking

No vehicles may be parked on the streets. All vehicles owned, leased or operated by an Owner or occupant, or family member or guest or invitee of the same, must be parked in the garage or driveway of a Lot.

Notwithstanding the above, no house trailer or mobile home, school bus, truck or commercial vehicle over three-fourths ton capacity or having ladder or pipe or similar racks or utility beds, motor home, camper, or van (not including passenger vans for non-commercial use), junked or wrecked vehicles, or vehicles on blocks may be kept, stored or parked overnight on the street, the Common Areas, or any Lot.

B. Guest Spaces

Certain parking spaces within the community have been designated as guest spaces. Residents are not permitted to park in guest spaces. The term “resident” includes all occupants of a townhome. No guest may be parked in a guest space overnight more than three (3) nights per month.

C. Towing

Any vehicle parked in violation of the above parking rules and regulations shall be subject to towing.

The Association has contracted with ACE Towing for the towing of all vehicles. ACE Towing is located at 1533 S. Blount Street in Raleigh, and the company’s telephone number is (919) 821-2121. If your vehicle is towed, you should call ACE Towing directly to arrange for payment of towing and storage costs and reclaim your vehicle. In the event the Association contracts with a different towing company in the future, updated contact information will be provided to the community.

Signs will be posted in the community stating that towing is authorized in the community. The signs will also inform of the name, address and phone number of the towing company.

Homeowners wishing to report parking violations should call the Association's property manager to report the same. Homeowners are not authorized to contact the towing company directly to have an offending vehicle towed.

All costs of towing and storage will be borne by the owner of the towed vehicle.

2.16 Signs

The placement of any signs on any portion of the Townes at Crabtree property requires the submittal of an ARC Application. This includes the following:

- A single "For Sale" or "For Rent" sign which shall be limited to four (4) square feet and must be displayed from the inside window of the dwelling.
- A single garage sale sign as described in paragraph 2.10.
- Such permits are required by legal/government agencies.
- Official community events as approved by the Board.

All signs must comply with all applicable federal, state and local laws and ordinances.

The Declarant, during the Declarant's development period, and the HOA Board reserve the right to deny the request for placement of any Sign on any Lot or Common Area per the Townes at Crabtree Covenants.

2.17 Storm Doors

Storm doors are permitted using the standard *Request for Architectural Approval* form. They must be full-view glass or glass/screen and must match the existing façade color scheme. Door hardware must also match the existing hardware (brass handle for brass lights, etc.).

Pre-approved storm doors that you may use (alternately, please apply).

- Front of the house
  - Anderson 3000 Series – Black Full View/Nickle Handset
- Rear (Deck & Patio) of the house
  - EMCO 300 Series – White/Nickle Handset

2.18 Window Air Conditioners, Fans

Window air conditioning units and window fans are not permitted.

2.19 Play Equipment

All toys should be neatly stored at the end of each day away from view or placed inside the garage or inside the dwelling unit.

2.20 Landscape Maintenance

All landscaping changes and additions, including the replacement of dead shrubs, bushes and trees, shall require the submission of an ARC Application prior to installation. Homeowners shall be required to water the grass and plantings on their lots as needed as well being responsible for replacing any dead plantings with material similar in nature to the original landscaping. This includes keeping the same color scheme of mulch and/or pine straw utilized throughout the community and in neighboring lots. All landscaping improvements made by the homeowner will be the responsibility of the homeowner to maintain and not that of the Townes at Crabtree HOA.

Pertaining to homeowner lots, the Townes at Crabtree HOA will be responsible for the regular mowing, edging, aeration and fertilization of such lots (based on the contracted scope of the maintenance contract).