WALNUT RIDGE at ROCK BARN

ARCHITECTURAL DESIGN GUIDE

Prepared by:

Walnut Ridge at Rock Barn

Conover, North Carolina 28613

NOTICE: This document is subject to revision and amendment. Please contact Walnut Ridge Architectural Control Committee, c/o Walnut Ridge at Rock Barn. Attn: Bill Witmer, Conover, NC 28613. (610-212-0457) to verify the date of the most current document.

This Architectural Design Guide for "Walnut Ridge at Rock Barn" is adopted and pursuant to Article X of the "Master Declaration of Covenants, Conditions and Restrictions for "Walnut Ridge at Rock Barn and approved by the Declarant and Architectural Committee of the Master Association."

(Revision Date: January 22, 2025)

ARCHITECTURAL DESIGN GUIDE

Welcome and congratulations on your purchase of property in Walnut Ridge at Rock Barn. The purpose of this document is to familiarize you with the Architectural Requirements for building in Walnut Ridge. These requirements are to protect all owners in Walnut Ridge and to have an overall consistency of common elements – such as setbacks – square footage and more.

Before you start clearing or doing any site work: The Architectural Control Committee – (ACC) Requires the following:

- Owner Completes all sections, information and submits Owner House Plans Check List for ACC for approval.
- Owner obtains and submits all documents that have been identified in the Owner House Plan Check List to ACC for review and approval.
- Owner has the required Approved Construction Loan or has demonstrated other acceptable financial arrangements to be able to complete and ACC approved building plans.
- Owner has provided Surveyed Site plan with footers marked and setbacks noted.
- Owner has provided an environmental plan showing placement of silt fence – temporary gravel entrance and any additional items to control water runoff.

No construction, including grading, tree removal, or site alteration shall commence on any lot without prior *written* approval of the ACC.

Thank you for your attention to these details. If the ACC can help in any way, please contact us:

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INTRODUCTION

Design Review Guidelines

"Walnut Ridge at Rock Barn" (Walnut Ridge) is being developed as one of the premier communities that is being developed in the Rock Barn Jones Development (RBJD). Great care has been taken in the planning, design and development phases of Walnut Ridge to ensure that Rock Barn's natural beauty is retained for years to come. The streets and home sites have been designed to preserve wooded areas and to create a feeling of spaciousness in harmony with the natural environment and the Club Facilities. This Architectural Design Guide has been developed to provide broad guidelines for home construction and to encourage the use of professional talent to assure the goal of making each home in Walnut Ridge as special and anesthetically pleasing as the land itself.

Design Review Concept

To accomplish the goal of architectural integrity and balance with the existing environment and the Club Facilities, an Architectural Control Committee, hereinafter, referred to as "ACC", has been established by Declarant (Rock Barn Properties, Inc.) to review and approve building designs, exterior building or appearance alterations, building additions, site plans, landscape plans, exterior color combinations and any and all other elements which effect the appearance of a home or homesite. The ACC has established design criteria to aid home buyers, architects, designers and builders in their design and construction of private improvements.

The architectural objective at RBJD is that buildings reflect design excellence and blend into, not intrude upon, the landscape, natural environment or the Club Facilities. The desire is to encourage design which considers the total community and good planning, design, materials, colors, finishes and total development planning should seek this objective. Various housing styles and architectural designs are encouraged. The design criteria have purposely been kept to a minimum in order to encourage professional design creativity. The ACC and design criteria only seek to coordinate the many directions of all RBJD home buyers, architects, designers and home builders, to create harmony with the natural environment and to protect the mutual interests and individual investments of all residents of Walnut Ridge and Declarant and the Club Facilities.

ARCHITECTURAL CONTROL COMMITTEE RESPONSIBILITIES

The ACC is empowered to perform the following services:

1. To establish architectural criteria and exterior design themes for the community.

2. To establish design review criteria for the protection of enduring property values and to provide the best possible safeguards for continuing appreciation.
3. To review all applications for compliance with design review criteria and with the Declaration.
4. To assure compatible architectural designs and harmonious relationships with neighboring building sites.
5. To require high standards of design and quality construction.
6. To establish fees for the review of applications as may be required.
7. To assure that all properties are properly maintained.
8. To monitor violations of design review criteria and notify Declarant and the appropriate Board for action.
9. To amend design review criteria as required from time to time.
10. To contact applicants whose plans and specifications have been disapproved, or approved, and to provide reasonable assistance and recommendations for adjustments to bring applicants into compliance with design review criteria.
11. To maintain copies of applications, design documents and related records
12. To inform the appropriate Board and Declarant regarding activities of the ACC and changes in criteria as they may occur.

Architectural Control Committee Policies

The ACC assumes no liability for Applicant's responsibilities which include, but are not limited to, the following: Non-Liability for Approval of Plans. ACC approval of plans shall not constitute a representation, warranty, or guarantee, whether express or implied, that such plans and specifications comply with good engineering design or with zoning or building ordinances, or other governmental regulations or restrictions. By approving such plans and specifications neither the ACC, the members thereof, any Association, any Member thereof, the Board thereof, nor Declarant assumes any liability or responsibility therefore, or for any defect in any improvements constructed from such plans or specifications. Neither the Committee, any member thereof, any Association, the Board thereof, nor Declarant shall be liable to any Member, Owner, occupant, or other person or entity for any damage, loss or prejudice suffered or claimed on account of (a) the approval or disapproval of any plans, drawings, and specifications, whether or not defective, or (b) the construction or performance of any work, whether or not pursuant to the approved plans, drawings and specifications.

Without limitation to the foregoing the ACC shall have no liability for:

1. Determination of environmental restrictions, drainage and grading requirements and all surface and subsurface soil conditions.

2. Determination of structural, mechanical, electrical and all other technical aspects of a proposed design that can only be determined by competent professionals such as Architects, Engineers, Land Planners and Contractors.
3. Compliance with the Declaration and all ACC criteria and approvals.
4. Compliance with all applicable laws, codes and ordinances of the City of Conover or any other governmental agency or body.
5. Accuracy of all stakeouts and surveys.
6. Performance of quality of work by any contractor or subcontractor.

APPLICANT RESPONSIBILITIES

Design Review Approvals. Construction of new homes and any changes, modifications, alterations, or improvements to existing homes and/or Lots **must** receive ACC approval **prior** to obtaining building permits or commencing any work. The ACC map develop house plans which can be consulted for design guidance.

Review by ACC. Upon receipt of a properly completed application, along with an architectural approval fee of $5,000 (of which may be refunded if the ACC does not incur any unusual or extra expense in the approval and building process, or due to any infractions during the building process). The ACC will review Applicant's plans and specifications and render its decision in writing. Should damages exceed the $5,000 the contractor/homeowner will be liable for payment of the extra expenses.

Construction Funding. Prior to commencing any lot clearing or construction work, Applicant shall demonstrate to the ACC conformation of sufficient funding in the form or a builder's loan or certified cash to be able to complete the construction project as submitted and approved by the Walnut Ridge ACC.

With the exception of structures designed and/or constructed by Declarant, prior written approval by the ACC shall be required of all new construction. In addition, no alteration or modification to an existing dwelling unit, or any other structure, previously approved by the ACC, whether dwelling, changes in exterior paint color, or other similar improvements shall be constructed, and no alteration of the established drainage on a Lot shall be made unless complete plans and specifications therefore have been first submitted to and approved in writing by the ACC. The ACC shall exercise its best judgment (neither arbitrarily or capriciously) to the end that all such changes, improvements, and alterations requested conform to and harmonize with the existing surroundings. Plans and Specifications shall be submitted in duplicate to the Committee.

The Plans and Specifications shall show the nature, kind, shape, height, materials and locations of all improvements and landscaping. The documents shall specify any requested variance from the setback lines or any other requirement. At such time as the plans meet the approval of the Committee one complete set will be retained by the Committee and the other set shall be marked approved on behalf of the Committee and returned to the Owner or his designated representative. If disapproved by the Committee one set of such plans shall be returned marked "disapproved" and shall be accompanied by a statement setting forth the reasons for disapproval. In no event shall the Committee give verbal approval or disapproval of any plans, and no person or entity shall be entitled to rely on verbal approval. If the Committee fails to approve or disapprove such plans and specifications within thirty (30) days after the date of submission, written approval of the matter submitted shall not be required and compliance with this Article shall be deemed to have been completed, so long as the submission does not otherwise violate or fail to conform to any restrictions or requirements of the ACC, in which event the submission shall be deemed disapproved by the Committee. An Owner submitting plans to the Committee shall have the burden of establishing the date upon which the Committee received said plans.

It is the intent hereof that the Architectural Control Committee (ACC) shall have the broad power and discretion to review, supervise and control any and all man-made buildings, structures, improvements and objects of every kind or description which may be placed, erected, installed or permitted to remain on any Lot, or within the street right of way adjacent to any lot, as well as any trees, shrubbery or plantings of any kind of which may be planted, transplanted, placed upon or removed from any lot. The enumeration of specific use restrictions in the Master Declaration shall not be interpreted to limit the authority of the ACC, the only intended limit on it plenary authority being that it shall not act arbitrarily or capriciously.

In the event an application is DISAPPROVED. Applicant must make appropriate changes and resubmit for the same step for which plans, and specifications were disapproved.

Appeal. The decision of the ACC is final.

Variances. All requests to the ACC for variances from the requirements set forth in this Architectural Design Guide or any other rules or regulations shall be made in writing. Any variance granted shall be considered unique and will not set any precedent for future decisions by the ACC.

Written Approvals. Applications for review or approval will be returned with the ACC's decision, comments, and limiting conditions signed by a member of the ACC along with one set of submitted design documents. "Certificate of Construction Approval" must be signed by the owner and one member of the Architectural Control Committee.

"Homeowner Checklist" will be provided to the property owners to be filled out, signed and submitted to the Architectural Control Committee for approval.

The foregoing items shall be the sole source of reference regarding ACC approval and oral statements shall not be relied upon unless incorporated into written approvals, or noted on design documents and signed by a member of the ACC.

Approval Expiration. Applicants must **begin** construction within one hundred twenty (120) days of Final Plan approval by the ACC. Failure to do will automatically revoke approval without prior notice from the ACC.

Time extensions may be requested from the ACC which shall have the sole right to grant or reject any request for an extension of time in its sole and absolute discretion.

Additions/Remodeling/Improvements. Applicants for changes, modifications, alterations, and improvements to existing homes shall consult with the ACC to determine the design documents required for the approval. No work shall commence without final approval from the ACC. This includes, without limitations, repairing a home if another color is used other than the color originally approved by the ACC and removal of any tree six (6) inches or greater in diameter of a point three (3) feet above grade.

Construction Changes. All construction must be completed in accordance with the Application and Plans and Specifications as approved. Exterior changes must receive prior written approval from the ACC.

Construction Inspections. Periodic inspections may be made by the ACC while construction is in progress to determine compliance with the approved design documents. The ACC, Declarant, and any appropriate Board is empowered to enforce its policies, as set forth in the Declaration or these guidelines, by any action, including an action in a court of law or equity to assure compliance.

Enforcement. In the event of a breach, or any attempted or threatened breach, of any term, covenant, condition, restriction, right or procedure set forth therein, the ACC shall notify the Declarant and the appropriate Board, who, acting jointly or severally, shall be entitled, forthwith and in addition to any other applicable rights or remedies at law or in equity, to:

1. Obtain a decree for specific performance of the provisions hereof.
2. Enter upon the premises where any such violation exists or is threatened, and summarily, abate, remove or otherwise eliminate, at the expense of the lot owner and any other person, jointly or severally, that is in breach or violation hereof, any structure, condition or thing that is contrary to any provision, or the meaning or the intent, hereof, permissions for any such entry being granted by acceptance of a deed for any Lot subject hereto;

3. Enjoin, abate or otherwise remedy by appropriate legal or equitable proceedings the continuance of any breach, attempted breach or threat thereof, without being required to show any actual or threatened damages or to post any bond or security.
4. Commence and prosecute an action for the recovery of damages, both consequential or punitive, for the consequences of breach, or any attempted breach or threat thereof.

All costs and expenses (including reasonable attorney's fee) of any suit or proceeding hereunder shall be fully assessed against the defaulting party and shall constitute a lien, until repaid, against the real estate or interest therein of such defaulting party. All remedies hereunder, or otherwise available at law or in equity for the enforcement of the provisions hereof, shall be cumulative, and the failure or neglect to enforce any term, covenant, condition, restriction, right or procedure herein shall in no event, and under no circumstances, be construed, deemed, or held to be a waiver with respect to any subsequent breach or violation hereof.

DEFINITIONS

Refer to the Master Declaration for definitions therein. In the event of conflict between a definition in this architectural design guide and in the Master Declaration then the Master Declaration shall control.

"APPLICANT". Any individual Lot owner or Builder seeking to make, construct, or change any improvement on any Lot or residence in Walnut Ridge.

"ARCHITECTURAL CONTROL COMMITTEE". As defined in the Declaration.

"ASSOCIATION". As defined in the Declaration.

"BOARD" and "BOARD OF DIRECTORS". As defined in the Declaration.

"BUFFER". An area of land with plantings, structures or other landscape features which are used to minimize or reduce conflicts.

"BUILDER". Any person that (1) requires a Lot of Lots for the purpose of development and sale in the ordinary course of business or (2) enters into an agreement with an owner of a Lot to make an improvement on a Lot.

"BUILDING". A structure permanently affixed to the land with one (1) or more floors and a roof supported by columns or walls, used, or intended to be used for shelter or enclosure of persons, animals and/or property.

“BUILDING LINES”. The setback line established by the City of Conover Zoning Ordinance, generally parallel with and measured perpendicularly from the front Lot Line, defining the limits of a front, rear, or side yards in which no Building or structure may be located.

“CLUB FACILITIES”. As defined in the Declaration.

“COMMON AREA” or “LIMITED COMMON AREA”. As defined in the Declaration.

“COMMUNITY-WIDE”. The standards of conduct, maintenance, or other activity generally prevailing. Community-wide standards shall be a part of the Rules and Regulations of the Association.

“CORNER LOT”. Any Lot at the junction of and abutting two (2) or more intersecting Streets.

“DECLARANT”. Shall mean and refer to Rock Barn Properties, Inc.

“DECLARATION”. That certain MASTER DECLARATION OR COVENANTS, CONDITIONS, and RESTRICTIONS FOR WALNUT RIDGE AT ROCK BARN as amended from time to time.

“DEVELOPER”. Shall mean and refer to Rock Barn Properties, Inc. a North Carolina Corporation, its successors and assigns.

“DEVELOPMENT”. Any man-made change to improved or unimproved real estate, including but not limited to, buildings or other structures, dredging, filling, grading, paving, excavation or drilling operations and tree removal.

“FRONT OF LINES”. As shown on any recorded plat, and otherwise: The front of a Lot shall be considered to be that side of the Lot which fronts on a street. In the case of a corner Lot, the narrowest side fronting on the Street shall be considered to the front of the Lot. In case the corner Lot has equal frontage on two or more Streets, the Lot shall be considered to front on that Street on which the greatest number of buildings have been erected on that side of the Street within the same block.

“FRONT YARD”. The portion of a Lot extending across the front of the Lot, between the side Lot Lines and being the minimum horizontal distance between the street right-of-way and the front of the building or structure.

“HEIGHT OF BUILDING”. The vertical distance from the median elevation of the finished grade at the foundation along the side(s) of the building facing a Street to the highest point of the roof, excluding chimneys.

“INTERIOR LOT”. Any Lot other than a corner Lot.

“LOT”. As defined in the Declaration.

“LOT DEPTH”. This means distance between front and rear Lot Lines.

“LOT WIDTH”. The distance between the side Lot Lines at the front setback line measured along a straight line parallel to the front Lot Line or parallel to the chord thereof.

“MEMBER”. As defined in the Declaration.

“REAR YARD”. That portion of a Lot extending across the rear of the Lot, between the side Lot Lines and being the minimum horizontal distance between the rear Lot Lines and the rear of the Building or structure.

“RESIDENCE”. A structure permanently affixed to the land with one or more floors and a roof supported by columns or walls and designed and intended for use and occupancy by a single family. Also, can be referred to as a home or a house.

“RIGHT-OF-WAY”. A strip of land taken or dedicated for use as a public way. In addition to the roadway, it normally incorporates the curbs, lawn strips, sidewalks, lighting and drainage facilities, and may include special features required by the topography or treatment such as a landscaped area.

“SIDE YARD”. That portion of a Lot that is located between the side Lot Lines and the nearest Building or structure.

“SIGNS”. Any structures, device or contrivance and all parts thereof which are entered or used for advertising, directional or identification purposed or any poster, bill, bulletin, printing, lettering, painting, device or other advertising of any kind whatsoever, which is placed, posted or otherwise fastened or affixed to the ground and/or structures within the boundaries of the Property.

“STREET”. A public way for the purpose of vehicular travel, including the entire area within the right-of-way.

“SUB-LEASING”. A lease by a tenant or lessee of part or all of leased premises to another person but with the original tenant retaining some right or interest under the original lease.

“UTILITIES”. All services, including sanitary sewer, storm sewer, pressured water, golf course irrigation lines, natural gas, electricity, telephone, cable television, etc.

“VARIANCE”. A modification from the strict terms of the relevant regulations where such modification will not be contrary to the public interest and owing to conditions peculiar to the Property and not the result of action by the Applicant, literal enforcement of the regulations would result in unnecessary and undue hardship.

“YARD”. A required open space other than a court unoccupied and unobstructed by any structure or portion of a structure from three (3) feet above the general level of the graded Lot upward.

The definitions contained in Article I of the Declaration are also hereby incorporated into this section, and in the event of conflict with any definition in this Architectural Design Guide the Master Declaration shall control.

ARCHITECTURAL CONTROL COMMITTEE AND PLAN REQUIREMENTS

ARCHITECTURAL CONTROL COMMITTEE COMPOSITION and MEETINGS

The ACC will review plans at the preliminary design stage and at the completion of working drawings. Original members of the ACC shall be:

Bill Witmer-chairman (610) 212-0457 bill.witmer@outlook.com
Steve Beasley (828) 850-3291 sbsbeasley@gmail.com
Greg Flynn (704) 985-0939. gflynn777@icloud.com
Nelu Vladia (954) 661-0476 nvladia10@gmail.com

The terms of the members shall be continuous until such time a new member is appointed in their respective place. Alternate members shall serve in that order when present at a meeting of the Committee. A majority shall be required for action of the Committee. Subcommittees may be appointed, and appeal may be taken therefrom as provided by this guide.

The address of the ACC is Rock Barn, Conover, North Carolina. Walnut Ridge HOA and ACC do not at this time have any regular scheduled meetings, but rather at the wish of the Directors will schedule a meeting as required. Special meetings may be called and variances on submission time may be granted by the ACC at its sole discretion. The regularly scheduled meeting time may be changed by the ACC at its sole discretion. The ACC will not meet when it has nothing to take up.

Plans will be reviewed according to the guidelines hereinafter included. **No construction, including grading, tree removal, or Site alteration shall commence on any Lot without the prior written approval of the ACC.** No exterior alterations, or addition, including a color change, shall commence without written approval of the ACC. The basis for approvals shall be the plans as approved by the ACC and on record with the ACC. Proposed changes in plans following approvals must be resubmitted in writing to the ACC. The ACC chairperson shall have the authority to determine if such change is sufficiently minor as to be inconsequential to the character and quality of the development, in which case the chairperson may approve the change without full ACC review and approval.

The ACC is established pursuant to Article X of the Master Declaration; its members are the same for all areas subject to the Master Declaration, for example, Walnut Ridge at Rock Barn.

Preliminary Plans

Prior to commencing preparation of working drawings (final engineering and architectural), the Applicant shall submit to the ACC preliminary plans to assure conceptual acceptability; one (1) copy of the plans shall be submitted. A set of plans may be submitted electronically if available. Preliminary plans should recognize the particular assets of a lot and strive to preserve or enhance those assets. Structures shall be located as to blend with, not intrude upon, the natural environment and the Club Facilities. To the extent possible, building, and other improvements should be situated so as to respect the privacy of residents on adjacent Lots. Submitted preliminary plans shall include the following drawings and information:

Site Plan – Scale to be 1" – 20'0" or larger. It is recommended that the preliminary site plan shall show the following minimum information:

a. Existing Conditions including Lot dimensions, all building setback lines, topography and significant natural features, such as ravines, creeks, masses of trees and individual trees of 6" or greater in diameter measure at a height of three feet above existing grade.
b. Proposed changes in existing conditions including building location, driveway location, type and location of other improvements such as, pools, retaining walls, changes in topography and tree removal.
c. Sketches of building elevations showing exterior appearance and intended use of materials and color of all sides at a scale of ¼" – 1'0".
d. Floor plan sketches at a scale of ¼" = 1'-0".
e. Any request for variances.

Storm water, erosion and sedimentation must be controlled and handled properly during and after construction. Downstream adjacent property must receive and not impede the flow of storm water originating from upstream natural watersheds. Whenever possible grading should be limited to protect trees and other natural vegetation. Trees and other site amenities to be saved should be protected during construction with temporary fending or barriers. Retaining walls shall be constructed or faced with stone, brick, or wood timbers or other approved materials. Retaining walls, terraced banks and planted slopes should be utilized to accommodate grade changes. (See addition details under "**Grading and Drainage**")

Final Plan Review

Prior to commencement of any construction activity, two (2) sets of complete building and site plans with completed architectural review application for building and other permitted

structures shall be submitted to the ACC for review and compliance with design guidelines. The following list of drawings may be required by the ACC as part of this package at the scales requested:

1. **Site Plan** – Scale to be 1" = 20' or larger. The site plan is to indicate all special assets of your Lot and all proposed improvements:
    a. Existing and proposed contours at two (2) foot intervals or less.
    b. Existing environmental features (ex. ravines, creeks, significant street stands, and the like)
    c. Building footprint with dimensions and Lot setback distances
    d. Grade elevations at the major corners of the house and first and lower-level floor elevations.
    e. Driveway/auto court location with dimension and type of surface materials.
    f. Retaining walls and/or fences with sufficient detailing to describe intended use and character.
    g. Location of utilities and all easements.
    h. Sidewalks.
    i. Such other information as may have been requested during the Preliminary Plan review.
2. **Architectural Plans and Specifications** – Scale to be ¼" = 1'0" or as otherwise approved by the ACC
    a. Floor plan
    b. Decks, terraces, and balconies
    c. Elevations showing **all** sides of the house and any other proposed structures clearly showing the design and exterior appearance.
    d. Finish materials and colors and typical detailing of windows, eaves and transitional corners.

Landscape Plan

The ACC will place a strong emphasis on landscaping during the architectural review process as quality landscaping is vital to the appearance of each individual home and thus the overall community. In reviewing the landscaping plans, the ACC will evaluate the relationship between Applicant's home and Lot, adjacent homes, views and the Club Facilities. Minimum requirements are as follows:

1. Two (2) sets of plans at ¼" = 1'0", 1" = 20' scale showing the locations, bounds and sizes for all plant materials, mulches, planting beds, ground covers, other miscellaneous landscape materials, sidewalks and lighting. For all plant materials including trees, shrubs and ground covers, graphically depict each in a scale

representation equal to a mature plant and label each using the botanical name for genus, species and variety. Provide a separate listing on the landscape plan or detached scheduling that associates plant symbol with the specific name, common name, and quantity to be used. HVAC compressors are to be included on the plan and method of screening indicated. It is important to note that the golf course Lot side is just as important as the front. These plans may also be sent electronically if available.

2. Planting timetable. Weather and time of the year permitting, it will be required that all plant materials be installed within **thirty (30) days** of occupancy of residence. Where time of the year does not permit this, Applicant and the ACC must agree on a date by which all planting must occur or normal Plan Approval will not be granted by the ACC.
3. **Tree requirement for lots 28-46.** Because there is the lack naturally wooded areas of vegetation already on these lots, it will be a requirement that at least one (1) tree be planted in the back yard. That tree should have the potential to grow 20 feet or greater.
4. All Lots must have underground irrigation systems and Owners are required to sod/sow their yard before occupancy with turf-type fescue or such other type of sod as the ACC may determine.

Action by ACC.

The ACC will review properly submitted preliminary plans, formal plans and landscape plans at regularly or specifically scheduled meetings. Within thirty (30) days after consideration of the submission, the ACC will return one (1) copy of the plans to the Applicant either with comments addressing the reason(s) why the plans have not been approved or stamped approved by the ACC. Upon receipt of final approval of plans by ACC, the Applicant must apply for and obtain all necessary approvals from the City of Conover and any other agencies having jurisdiction, including payment of any required fees, prior to commencing construction. Approval by the ACC does not in any way guarantee approvals by the City of Conover or other such agencies and all said approvals are the responsibility of the Applicant.

CONFORMANCE

The Applicant and/or Lot owner shall be responsible to ensure conformance with the approval plan documents and the standards set forth in the DECLARATION and this ARCHITECTURAL DESIGN GUIDE.

Site Inspections, Temporary Site Approval and Final Site Approval.

The ACC shall have the right to enter upon and inspect any property at any time before, during and upon the completion of work for which approval is necessary. Upon completion of construction, the Applicant or Lot owner shall notify the ACC so that it can make a final site inspection to check conformance with the final plans approved by the ACC. If the ACC considers the improvements, including landscaping, to be complete it will issue a Final Site Approval. If the improvements are considered incomplete, the ACC will provide the Applicant or Lot owner a list of incomplete items to be completed within thirty (30) days of issuance of the list. If in the opinion of the ACC, the incomplete item(s) cannot be reasonably completed within a thirty (30) day time period due to weather, time of year, or other circumstances beyond the control of the property owner, the ACC may issue a Temporary Site Approval, which approval will establish an extension of time for completion of the incomplete item(s). If the incomplete item(s) are not completed within the thirty (30) day time period, or the extension of time as established by the Temporary Site Approval, the ACC may allow for additional extension of the time period or it may report the non-conformance to the Board. The property owner shall not occupy the improvement being altered until a Final Site Approval or a Temporary Site Approval has been issued by the ACC.

Builders and home buyers are forewarned that the Declaration provides for the remedy or removal of any non-conforming improvements. The cost of the remedy or removal shall be borne by the Lot owner.

DESIGN GUIDELINES

Building Size and Height

Minimum square footage for homes will be established at the recording of the Supplemental Declaration. In general, the initial requirements will be as follows and these are the minimal requirements for Walnut Ridge:

A minimum of 2000 heated square feet for a one-story dwelling with a maximum of 3,500 heated square feet of living space. With a maximum of two stories. Basements will be excluded.

(This is to keep with the design aesthetics and the conformity of the neighborhood of Walnut Ridge.)

Building Setbacks

Setback requirements help ensure that Walnut Ridge will be pleasing in appearance from views not only from the street but also from the Club Facilities. No residence shall be located on any Lot in violation of building setback lines as shown on the recorded plat of the property required by the applicable zoning ordinances, or the Master Declaration.

MINIMUM SETBACKS: Front – 25', Rear – 25', 1 Story Side – 8', 2 Story Side – 12'. Plat 58, Book 193. Setback requirements may not be modified without approval of the ACC.

FOR LOTS #s 28-46 (in the inside front lower section of Walnut Ridge) Front setbacks are 15'. REAR and SIDE setbacks remain as above.

Decks, porches, terraces, wing walls and other items attached to the house are considered to be part of the house property and will not be allowed to encroach into side or rear yard setbacks, except as variations in the case of unique site characteristics, which the ACC may consider on a case-by-case basis. Patios, driveways, walks, etc. may usually encroach into setback areas.

Exterior Materials

The exterior appearances of each residence shall be consistent with the high quality of the overall community. Homes will be seen from many sides and each side is important, particularly if visible from the Club Facilities. All sides of a home should be detailed and finished. Each elevation of the home shall be compatible in design, material, and content with the other elevations. The maximum height of exposed foundations shall be one (1) foot, unless otherwise approved by the ACC under certain circumstances. Excluding hardware, no reflective finishes or materials are permitted on the exterior of any house, unless otherwise approved by ACC.

Windows, Doors and Skylights

Areas with major fenestration should be oriented to afford privacy while taking advantage of special views, such as water bodies or golf in Walnut Ridge. Windows should be carefully proportioned and located to enhance both the exterior appearance and interior light quality and views.

Window glass shall be plain in color, although decorative stained-glass windows appropriate to the house design may be acceptable. Glass or glass with coatings or films shall not reflect over 50 percent of ambient external light. Mirror-type glass is not appropriate.

Skylights will be subject to ACC approval.

Roofs

The roof, its shape and material must be carefully designed. Front elevation dormers, gable or roof pitch need to be 12/12. The primary roof pitch should be a minimum of 8/12. The roof design should take into consideration the front elevation of 12/12 pitches. The roof forms throughout the community should be compatible with one another to help achieve a pleasant, homogenous character.

Roof materials and colors must be compatible throughout the community and must be compatible with other exterior materials and colors. All homeowner should use an architectural shingle. The use of wood shingles or wood "shakes" left to weather naturally is acceptable. Roofs of slate, or tile may also be used. All roof stacks, flashings and metal chimney caps must be painted to match the approved roof colors. Stacks and vents to the extent possible should not be visible from the Streets or Club Facilities.

Chimneys

Any exposed portion of a chimney must be consistent architecturally with the house exterior. Gas direct vent fireplaces without chimneys are acceptable, provided the vent is landscape screened.

Walkways and Sidewalks

The ideal entry walkway should link with the driveway possibly through the entry garden. Ideally the walks should be curving to match the gently sweeping Lot features. Entry walkways may be constructed of concrete, brick, or concrete faced with brick preferably edged in brick or all brick.

Mechanical Equipment

All exterior mechanical equipment including, but not limited to, transformers, vents, air conditioning compressors, pool pumps, meters, etc. must not be a nuisance to neighboring lots or to the Club Facilities.

Exterior Lighting

All exterior lighting must be approved by the ACC prior to installation. Exterior lighting should be used to enhance the overall design concept of the home in an aesthetically pleasing manner. Exterior lighting **must not** infringe upon adjacent neighbors; therefore, glare shields may be required to eliminate bright spots and glare sources. Exterior lighting should utilize low-voltage or similar non-glare direct task type fixtures and they should be as close to grade as possible. All lighting conduit and fixtures must be as inconspicuous as possible, especially by day if lights are above grade level. No exterior lighting will be permitted which in the opinion of the ACC would create a nuisance or be incompatible to adjoining property and the Club Facilities. All post top exterior lighting shall be of the incandescent ornamental (Ballard) type used around the Club House and Golf Shop.

Solar Energy

Many of the techniques and hardware of solar energy are still in the developmental stage. ACC approval is required for all solar energy collectors, and the ACC will reject any collector of any

size, shape or color which is insensitively designed or located. Any negative visual impact on traveled roadways, neighboring Lots or Club property will be reason for disapproval.

Mailboxes

The ACC will require the installation of a private individual mailbox be purchased through the Declarant, Rock Barn Properties, Inc., prior to its final site inspection. The mailbox shall be located on the same side of the street as all other current mailboxes and further based on the assigned postal address. The mailbox shall conform to the standard design and specifications as established by the ACC. Numbers or letters to be placed on the mailboxes shall be standard as approved by the ACC. The payment for the mailbox and its installation will be the responsibility of the property owner or Builder.

Wiring and Utilities

All wiring and utilities shall be underground except for temporary electrical service for homes under construction. It is recommended that all residences shall be pre-wired for cable TV.

Antennae

ACC approval is required for all exterior satellite dishes, and the ACC will reject any satellite dish of any size, shape, or color which is insensitively designed or located. Any negative visual impact on traveled roadways, neighboring Lots or Club property will be reason for disapproval. No other exterior antennas, aerials or other apparatus for the reception or transmission of television, radio, or other signals of any kind shall be placed, allowed, or maintained upon the exterior of any Lot, of any living unit or other structure on a Lot, or Common Area. No radio station or shortwave operations of any kind shall operate from any Lot or Common Areas, except for communication equipment utilized by any Association and Declarant.

Outbuildings and Storage

Storage buildings which are an integral part of the architecture of the home may be permitted, subject to ACC approval. Gazebos, playhouses, swing sets and similar items are permitted but must be approved by the ACC. No open storage of any kind is permitted.

Refuse Area

Garbage and refuse containers must be removed from the street after weekly trash pick-up.

Basketball Backboards

All backboards shall be placed at the rear of the driveway turnaround when possible. Transparent backboards are preferred. Location must be approved by the ACC.

Miscellaneous Athletic Equipment

Any athletic equipment such as hockey nets, or soccer nets shall not be visible from the street when not in use.

Entrance Gates are Not Allowed Walls and Fences

All walls and fences must be approved by the ACC as to location, size and materials. Fences, walls and hedges should be considered as design elements to enclose and define courtyards, to extend and relate the building forms to the landscape, as well as to assure security and privacy elements. Every effort must be made to retain the feel of open spaces. Walls, fences, copings, or boundary plantings may not be constructed or maintained in such a manner as to interfere with the vision of drivers at any intersection of streets or roads.

Except for special cases where, subject to ACC approval, walls, fences, copings, or boundary plantings are permitted for the creation of privacy on lots adjacent to the Club Facilities, no wall, fence, coping, or boundary planting may be constructed on the boundary line of any lot where it adjoins the Club Facilities.

Grading and Drainage

A drainage plan has been engineered and in effect for the Walnut Ridge community. All grading shall compliment the natural topography of the site. The builder is responsible to conduct grading operations in a neat and timely matter. Streets and access lanes are to be kept clean and free of debris.

Drainage for each building site MUST be handled by adequately sloping areas and/or providing retaining walls or other structures so that runoff can be directed towards natural drainage areas and/or storm drainage facilities. **The builder is responsible to provide positive drainage away from the house for each lot, but must not create a drainage pattern which concentrates and discharges storm water as a point source onto an adjacent lot or public space**. Roof drainage must be planned so as not to create an erosion problem. The builder is responsible to provide sediment and erosion measures during all phases of construction which meet local building codes.

Signs

No signs, billboards, banners, letters and/or numbers of any kind or nature including, but not limited to commercial, subcontractor, lender, political and similar signs, whether permanent or temporary shall be erected or maintained on any Lot, except signs required as a matter of law and signs approved by the ACC. Approved signs must be green, gold and white, no more than

four (4) square feet and in an approved shape. The Developer and its assigns are exempt from this requirement.

Swing Sets

No outdoor swing set, playground equipment, trampoline or other similar structure may be constructed or installed on any Lot without the written approval of the ACC.

Awning and Canopies

Awnings and canopies shall not be permitted or affixed to the exterior of any residence without prior approval of the ACC. Areas beneath decks and elevated terraces are not to be used for storage unless the areas are permanently shielded from public view.

Miscellaneous

-No objects such as sports equipment, hockey nets, excessive toys, sculptures, birdbaths, fountains, and the like shall be placed or installed on the building site in any area that is visible from a traveled roadway, adjacent lot or the golf course without the prior approval of the ACC. A flagpole for display of the American Flag will be permitted subject to ACC approval of the size, placement, color, finish and design. No flagpole can be used as an antenna. No clothes lines will be allowed.

-No extra vehicles, cars, trailers, motor homes, or the like shall be parked along the roadway. All vehicles should be used regularly by those living in the residence. No motor homes or boats will be allowed to be parked on the premises for any extended period of time. Temporary situations can be brought before the HOA board for temporary approval.

-No sub leasing of residences within Walnut Ridge will be allowed. These homes are to be used as primary residences only.

- No split-level structures permitted.

- No PVC products, aluminum or vinyl siding products will be allowed.

-There shall be no exterior dog kennels on the premises. There should be no more than two (2) pets per residence.

-There will be NO farm animals allowed as pets or otherwise.

-No motorhomes, boats, utility trailers can be parked at the premises for any extended period of time. These can be left temporarily, but prior approval must be received from the HOA board.

-There shall be no above ground pools used. Only small and aesthetically pleasing pools can be installed with the written approval of the Architectural Control Committee. Stand alone hot

tubs and spas must also conform to the Walnut Ridge guideline aesthetics and should also be approved by the ACC.

Remodeling and Additions

It is required that all plans for remodeling including re-painting, re-staining, and re-roofing or additions that alter the exterior appearances of any structure or homesite be approved by the ACC. All of the requirements and guidelines set forth in this document apply to these types of improvements.

It should be clearly understood that colors and construction materials of houses that have been approved in the past, may in the future to be found to be inappropriate.

Construction Site Requirements

1. All sites must be kept free of any loose debris and other non-indigenous materials. During the Lot clearing and construction process, the Builder will be required to maintain a trash receptacle sufficient in size to contain all debris from the project. It is requested that no construction equipment including porta johns and trash receptacles of any type be left on the street overnight or any time active work is not being performed. This receptacle must be emptied at a frequency that avoids the receptacle from becoming overloaded to the point that the debris projects above the top rim of the receptacle. During the construction process it is critical that all loose debris be contained **on a daily basis** and that no debris be allowed to blow onto adjacent Lots or homesites. **The Builder is responsible for street cleanup on a daily basis**. The Builder is responsible for all Subcontractors site cleanup. Extra care should be exercised on golf course frontages including the provision of silt fence if required by the ACC. At the completion of construction any dirt piles, extra building material, or the like should be removed from the building lot or adjacent lots. Also, at the conclusion of construction, any unsightly damage to adjoining properties should be remedied to the satisfaction of the neighboring homeowner. (Example: water run-off causing mud or staining to driveways or sidewalks.) If an agreement cannot be reached between the builder and homeowner the ACC will make the final decision.
2. No signage is permitted at any job site unless required by law or approved by the ACC and/or Declarant.
3. No alcoholic beverages are permitted on the job site.
4. The playing of any audio equipment in a loud manner that may be annoying to residents or golfers is prohibited.
5. Any agents, subcontractors, employees or builders who violate construction site requirements or any other ACC criteria may be removed and prohibited from Walnut Ridge by the ACC.

6. ***FIRM CONSTRUCTION HOURS:***

   7:00 am to 7:00 pm Monday through Friday
   8:00 am to 4:00 pm Saturday
   NO CONSTRUCTION ON SUNDAYS OR FEDERAL HOLIDAYS

7. The ACC may approve exceptions to these times based on allowable circumstances. The Declaration contains special restrictions on construction activities during golf tournaments. All construction vehicles and trailers MUST both enter and exit the location of the worksite through the designated Construction Gate located on Shook Road. The ACC will ensure that the proper access code is provided.

Landscape and Maintenance by Owner and Association or Sub-Association

Every property owner is responsible for preventing the development of any unclean, unsightly or unkempt conditions of buildings or yards which shall reduce the beauty of the neighborhood as a whole or the specific area. Any proposed additions or changes in landscaping such as fences, fountains, lighting, drives, walks, landscape structures and statuaries must be approved by the ACC.

Retaining Walls

The landscape of Walnut Ridge requires that there be retaining walls in place to alleviate and stop rain water runoff from adjoining lots. If your lot is one that has this need, it is the responsibility of the lot owner to construct the wall in order to protect their own property. Drain pipes or water diversion methods should never be placed where the water runs onto an adjoining lot.

Tree Preservation

The cutting of the forest canopy is prohibited, especially along golf course or lake frontage lots, except for removal of dead trees, branches and unsightly material, such as sucker growth, for maintenance. However, selective thinning of underbrush and pruning of lower limbs of trees will be permitted to enhance views. Any such pruning and cutting down of any live tree 5” in diameter or greater (measured at a point three (3) feet above ground) must be approved by the ACC in advance, violation of pruning or tree cutting standards are subject to the ACC or any association, or the Declarant, requiring replacement of the specimen with a specimen of the general size and condition, and such other enforcement as the ACC, any Association, or the Declarant may determine as a sufficient remedy for the violation.

Temporary Improvements

No temporary building or structure shall be permitted except for those trailers, barricades, trash receptacles or portable toilets that may be required during the construction of a permanent improvement and will be approved or required on a case-by-case basis by the ACC.

Design Duplication

Applicants should select building sites and home plans which will not result in the construction of repetitious designs within close proximity of each other. Similar designs or design duplications are discouraged and subject to disapproval without sufficient variations in exterior colors, materials, finishes, trim and detailing. Elevations that are similar in appearance are prohibited on any four (4) adjacent homesites or any three homesites immediately across the street. The approval of plans for a specific site does not automatically imply approval by the ACC of identical or similar plans for another building sites.

Conflict

In the case of any conflict between the Architectural Design Guide and the Declaration, the Declaration shall control.

END

VIOLATION LIST AND MONETARY FEE

This list is a beginning, as not all circumstances can be known or determined ahead of time. It is also subject to additional items being added and/or removed.

- Working on Sundays or Federal Holidays
- Work conducted outside normal hours
- Modification to build without HOA notification
- Overflowing Dumpster
- Parking/Equipment Infractions
- Excessive Noise (loud music)
- Water runoff causing erosion damage to neighboring properties or golf course
- Unauthorized tree removal
- Site alteration prior to HOA approval and document submission