

Architectural Design Standards for the River East Community



Exterior ARC Guidelines for the Community
Effective December 2020



River East Community Association, Inc.



FORWARD

The Covenants, Conditions and Restrictions (CC&Rs) governing River East Owners Association provide that all properties shall be properly maintained and that design of building construction and property improvements of any kind require the prior approval of the Architectural Committee. The CC&Rs grant authority to adopt rules and procedures to accomplish its objectives. Therefore, the Board of Directors and Architectural Committee hereby adopt the Architectural Policies and Procedures set forth herein.

The Architectural Policies and Procedures are established for the protection and enjoyment of all Association members and are strictly enforced.

These Architectural Policies and Procedures supersede and cancel any similar policies and/or guidelines adopted prior. The Policies and Procedures may be amended or repealed by the Board of Directors as they deem appropriate.

We welcome constructive comments on these Architectural Policies and Procedures and any comments regarding them should be forwarded in writing to the Management Company Office.

Board of Directors

River East Community Association, Inc.



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ARC PHILOSOPHY AND REVIEW CRITERIA

All properties within River East Community Association, are subject to the recorded CC&Rs, as well as the restrictions of Carteret County/Town of Peletier/Township of White Oak, North Carolina as applicable. These restrictions provide that design of building construction or property improvements of any kind require the approval of the Architectural Committee, hereinafter referred to as the Committee. This is in accordance with “Section 3 - Architecture Control Committee” (pp. 4-9) and provisions contained in the Declaration of Covenants, Conditions and Restrictions for River East Community Association, recorded February 20, 2019, County of Carteret in the NC Register of Deeds, Recordation #1630252.

River East is a unique community which incorporates standard Single-Family Homes. By following these Design Standards and obtaining approvals for Proposed Improvements from the Committee, Owners will be protecting their financial investment and will help to promote Proposed Improvements that are compatible with the other Homes and property within the Community. A spirit of cooperation with the Committee and neighbors will go far in creating an optimum environment which will benefit the Owners.

The Committee was established to enhance the environmental quality and economic value of all properties within River East Owners Association. The Committee strives to work in cooperation with the property owners to make our community a desirable place to live, work and play. Article V of the CC&Rs gives the Committee the power to apply architectural policies.

The Committee does not seek to restrict taste or individual preferences. Their primary function is to review all plans so as to ensure the design submitted is harmonious with other structures in the area. The Committee strives to be completely fair, objective, impartial and understanding of individual goals.

The Committee recognizes that occasionally its policies and the objectives of any individual owner may appear to conflict. The policy has been designed so that River East community as a whole will benefit by relating each and every project, its structures, improvements and amenities to the community.

Decisions made by the Committee are not based on personal opinion or taste. The following criteria, which represent the general standards of the CC&Rs in more specific terms, are used to determine what designs are acceptable.

ARC REQUIREMENTS

ARC EXPECTATIONS.

Any proposed exterior improvements (except those constructed by the Declarant) must be submitted to the Committee for review and consideration using an Architectural Review Request form (see required submittal form in the Appendix). No Owner shall make any addition, alteration or improvement to or on any Lot without the prior written consent of the Committee.

QUALIFYING IMPROVEMENTS FOR COMMITTEE REVIEW.

Proposed exterior improvements include, but are not limited to the following: porch additions and enclosures, outbuildings, utility screens, play sets, swimming pools, walls, hedges, yard art, statuary, propane tanks, planting or removal of landscaping, staking, clearing, excavation, grading and other site work, exterior alterations of existing improvements, roofing, exterior painting and/or staining, planting or removal of landscaping and trees (collectively, herein referred to as the “Improvements”) shall take place on such Owner’s Lot or Home unless and until the Committee has given its prior written approval for such improvement activity.

PROHIBITED ITEMS IN RIVER EAST.

Exhibit C (“Initial Rules and Regulations”) of the CC&Rs details the initial set of restrictions in the community. Applications to construct or place any of these in River East are automatically deemed to be denied without further requirement for communication of such. These Rules and Regulations may at any time, from time to time, be added to, deleted from, repealed, amended, modified, reenacted, or otherwise changed by the River East Board of Directors in its discretion. Owner should always consult the most current version of the Association’s Architectural Design Standards and Rules and Regulations prior to submitting any Architectural Review Request. Owners should contact the Management Company for the latest version of these documents.

CONFORMANCE WITH CC&Rs.

The Design Standards and procedures are supplementary to all of the terms and provisions of the Declaration, and shall remain in full force and effect. All applications shall be reviewed to ensure that the project is in conformance with the CC&Rs.

In the event of any actual or apparent conflict between these Guidelines and the Declaration, the Declaration shall prevail. Nothing in these Design Standards shall supersede or alter the provisions or requirements of the Declaration. However, the Declarant reserves the right to amend any of the language contained in the Declaration to conform to the current Design Standards during the Declarant Control period.

ARCHITECTURAL REVIEW CRITERIA

REVIEW CONSIDERATIONS.

The Committee will meet as required to review plans submitted for approval. The Committee may require clarification, submission of additional information or material, and the request will be deemed denied until all required information and materials have been submitted. **An incomplete application will be returned to the applicant.**

INFORMATION SUBMITTED BY AN OWNER.

Any Owner submitting plans for Committee approval shall be responsible for the verification and accuracy of all dimensions, grade, elevations and the location of key natural terrain features for the Site.

INTERPRETATION OF THE DESIGN STANDARDS.

The Committee shall interpret these Design Standards. The Committee reserves the right to waive or vary any of the procedures of Design Standards at its discretion, for good cause shown. Any waiver or variance granted shall be considered unique and will not set any precedent for future decisions.

Design Compatibility.

The proposed improvement shall be compatible with the architectural characteristics of the applicant's house, adjoining houses, and the neighborhood setting.

Compatibility is defined as similarity (but without repetition) in architectural style, quality of workmanship, use of materials, color and construction details.

Location and Impact on Neighbors.

It is suggested that Owners advise neighbors prior to submitting forms for Proposed Improvements. A proposed home or alteration shall relate favorably to the landscape, existing structures and the neighborhood. The primary concerns are privacy, access, view, sunlight, ventilation and drainage. The Committee may request adjacent neighbor input, if necessary.

Scale.

The proposed home or alterations shall relate in scale to adjacent structures and its surroundings.

Exterior Colors.

New colors affecting the exterior of a property shall be considered by the Committee on a case by case basis.

Materials.

In the case of additions or outbuildings, continuity is established by use of the same or compatible materials as were used in the original house. The options may be limited somewhat by the design and materials of the original house.

ARC REVIEW TIMEFRAME.

The Committee shall make a determination on each application within thirty (30) days after receipt of a completed Architectural Request Form and submission of all required information, unless the time is extended by mutual agreement. The Committee shall use good faith efforts to make a determination on each application within thirty (30) days. In the event that the Committee fails to respond with a response to the owner within thirty (30) days after their receipt of a completed application and all required information, the request shall be deemed to be APPROVED. All decisions of the Committee will be in writing. Oral representation of any decision will not be valid and will not represent the decision of the Committee.

Property owners will be notified by the Management Company if their plan/project was approved or denied. The Committee may (i) approve the application, with or without conditions; (ii) approve a portion of the application and disapprove other portions; (iii) request additional information; or (iv) disapprove the application. In the case of disapproval, the Committee may, but shall not be obligated to, specify the reasons for any objections and/or offer suggestions for curing any objections. The burden of developing the design solution and modifications will lie with the Owner and the design professional.

COMMITTEE DECISIONS.

Approval with or without Conditions

If the application is approved by the Committee, the Owner and Contractor will receive notification of the approval from the Committee. If the plans are approved with conditions, the Owner and Contractor will receive notification as to the conditions of approval. If approval with conditions is granted, and construction then begins, the commencement of construction shall be deemed approval by the Owner/Contractor of the conditions imposed.

Partial Approval

If the application is partially approved, the Committee will note which items are approved and which items are disapproved. Disapproved items on the application must be corrected and resubmitted. Complete approval with or without conditions must be received from the Committee before any construction may commence.

Request for Additional Information

A request for additional information by the Committee shall be deemed a determination that the information submitted was inadequate. Requested information must be received before the review process will continue.

Disapproval of Application.

Denied approval of submitted plans and specifications may be based upon any ground by the Declarant, including purely aesthetic judgment, which in the sole and uncontrolled discretion of the Declarant shall be sufficient. The right of approval reserved to the Declarant herein may be assigned to the Committee, in the sole discretion of the Declarant. If in the judgment of the Committee, the plans submitted do not conform to the intent and requirements of River East Design Standards, the plans will not be approved. In the case of disapproval, the Committee may, but shall not be obligated to, specify the reasons for any objections and/or offer suggestions for curing any objections. The burden of developing the design solution will lie with the Owner and the design professional.

STARTING A PROJECT WITHOUT COMMITTEE APPROVAL.

When any kind of construction or changes that are governed by this document are done without prior Committee approval, a violation shall be issued, all work shall stop and a Stop Work Notice may be issued. The owner may be fined, lose River East membership privileges and have legal action taken against them. Unapproved construction shall be removed and/or altered as required by the Committee after notice and a hearing.

IMPORTANT:

CONSTRUCTION OF ANY PROJECT IS NOT TO BEGIN UNTIL YOUR PLANS HAVE BEEN APPROVED IN WRITING BY THE ARC COMMITTEE!

VARIANCES.

The Committee may grant variances from River East Design Standards when topography, natural obstructions, hardship, or aesthetic and environmental considerations require additional evaluation. Property owners may request a variance but shall provide the Committee with the reason for their request. Such variances may only be granted, however, when unique circumstances dictate. There shall be reasonable assurance in a variance request that the overall intent of River East Design Standards will be accomplished by the Owner's design as proposed. Owner may request a variance by submitting a written application to the Committee along with the required plans. Following the variance review, the applicant shall be notified in writing of the Committee's decision by the Management Company.

DEVIATION OR CHANGES TO APPROVED PLANS.

Any deviation or changes to approved plans shall be subject to Committee approval prior to implementation. A second Architectural Review Request form, with a complete description of the changes or deviations, shall be filed with the Management Company.

RE-SUBMITTAL OF DENIED PLANS AND APPEAL.

Should the Committee deny any submission; any re-submission shall follow the same procedures as the rejected submittal. Any proposed exterior additions or changes that was not part of the original Architectural Review Request shall be submitted for Committee review and approval.

APPEAL TO THE BOARD OF DIRECTORS.

The Owner has the option to make an appeal to the Board of Directors regarding a denial of or condition placed on a proposed improvement to property, by giving written notice of appeal to the Association. The Board shall hear the appeal using the following guidelines:

- If a hearing is requested by the Owner, the Management Company shall send a written notice of the hearing to all parties involved at least fourteen (14) days prior to the hearing date.
- The appeal by the Owner may be in person or writing.
- The Owner may present its position to the Board either in person or in writing prior to the hearing.
- The Board shall decide whether or not the decision of the Committee be affirmed, overturned, or modified and the findings sent to the unit owner within five (5) business days of the hearing.

OWNER REPRESENTATION.

The Owner shall advise all his representatives, including but not limited to, his architect, engineer, contractor, subcontractors, and their employees of the standards and procedures outlined in the CC&Rs and these Design Standards, and all such representatives shall abide by said documents.

NON-LIABILITY OF THE COMMITTEE.

Neither the Committee or their respective successors or assigns shall be liable in damages to anyone submitting plans to them for approval, or to any Owner by reason of mistake in judgment, negligence or nonfeasance arising out of or in connection with the approval or disapproval or failure to approve any plans and specifications. Every owner or other person who submits plans to the Committee for approval agrees, by said submission, that he will not bring action or suit against the Committee to recover damages or otherwise. Approval by the Committee shall not be deemed to constitute compliance with the requirements of any local building codes and development regulations, and it shall be the responsibility of the Owner to comply therewith.

LOCAL GOVERNMENTAL AGENCY APPROVAL.

Any approval by the Committee shall not relieve the owner from obtaining the prior consent and approval, when necessary, of the appropriate department or commission of Carteret County/Town of Peletier/Township of White Oak. Additionally, any governmental approvals shall not be binding upon the Association as to whether or not any project shall be approved by the Committee. Use of any property in the Community and any Existing Improvements must comply with applicable building codes and other governmental requirements and regulations. Approval and permits from Carteret County/Town of Peletier/Township of White Oak should be obtained where required. Approval by the Committee will not constitute assurance that Existing Improvements or Proposed Improvements comply with applicable governmental requirements and regulations, or that a permit or approvals are not also required from applicable governmental bodies. For information about these requirements, Owners should contact Carteret County and the Town of Peletier/Township of White Oak's Building Department.

EFFECT OF GOVERNMENTAL AND OTHER REGULATIONS.

Approval of plans by the Committee shall not be deemed to constitute compliance with the requirements of any local building, zoning, subdivision, sign, safety, health, public works or fire codes and regulations, nor shall approval waive any requirements on the part of the Owner to comply with setbacks, height restrictions, or requirements unless such waiver or variance is specifically requested at the time of submittal and granted by the Committee and local jurisdictions, where applicable. The covenants, conditions and restrictions as established by the Declarant shall remain in force as the legal restrictions governing all construction.

INTERFERENCE WITH UTILITIES.

In planning and implementing Proposed Improvements, Owners are responsible for locating all water, sewer, gas, electric, telephone, cable television, irrigation lines, and other utility lines and easements. Owners should not make any Proposed Improvements over such easements without the consent of the utility involved, and Owners will be responsible for any damage to utility lines. Underground utility lines and easements can be located by visiting the North Carolina Utility Notification Center website at <https://nc811.com> or by calling them directly at (336) 855-5760.

REVIEW OF WORK IN PROGRESS AND/OR COMPLETION OF WORK.

The Committee may review all work in progress and/or at completion of work to the extent required to ensure that the improvement(s) complies with all approved plans and/or construction procedures. In addition, the owner's submission of an Architectural Review Request gives permission of a member/members of the Committee, Board of Directors and/or Management Company to walk the owner's property to view/inspect the proposed project through completion and final approval.

TIMELINES FOR COMPLETION OF APPROVED WORK.

Projects are subject to specific time periods for completion. Unfinished projects may be visually objectionable and pose actual hazards and may also be subject to disciplinary action and/or fines. Extension(s) may be granted by the Committee for justifiable reasons. After approval by the Committee, a proposed improvement should be accomplished as promptly as possible, in accordance with the approved plans, drawings and descriptions. All work must be completed, in any event, within six (6) months after approval by the Committee.

WORKMANSHIP.

Workmanship is another standard which is applied to all exterior alterations. The quality of work should be equal to or better than that of the surrounding area. Poor workmanship can be visually objectionable to others. Poor workmanship can also create safety hazards. The Association assumes no responsibility for the safety of new construction.

CONSTRUCTION REGULATIONS.

Construction Regulations are hereby established to preserve and maintain the quiet enjoyment of the Community, to maintain aesthetics and ensure safety for the Community

and to provide reasonable access and controls for construction/contractor activity in order to reasonably minimize inconveniences associated with construction for all Owners and their guests. Owners are fully responsible for the actions of their contractors and any subcontractors, agents or employees thereof.

Contractor(s) for Owner Improvements – Exterior Work - Hours/Days

Exterior work is limited to the following:

Monday through Friday	7:00 a.m. to 7:00 p.m.
Saturday and Sunday	8:00 a.m. to 7:00 p.m.

Observed Holidays	Exterior Contractor Work is prohibited on New Year's Day, Easter, Memorial Day, Independence Day, Thanksgiving Day and Christmas Day.
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Materials/Equipment/Vehicles/Parking

Equipment and materials not in daily use shall not be stored on the site. No materials or equipment shall be left in the streets without proper safety precautions and marking with caution tape, cones and/or barricades. Construction and crew vehicles must obey all common courtesy traffic and safety rules, including not blocking driveways, mailboxes, fire hydrants or impeding traffic on streets or sidewalks. Care must be taken to ensure the streets and sidewalks are kept clean and debris free, streets and sidewalks must be swept upon completion of work.

Contractor Conduct

Offensive behavior or language and loud activity or music will not be tolerated. Animals, alcohol, drugs and firearms are not permitted. Violators will be required to leave and may be trespassed from the property entirely.

Damage done by Contractors

Damage to any of the Common Elements or neighboring residences will be the responsibility of the Owner, who will be required to pay for any necessary repairs or replacements.

Violations of these Construction Regulations may result, after Notice and Hearing, in a fine being levied upon the Owner employing the Contractor involved.

COMPLIANCE.

Any owner or resident of the community who does not fully comply with this document will be subject to any fine structure and/or legal action which the association may deem appropriate.

OWNER COMPLAINTS.

All complaints should be submitted to the Association, in writing, and must be dated and signed by an Owner. The Association will take all reasonable action to preserve the anonymity of complaining Owners.

NO GUARANTEE OF CONTINUED VIEW.

As the community grows and develops, each owner of River East has acquired his/her lot subject with the possibility that the view from such lot may be altered at any time by neighboring properties.

ENFORCEMENT OF THE DECLARATION AND DESIGN STANDARDS.

The Association shall have primary responsibility for the enforcement of the architectural requirements of the Declaration and these Design Standards. The Association will investigate written complaints of Owners for violations of the architectural requirements of the Declaration or these Design Standards if such complaints are dated and signed by the Owner. The Association shall use all reasonable means to maintain the anonymity of complaining Owners.

The Association shall be allowed access to the property of the Owner filing the complaint for purposes of verification of the complaint. If a violation is found, the Association shall notify the Owner whose property is in violation, in writing, requesting that appropriate action be taken to achieve compliance. If such Owner does not bring his property into compliance with the Declaration and Design Standards within the time specified by the notice, the Association will request that the violation be referred to the Board for enforcement action, which may include the Board fining the Owner for such non-compliance.

AMENDMENT.

These Design Standards may at any time, from time to time, be added to, deleted from, repealed, amended, modified, reenacted, or otherwise changed by the Committee in its discretion, with the advice of the Board.

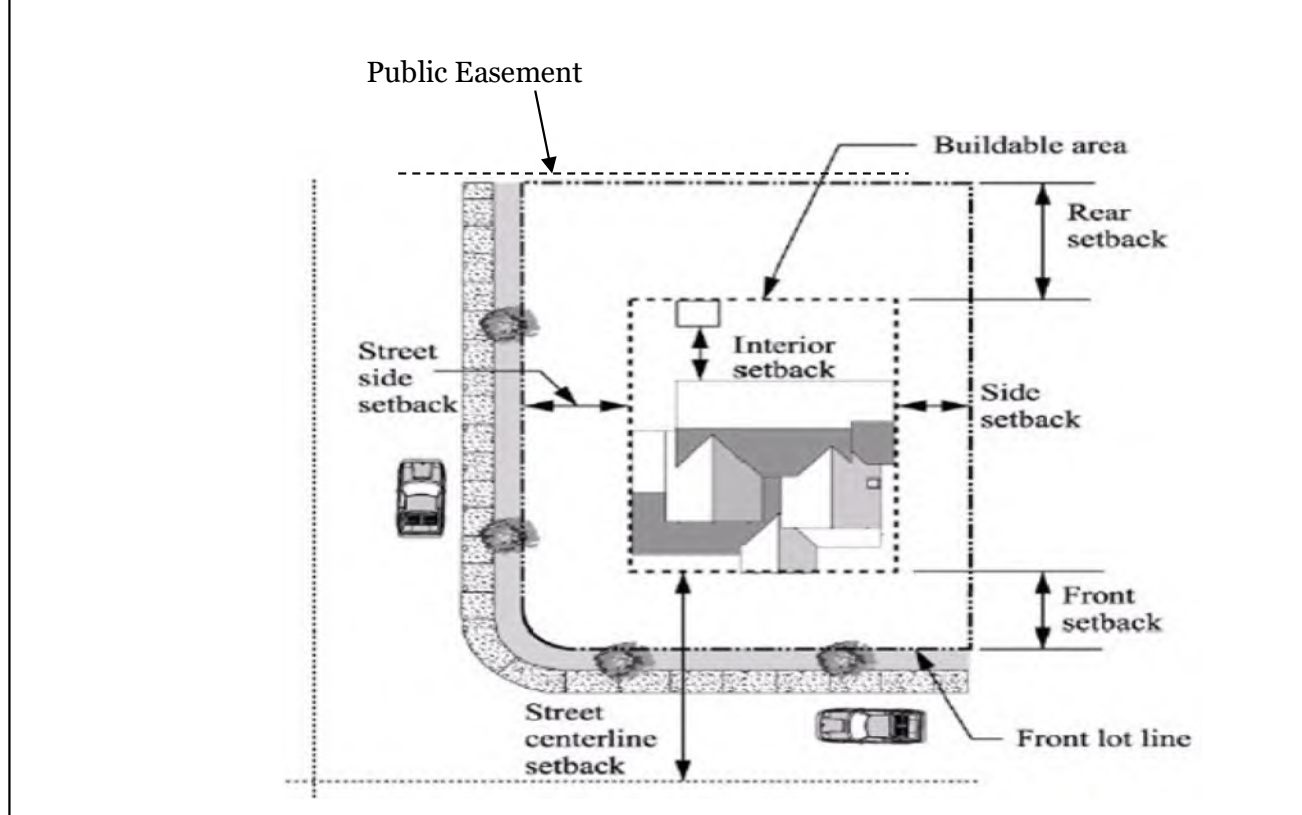
OTHER CONSIDERATIONS

SETBACKS AND EASEMENTS.

Minimum setbacks and public and private easements (if applicable) are defined for each home site. No structural improvements shall be permitted within the minimum building setbacks or easements as designated by planning and zoning departments. The purpose and intent is to ensure that development within the individual Lots occur in a sensitive manner. No building, or any improvement thereof, shall be placed, erected, or maintained on any of said lots within any public easement. A variance to the setback guidelines or private easements may be considered and or required by the Committee, at its sole discretion, pending evaluation of the Home and site plan. The Committee, in its sole discretion may approve or deny the location of any setback or private easement with regard to aesthetic considerations, size, shape and location of the Unit. The location of all proposed improvements of the Home shall also conform to all Carteret County/Town of Peletier/Township of White Oak Zoning and Code requirements and all other applicable Building Codes which may be subject to error, omissions, variance, or change without notice.

EXAMPLE ONLY:

- Sample Lot showing Property Setbacks and a Public Easement on the property.

**LANDSCAPING SUBMITTALS.**

When preparing to landscape rear and side-yards or amending existing landscaping, an Owner must submit a complete landscape plan and schedule per the Design Process as described herein. Installation and maintenance of plant material and other landscape related improvements are an Owner's responsibility.

DRAINAGE.

No owner shall interfere with or redirect the natural course or intended flow of any drainage and runoff, nor construct any improvement, place any landscaping, or allow the existence of any condition which will alter the drainage pattern as intended, except to the extent such alteration is approved in writing by the Committee, and any other public authorities having jurisdiction. Special attention shall be given to proper site surface drainage so that surface waters shall not adversely affect neighboring properties or interfere with natural drainage flows. Surface drainage direction and velocity shall be controlled and slowed by proper placement of landscape elements, ditches, culverts, diverters and other drainage devices. Drainage cannot be changed substantially without Committee approval.

SPECIFIC EXTERIOR IMPROVEMENTS – A to Z

The following alphabetical list covers a wide variety of specific types of proposed improvements which Owners typically consider installing. Pertinent information is given as to specifications for each improvement. In some cases, where specifically stated, a type of proposed improvement is prohibited. Please note, however, this listing is not all encompassing for the community. Any proposed improvements which are not listed in this document will still require the Committee's review and written approval.

Unless otherwise specifically stated, drawings or plans for a proposed improvement shall be submitted to the Committee, and the written approval of the Committee must be obtained before the proposed improvement is made by the owner. Drawings or plans shall include dimensions, setbacks, types of materials to be used, both elevation and plan views of all proposed expansions or additions. Applications for paint change must be accompanied by small samples or chips of the colors to be approved, along with a written description or visual of the color schemes of adjacent Homes, when possible.

The provisions and improvement items contained in these ARC Guidelines may be added, removed, or adapted by the Board of Directors as necessary, resulting in a distributed, amended version of the Guidelines for the membership.

ADDITIONS AND EXPANSIONS.

Committee approval is required. Additions or expansions to the home will require submission of detailed plans and specifications, including description of materials to be used, and plan and elevation drawings showing dimensions, setbacks, roof slopes, etc. Additions and expansions must be of the same architectural style and color as that of the home. All work is subject to obtaining required permits from Carteret County and/or the Town of Peletier/Township of White Oak.

Additions must be of materials, colors, and styles that match as the existing home. Detailed plan and elevation drawings are required for all additions. Paint samples, photos, or brochures of all new building materials must be submitted with the Architectural Review Request Form. Start and end dates must be specified on the form. The Association reserves the right to revoke Committee approval and have any incomplete improvements removed at the homeowner's expense. Addition exterior must match the home's materials and be sufficiently reworked to tie into the home in order to blend the new addition with the existing structure. Roofing must be of a consistent color and type and slope which complement the existing roof line.

Flat roofs on any addition is not allowed. If replacement or repair is required, the roof must be restored to the original design specification. Replacement / maintenance of home exterior does not require Committee approval provided it is restored to the original design specification and color scheme. No garage may be modified into a living space (i.e. living room) or in such a manner that prevents the number of automobiles which could have reasonably been parked in the garage as originally constructed.

AIR CONDITIONING EQUIPMENT.

Committee approval is required. Air conditioning equipment may not be installed in the front yard of a house.

Window air conditioning equipment as seen from the front of the home is **not** permitted.

Air Conditioners or heat pumps can be screened from the street right-of-way with Committee approved perennials or screening measures. Colors and materials must be included with the application. Care should be taken to ensure structures or plantings do not interfere with air flow or maintenance access. The Committee may determine the type and adequacy of the screening material or device.

See examples below:



Air Conditioning units should be installed in such a way that any noise to adjacent homes is minimized. Installation of air conditioning equipment, on the roof of the home will not be permitted.

ARBORS AND TRELLISES.

Committee approval is required prior to installation of any proposed arbor or trellis. The inside height of a proposed arbor or trellis must not exceed nine feet (9'). Arbors must be complementary to the residence.

Professionally prepared plans for Arbors are highly encouraged to expedite the approval process, otherwise a photograph or catalog picture must be provided. All Carteret County and/or Town of Peletier/Township of White Oak codes in relation to wind resistance and permitting must be followed, where applicable.

ASTRO-TURF.

Astro-turf is allowed on porches, patios, of other covered areas, upon ARC approval. Astro-turf is not to be used as ground cover (as a substitute for lawns).

AWNINGS / SAILS.

The approved specifications for awnings are as follows.

- Sunsetter Retractable Awning™ or similar. Website: <https://www.sunsetter.com>
- Width of awning must match the patio width.
- Woven, acrylic fabric only.
- See acceptable awning colors below:



Wheat 3961



Natural Linen 7952



Nutmeg Tweed 7957

Note 1: If the above colors are unavailable or discontinued by Sunsetter, a close product and color match must be submitted by an alternative manufacturer to the Committee for review and approval.

Note 2: Per Sunsetter, Charcoal Grey Tweed 7956 color discontinued, July 2018.

- Wind sensor must be installed and regularly maintained
- Maximum of ten-foot extension from the affixed wall is allowed
- Awnings are not permitted on the front or side portions of the house.
- Awnings may be allowed on the rear portion of a home with Committee approval.
- A picture/design of the awning and sample of the material must be submitted with the Architectural Review Request Form for approval.
- No plastic, vinyl, or metal awnings will be allowed.



As a patio cover, Committee approval is required for sails.

- The sail canopy cannot exceed more than five (5) feet beyond the width of the patio.
- The sail can only be installed in the rear of the house. The view of the sail from the street must be minimized.
- The support poles must be anchored solidly in the ground with concrete.
- Support poles must be painted to match the base or trim of the home.
- Sail color must be neutral or earth tones. The color should not draw attention to the back-patio area.

BARBECUES.

Portable barbecues do not require approval but must be stored out of view from the street or Common Elements. Constructed barbecue structures must meet all structure setback requirements. Complex barbecue structures may be referred for professional review as necessary. Owner must obtain building permit if applicable and provide a copy of the permit to the Association office prior to beginning work.

Permanent grills must be placed in the rear yard of the house and as far as practical from the adjacent property lines and in accordance with Carteret County and/or the Town of Peletier/Township of White Oak Fire Codes a distance of no less than five feet (5') from a building roofline. An application is required for permanent grills and must include the following:

- The dimensions of the permanent grill.
- A site plan showing the location of permanent grill.
- A description of the materials and colors to be used.

BASKETBALL HOOPS – (PERMANENT AND PORTABLE).

Permanent basketball hoops are prohibited within River East.

Portable basketball backboards are permitted, but must be stored horizontally in the rear or side yard when not in active use. See samples of portable backboards below.



Active use shall mean the immediate period of time during which there is play. Use of such items shall be limited to the hours of 8:00 am to 9:00 pm. The portable unit cannot be placed in such a manner that it blocks sidewalks and pedestrian walkways. Portable unit should not be placed in any public streets or roadway potentially obstructing traffic or parking patterns.

BIRD HOUSES AND FEEDERS.

Bird feeders may not be installed at a location where they could cause a nuisance to the adjoining neighbors. There may be no more than two (2) bird feeders per residence. No bird feeders shall be allowed only in the rear yard of any lot.

Purple Martin, similar type "condominium" birdhouses or bat houses are allowed and must fit in a hypothetical thirty-six inch (36") cube. Such houses may be placed on a single pole no bigger than four (4) inches square, no more than twelve feet (12') in height above finish grade and may not be attached to the home.

Poles must be anchored solidly in the ground with concrete. Bird or Bat Houses must be kept in good repair and must be placed in a grounds bed matching others in the rear yard no less than three feet (3') in diameter and no closer than ten feet (10') to the rear property line or any setback or easement line. Birdhouses shall be positioned to not interfere with the use commercial lawn care equipment.

BUG ZAPPERS.

Not Permitted.

CHIMNEYS.

Flue pipes may be exposed but must be painted black to blend with the roof. No flue may be placed on the front roof. Chimneys constructed of brick must match the brick of the steps and/or the foundation. No wooden chimneys are allowed.

CLOTHESLINES AND HANGERS.

Not permitted.

COMMERCIAL VEHICLES.

A commercial vehicle is defined for the purposes of these guidelines as a vehicle designed specifically/configured for commercial use or has a carrying capacity of at least two (2) tons or has equipment racks with equipment attached externally. Examples are school buses, taxis, labor trucks, vehicles with lettering that is not removed while in the Community, vehicles with racks and equipment attached.

Commercial Vehicles are not allowed to park within the community overnight or for more than twenty-four (24) hours except to load or unload or in the course of performing services on property.

Commercial vehicles may be covered with a full coverage vehicle cover which extends below the bottom of the vehicle body, may be parked on property without prior Farm at Timberlake Board approval.

Cars, SUVs, Trucks, Passenger Vans or similar standard passenger vehicles with "body wraps" or similar commercial/business logos may be parked on property with prior Board approval. Standard passenger vehicles may have racks or other devices for carrying cargo or sporting equipment if cargo or equipment is not stored on the vehicle for more than twenty-four (24) hours. Vehicles that are in disrepair, not operable or properly licensed, tagged and registered are not allowed to park within the Community. Vehicles that are stored completely inside a garage with the garage door closed are allowed regardless of type.

Public emergency vehicles, such as police, EMT, fire cars, are permitted at all times in the Community.

Construction vehicles and trailers associated with the Declarant's construction on the Property are also exempt from these regulations.

The Board shall have the right to grant variances from the foregoing restrictions in cases of hardship which variance may be granted upon such terms and conditions deemed appropriate by the Board.

COMPOST BINS.

Compost bins must be contained in the rear yard and must be inaccessible to pests or wildlife. There cannot be an odor from the compost bin, and the bin must be located so as to not be visible to the street or neighboring properties.

CORNER VISIBILITY.

Compliance with Carteret County and/or the Town of Peletier/Township of White Oak intersection sight line distance criteria required.

DECKS, PATIOS AND TERRACES.

Committee approval is required. Decks must be constructed of wood or other material matching the material of the Home and, if painted, must match the color scheme of the home, unless otherwise approved by the Committee. Decks must be installed as an integral part of the Home and patio area. Construction of decks over easement areas is not permitted.

Dimensions and location must be submitted on drawings. The committee will review lot size as a factor in approval of decks and to also confirm and ensure the maximum surface area on the lot is not exceeded. Decks, patios and terraces shall be considered an extension of the architecture of the residence and a transition of the architectural mass to the natural forms of the site. Decks, patios and terraces shall be placed on side and rear elevations only. The underside of decks must be enclosed with materials that are consistent with the house.

DOG RUNS, STAKE OUTS, DOGHOUSES AND DOG FENCES.

Dog runs are not permitted. Dog houses are not permitted on any pond-facing lots. For other lots, dog houses will be reviewed on a case-by-case basis. Dog houses will require the installation of six-foot (6') privacy fencing on the lot to screen the structure from public view. The location and size of the dog house will be determined with consideration given to its impact on adjacent properties and streets. Generally, dog houses must not exceed four feet (4') in height and must be compatible with the home in material and color.

Pet fencing may include any invisible fence on or within the perimeter boundary of an owner's site per the enclosed fencing standards.

DOORS.

Committee approval is required for the addition or replacement of exterior entrance doors to a home. The material shall match existing colors of the home. Security doors or security window bars require Committee approval. The approved existing colors will be white, black and the colors of the approved Home colors.

DRIVEWAYS, WALKWAYS AND PARKING.

Modifications to the original driveway must be submitted for Committee review and approval. Driveway extensions are permitted only to the corners of the garage. Any alteration must be aesthetically pleasing and in conformance with the overall look of the Community. Stamped, decorative and/or textured driveways require Committee review. Asphalt driveways are not permitted. All driveways shall have a paved, hard surface of including at least one of the following:

- Concrete.
- Concrete with color detailed border treatment.
- Color textured or stamped concrete.
- Stone or masonry pavers.

Proposed driveway coatings are subject to review by the Committee. Driveways, guest parking areas and walkways shall be brushed concrete with tooled edge, with no bordering required. Modifications, extensions or additions to the driveway may not exceed three feet (3') in width on either side. Widening the driveway for extra parking space is not permitted. Asphalt extensions are not permitted. Vehicular parking must be on the driveway or in the garage only. Parking in the front, rear, or side yard is not permitted.

EXTERIOR DECORATIVE ITEMS / YARD ART.

Any exterior decorative items including, but not limited to: flags, banners, fountains, lawn art, statuary, bird baths, feeders, trellis, arbors, house numbers and ornaments, flower pots, outdoor furniture, catchers and other similar items MAY be displayed in harmony with the natural and surrounding setting. Wind chimes are not allowed.

Each piece of yard art must be located in landscaped areas only in front or side yards or where it is not visible from the street in the rear yard. Items must fit in a hypothetical thirty-six inch (36") cube and must blend in with landscaping. Colors are limited to colors that complement the home and are consistent with the character of the neighborhood.

The Committee will evaluate all proposed exterior decorative objects solely in terms of design, execution and general appropriateness in order to prevent such objects from having a significant negative impact on adjoining homes, the neighborhood setting, and the community at large. While Committee approval is not required for removal of exterior decorative objects that are of a temporary nature or are displayed for a seasonal holiday duration or a special occasion, homeowners should consider these following guidelines when choosing such objects. The Committee will not judge the individual aesthetic or artistic merits of any object, but rather will make its evaluation solely on the object's impact upon the community. The Committee will consider the following items in its evaluation of decorative items:

Location.

The Committee will apply a set of standards to objects located in front yards or positioned where they can be fully viewed from the street fronting the applicant's property than to those objects located in back yards, or within screened locations of lesser visibility and impact.

Color.

Objects must not contain colors or color combinations considered excessively bright, garish, jarring, overly reflective or luminescent. The color or colors of an object must compliment the overall appearance of the home and not distract from it in a way that draws excessive attention to the object.

Design.

Items must be compatible in general style and in quality of materials and workmanship with the Architectural characteristics of the applicant's home, adjoining homes, and the neighborhood setting.

Intrusiveness.

Objects must not substantially intrude by sight, sound, or smell upon adjoining homes or the neighborhood setting.

Materials.

Objects must be made of suitable natural or man-made materials capable of withstanding outdoor weather conditions and must be capable of maintaining an attractive appearance. An object may be allowed to become mossy, rusty or weathered only if it is appropriate to such an object and only if it presents an attractive appearance compatible with the home, adjoining homes, and the neighborhood setting.

Relationship to the Environment.

Objects shall not create an adverse impact on the natural environment by their installation or location.

Safety.

Objects shall not create a hazard to public safety or become an "attractive nuisance."

Size, Scale and Number.

Objects must be of an appropriate size and within an acceptable scale which is harmonious with the home and its location. Items must not be so numerous so as to present a cluttered or overwhelming appearance.

Taste.

Objects must avoid using words and designs that are, by their nature, inflammatory, offensive, or vulgar to the community.

EXTERIOR LIGHTING.

Owners should keep in mind the impact to neighbors when considering exterior lighting. Powerful up lights, overly intrusive security lights and such lighting fixtures will likely be denied. Exterior lighting should be limited in purpose to providing light on walkways and, whenever possible, they should be set to turn off when not in use. All outdoor lighting is subject to Committee approval. In reviewing lighting requests, the Committee will consider the visibility, style, location and quality of the lighting fixtures. Exterior lighting for security and/or other uses must be directed towards the ground whereby the light cone stays within the property boundaries and the light source does not cast a glare onto adjacent properties. Lighting of parking areas or walkways to houses may be necessary. Lights must be functional and enhance the overall appearance of a residence,

but not disturbing to neighbors or motorists. All light sensitive motion detectors must be adjusted appropriately. Lights shall be emitted from any Lot which are unreasonably bright or cause unreasonable glare. Landscape lighting will be approved on a case-by-case basis. Provide the voltage and bulb wattage, along with all dimensions and a picture or drawing with your application. Low voltage, ground landscaping lights do not require Committee approval provided they are conservative in design and are directed towards the house, tree or ground. The Committee can deny approval if such installation results in complaints from neighbors. Replacement of exterior garage lights will be considered on a case by case basis. A picture, drawing, or sketch of the proposed light(s) must be provided to the Committee for approval prior to installation. Please also include the dimensions, the material and the proposed color of the proposed fixture(s).

Motion Lighting

These will be approved on a case-by-case basis and shall not be pointed in the direction of any neighboring properties causing an unreasonable glare and must be set on the sensor at all times while on.

Outdoor Edison / String and Icicle-Type Lighting

These lights are generally used to light rear patios and screen porches for decorative effect. These lights will be reviewed and approved on a case-by-case basis. Bulbs should be clear and replaced when blown or broken. These lights may be displayed year-round.



FENCES.

The following specifications govern the fences for River East:

Fencing Style and Height:

NOTE: See illustrative fence examples at the end of these Guidelines.

- **Lots with a Boundary Line Abutting a Pond/Waterways** –
 1. **Four-foot (4') black, aluminum picket fence**
May be installed on a Lot with a boundary line abutting a pond, waterway. Upon ARC review and approval, may be considered as a rear perimeter fence alternative providing approved transition with six foot fencing.
- **Interior Lots** – Lots that DO NOT have a boundary line abutting a pond may install or construct with ARC review and approval:
 2. **Six-foot (6') height – Wood Fencing (Dog Eared Picket and Shadow Box Styles)**
 3. **Six-Foot (6') height – White Vinyl Fencing**

Additional Fencing Guidelines to Follow:

- The proposed fencing layout, along with gate(s), must be highlighted on the Plot Plan or the House Survey of the property with the ARC application.
- A brochure or visual of the proposed fencing type to be installed per the Approved Fencing Plan must be included showing/confirming fence style, height and color.
- If your fencing is the first to be installed between two properties, please install it on the property line. We encourage the applicant to communicate to any fellow neighbors, so potentially they could work together and potentially share the costs and future maintenance responsibilities for their respected side. It is not required, but this prior arrangement makes the most sense, as your neighbors will be impacted by your fencing installation decisions.
- If fencing already exists on other adjoining properties, the applicant/owner should proactively work with any adjoining property owners to utilize their existing fencing. Any neighboring lot shall be allowed to tie into an existing fence. The aforementioned shared maintenance responsibilities/cost should be discussed with any surrounding property owners. We always encourage owners to proactively work together with each another regarding any areas of shared fencing.
- Please note double fencing between neighbors will not be allowed. The proposed fencing must be extended to the property lot line to avoid any buffers and gaps between owner fencing with neighbors. Placement of the fencing inside of the property line would create a gap/buffer between two fences and should be avoided whenever possible at the property.
- In summary, fencing must be placed on the property line:
 - If existing fencing does not exist from other adjoining properties, the ARC requires installing the fencing on the actual property line. Sharing the fence with neighbor(s) is required to prevent any double fencing in the future.
 - Installing your fencing six to twelve inches (6"-12") inside the property line is not permitted, as this creates an unnecessary buffer between the two properties which we would like to avoid moving forward for our lots and creates double fencing.
- At least one (1) gate must be installed on the side of the home where the fencing meets the rear corner of the house. Two (2) gates are preferred.
- Proposed fencing cannot extend past the rear corners of the home towards the front/street of the home unless specific approval is provided in advance by the ARC.
- Proposed fencing must respect the public or private easements associated with the property. No fencing shall be installed within any PUBLIC DRAINAGE or UTILITY EASEMENTS or RIGHT OF WAYS, if it is located or applicable to the owner's property as shown on recorded plats, Plot Plan, House Survey or within the Declaration.
- Fencing placed in any PRIVATE DRAINAGE EASEMENT, must be approved by the ARC as part of the fencing ARC application. The Owner understands the Private Drainage Easement may need to be accessed by a third party in the future depending upon need by that entity (i.e. HOA, County, etc.) and placing the fencing in this PRIVATE DRAINAGE EASEMENT area on your property could present future costs relating to potential relocation or fence reconstruction at the Owner's sole expense.
- Owner is responsible for verifying any county and Township requirements for fencing, including obtaining any necessary permits, if applicable. Owner will adhere and comply with any HOA and Carteret County requirements as part of the installation.

- Proposed fencing cannot negatively impact or impede the community drainage plan. (Example: fence pickets cannot be buried into the ground, which would restrict the natural drainage flow of surface water across the properties).
 - If fencing installation results in ponding or negatively water flow from any of these areas, the owner will be responsible for making the necessary corrections/alterations to restore the intended drainage flow per the community/lot drainage plan at their own expense.
- Owner must locate and arrange to move any associated irrigation lines, heads, utility services lines or other items impacted by the construction of the proposed fencing at owner's expense. If it is necessary, underground utility lines and easements can be located by visiting the North Carolina 811 Utility Notification Center website at <https://nc811.org> or by calling them directly at 1-800-632-4949.
- Owner must maintain fencing in a good condition after installation, including any future re-painting or power washing if necessary, replacement of pickets, fence sections, when necessary or when requested by River East.

FIREPLACE / FIRE PIT.

ARC Committee approval is required. Exterior fireplaces shall not exceed eight feet (8') in height and shall harmonize with the aesthetics of the Home. Installation of any fireplace or fire pit shall be five feet (5') from any structure. Owner must obtain Carteret County building permit, if applicable, and provide a copy of the permit to the Management Company office prior to beginning work. Owner is responsible for verifying any county and Township requirements for fencing, including obtaining any necessary permits, if applicable.

Owner will adhere and comply with any HOA and Carteret County requirements as part of the installation. Installation of the fireplace/fire pit and surrounding hardscape cannot not negatively impact drainage of the Subject Lot, adjoining property or properties, including HOA Common Areas. A Fireplace/Fire Pit must only be installed in the back yards. On pond facing units, they must be located so as to not block pond views from immediate residents. A Fireplace/Fire Pit cannot create an unreasonable level of disturbance to adjacent property owners. Care shall be taken to not burn during high wind events or during any Carteret County declared no burn events.

FLAGS/FLAGPOLES.

Committee approval is not required for flying the U.S. or North Carolina flag from brackets attached to the front of houses or flagpoles. Allowable pre-approved flags may be no larger than 4' x 6' and consist of any of the following: United States flag or other official national flags, state flags, military service flags (Army Navy, Marine, Air Force, Coast Guard or National Guard), military unit designation flags, POW MIA flags, sports teams, First Responder, Holiday/Seasonal or religious denomination flags. Political (i.e. Candidate/Party Flags) should adhere and be displayed per the Township and/or County ordinance for allowable political signs/flags and timeframes. All flags must be kept in good repair. The United States flag must be maintained and displayed in accordance with the United States Flag Code - <https://www.usflag.org/uscode36.html>.

Proposed lighting of the U.S. Flag must be included as part of the ARC flagpole request, if the U.S. Flag is to be displayed on property twenty-four (24) hours a day to ensure proper illumination of the flag.

Flagpole(s) ARC Committee approval is required for proper placement and installation:

- **Flag Pole(s) Located on the Home:** Up to two (2) flag poles less than six feet (6') in length are allowed with ARC approval. The pole(s) may be attached to the front facade of the house at the garage door or entry door locations.
- **In-Ground Flag Pole:** Up to one (1) single flag is allowed with ARC approval. Flag pole cannot be less than 1 1/2" or greater than three inches (3") in diameter and no more than twenty feet (20') in height above finish grade. Vertical poles cannot be attached to the home. In-ground flag poles must be constructed of aluminum, stainless steel or any weather resistant non-corrosive metal. No wood, fiberglass, PVC or similar flag poles are allowed, as they can stain, splinter and age. Flagpole must be vertically anchored solidly in the ground with concrete (to ensure stability and safety). Flagpole must be placed in the front property of the home, placed in a mulch or grounds bed and incorporated into the landscaping design whenever possible.

FLOWER POTS.

ARC Committee approval is not required for flower pots providing:

- Flower pots should be of neutral colors or the same colors included in the home's color scheme.
- Should be within the landscaped area. Up to six (6) flower pots can be placed outside of the landscaped area provided they are close to the house (ie. the front porch, but not at the road end of driveways).
- It is recommended that flower pots do not exceed twenty inches (20") in diameter and over twenty-four inches (24") in height.

FUEL STORAGE TANKS.

- ARC Committee approval is required of any fuel storage tanks.
- All utility lines serving structures located on Lots shall be placed underground.
- Kerosene, gasoline and other fuel storage tanks are prohibited.

GARAGE SCREENS.



ARC Committee approval is required. Garage screens specifications below:

- All garage screen material used in the frame must be black, charcoal or bronze.
- Garage frame must be black, white or must match the trim or base color of the home.

GARBAGE / TRASH CONTAINERS.

ARC Committee approval is required for trash enclosures. Garbage and recycling cans must be stored out of view behind the home, in the garage, or in Committee approved garbage storage areas. Trash bin storage areas can be screened from the street right-of-way with Committee approved landscaping, perennials and/or fencing materials. Colors and materials to be used must be included with the application.

- Enclosure/Shields must be L-Shaped or U-Shaped (with gate) with maximum six feet (6') in height using Board on Board or white-vinyl style construction of pressure treated wood utilizing 4"x 4" post with rail caps and post caps.
- Enclosure/Shield may not extend out further than 42" from the side of the home or extend back more than six feet (6') depending on the items to be shielded from view.
- Enclosures on the side of the home may not be located any closer to the front of the home than twenty feet (20').
- Enclosure/Shields cannot be located within an easement or drainage area, including drainage areas indicated on the recorded map as a drainage area.
- Enclosure/Shields may not be installed in a manner that would impede drainage of the lot on which it is placed or other lots in the area.
- A vegetative screen of shrubs or bushes may be used as well with approval from the ARC Committee.

Non-contained garbage, trash, lumber, grass or shrub clippings, plant waste, compost, metal, bulk materials, scrap, or debris of any kind will not be allowed to be stored or to accumulate on any site.

All trash totes must have a cover that is resistant to animals and be kept within an enclosed structure. The trash tote may be placed at the curb at such times as may be necessary to permit garbage and trash pickup. Trash totes may not be placed at the curb prior to the evening before collection and must be returned to the enclosed structure or inside the garage the day of collection.

GAZEBOS.

ARC Committee approval is required. Gazebos are permitted in the rear yard and must be constructed of quality wood or metal. They must be painted white or match the trim of the house. Owner is responsible for obtaining and adhering to any Carteret County requirements, including obtaining any necessary building permits, if applicable. A gazebo's height shall not exceed ten feet (10') and must be located within the required setback requirements. All Carteret County and/or Town of Peletier/Township of White Oak codes in relation to wind resistance must be followed, where applicable.



GENERATORS FOR HOME (PERMANENT and TEMPORARY).

ARC Committee approval is required for any standby or permanent whole house generators. These must be installed per the following guidelines:

- Standby generators are to be installed on the side of the home within close proximity of the Electric meter and/or Electric Panel.
- Standby generators must be installed per all Federal, State, County, Local and Electric Utility guidelines and specifications with no deviations allowed.
- Standby generators shall be screened from street right-of-way either by approved fencing or by plantings tall enough to conceal the unit.
- Standby generators to be used specifically for emergency backup power with the exception of a weekly test run of the system.

Portable backup generators (ie. utilized solely for Hurricane and Storm Events) do not require ARC Committee approval.

GUTTERS.

ARC Committee approval is required. Gutter downspouts shall direct water to required drainage facilities at the street. No downspouts shall be piped directly to any pond Owner assumes responsibility for maintenance of gutters.

- Gutters must be five-inch (5”) width, white, aluminum and must match trim color.
- Downspouts must be compatible with existing exterior color scheme and should be painted to match the body color of the home.
- Outflows should be buried whenever possible and directed away from homes to an acceptable area for dispersion of water splash guards must be installed where buried outflow is not possible. These must be green to blend with turf.
- Owners are not permitted to install guttering that will redirect outflow onto neighboring properties.

HOLIDAY DECORATIONS / DISPLAY.

ARC Committee approval is not required for holiday decorations or lighting displays providing any exterior seasonal, festive or holiday decorations and lights shall be installed no more than forty-five (45) calendar days prior to the event date and shall be removed no later than fifteen (15) calendar days after the event date.

Consideration of neighbors should be exercised when decorating for any occasion.

HOT TUBS / JACUZZIS.

ARC Committee approval is required. Hot tubs and Jacuzzis must be located in the rear yard, screened by landscaping or privacy fencing that affords both homeowners' adequate privacy, and must be designed as an integral part of the deck or patio area.

Owner is responsible for obtaining and adhering to any Carteret County requirements for hot tubs, jacuzzis and surrounding structures, including obtaining any necessary permits, if applicable.

HOUSE ADDRESS NUMBERS.

ARC Committee approval is required to relocate the existing address numbers to a position different from that originally installed by the builder. Committee reserves the right to disapprove any style selection not in keeping with the community standard.

There shall be no more than two (2) sets of house address numbers on each residence, placed at the mailbox and on the residence.

HURRICANE / BAHAMA SHUTTERS.

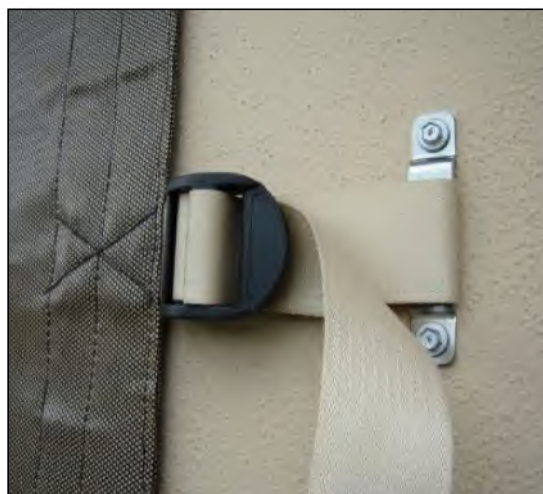
ARC Committee approval is required for the installation of hurricane shutters or other style (i.e. Bahama style shutters) to the River East home.

The proposed shutter colors must complement the existing Home colors.



HURRICANE/STORM PROTECTION SYSTEMS.

ARC Committee approval is required for Hurricane/Storm Protection Systems. The ARC will consider the installation of alternative systems. The owner will need to submit an ARC with the proposed type, style and placement of the system desired. Hurricane shutter and protection specifications, area providers and acceptable styles are displayed and listed below for the owner's reference:





Available Hurricane Protection System Providers (For reference, note this list is not exclusive):

UltraTek Worldwide Cleartek™ Shutter System. <https://ultratekworldwide.com/>

- Strap & Buckle, Grommet Screen, Roll Down Screen & Slide Screen.

Storm Catcher Wind Abatement Screen System. <http://stormcatcher.com/>

- Strap & Buckle, Grommet Screen, Roll Down Screen & Slide Screen.

Storm Panels and/or Shutter Systems. <http://midatlanticstormprotection.com/>

- Aluminum .50 lightweight shutters, Clear Polycarbonate Shutters, Fabric Shutters.

- **Plywood is permitted** as an alternate temporary solution in hurricane storm events.
- Hurricane/Storm Shutters systems must be temporary only and allow for the protective screening to be removed and stored after a storm event has passed.
- Frames and hardware can be permanently attached to the exterior of the home.
- Types of hurricane/storm protection systems that are allowed are fabric with anchor straps or studs and caps, channel frames with rigid or corrugated panel inserts, Velcro attached panels, rigid systems with anchor straps or studs and caps.
- Any frames or hardware must match the existing building color scheme, window frame or trim colors and must visually blend in with the existing building so as to not be obvious from the street or adjoining homes.
- Roll down systems with large overhead roll up boxes may be installed on porches or other areas where the system can be placed behind the header beam or trim and hidden from view.
- Frames and mounting systems may not be wider than three inches (3") in width and may not extend more than three inches (3") beyond the surface it is mounted to.
- Surfaced applied films and interior attachment systems are allowed if the system and colors visually blend in with the existing building, so as to not be obvious from the street or adjoining homes.
- Systems and/or plywood must be removed within **twenty-one (21) days** of the end of a named storm event or when authorities allow residents to return to their homes.
- The Board of Directors may extend this period at their discretion to ensure the safety and security of property.

LANDSCAPING.

ARC Committee approval is required for any changes, modifications or additions in landscaping on the property. All improvements shall be complimentary to the home and shall also follow any landscaping requirements of Carteret County. The guidelines for installation of landscape and features below are written to encourage owners to consult with landscaping professionals in order to design harmonious modifications, choose complimentary materials and to ensure proper installation. The ARC encourages owners to enjoy their property and plant as they see fit within these guidelines:

- Landscaping for the entire lot, including easement areas, shall be maintained at all times by the owner. If the Association does not provide the individual lot ground care in the community, the owner will be fully responsible for maintaining all landscaping on the property. This includes, but is not limited to: mowing, trimming, weed control and fertilization and routinely edging the sidewalks and street curbing.
- Landscaping shall be maintained so as not to create a safety hazard or visual nuisance in the community.
- Gravel, rock, sod, plant materials and/or soil piles stored at the property during landscaping installation, shall be left no longer than a period of fifteen (15) days. Rock and/or soil piles are not permitted on the street.
- Delivery and placement of landscape materials shall not damage any entry/median/Common Areas. Delivery trucks are not allowed to cross any of these areas (to avoid sprinkler and landscape damage). If this regulation is violated and damage to the Common Elements results, the Owner will be held financially responsible for repairing the damage caused by the Owner or the Owner's agent, guests or tenants.

Landscape - Establishing Planting Beds.

- Invasive species, plants that do not typically thrive in the climate and soil conditions on the property, those that risk uncontrolled reproduction beyond your planting area and those that otherwise jeopardize the existing ecosystem are not permitted.
- Plants may be installed in planting beds without prior approval if the species are similar in nature to existing plants and are no more than thirty-six inches (36") tall.
- Use plant materials that produce unusual effects at different times of the year so that landscape will have interest during each season.
- In large shrub beds, plant groups of shrubs and perennials. As a suggestion, plant a minimum of three (3) of the same shrubs together in a cluster and five (5) of the same perennial. This will create more of an impact on the landscape.

Landscape - Trees and Large Shrubs.

Architectural Review Request forms must describe types and sizes (height, width, thickness and/or diameter) of proposed trees and shrubs. Trees and shrubs shall be selected and placed in a manner which does not cause an unreasonable nuisance to adjacent properties. Trees and shrubs must not be placed in areas that block sidewalks, restrict drainage, or impede line of sight for vehicular traffic. Trees and shrubs that grow to a height that poses a threat to neighboring properties or have a root structure that interferes with utilities or could prove to be invasive to neighboring properties should be avoided. If the placement of trees or shrubs results in complaints from neighbors, the Committee may require the homeowner to remedy the problems.

Prior to planting, Owners should take care to consider the eventual mature size of the trees and shrubs and what impact they may have on nearby homes, other landscape features, nearby sidewalks, pipes, other utilities, property lines, easements, etc.

Owners may not plant trees and shrubs that are likely to cause increased maintenance responsibilities and/or increase the likelihood of damage to a neighboring property (i.e. Excessive leaf accumulation on rooftops and in gutters, increased risk of damage from falling limbs and increased risk of damage to driveways, foundation slabs or other areas of a home).

- Trees, shrubs and other landscaping materials shall be contained within the property boundaries to ensure growth does not overhang or infringe on another person's property, public streets or walkways and common areas.
- Trees, shrubs and other landscape materials shall not be placed or allowed to grow to such a height or thickness as to substantially interfere with the view of neighboring properties.

Landscape - Tree Removal.

All tree removals require Committee approval and all stumps and their exposed root systems shall be removed. Dead trees shall be removed. Additionally, living tree removal shall include the killing of its root system. The removal of trees will be approved if the tree is dead, if there is danger to people or property, or if a detrimental condition exists. Detrimental conditions include the physical intrusion by roots and branches on houses in a way that causes damage, excessive shade, or block views or sight lines.

Landscape – Landscaping Edging / Curbing / Tree Rings.

- Proposed landscape borders cannot encroach onto any public or private easements (if such easement(s) exist on lot).
- Borders are to be installed for ground bed(s) located exclusively on owner's property only. They are either earth tone colors (grey, muted red, brown or similar).
- Borders will not be permitted on shared grounds beds that overlap property lines, unless both property owners mutually agree and submit for the same border type and borders are installed simultaneously to ensure consistency.
- Owner to ensure addition of landscaping borders will not negatively impact drainage on Subject Lot, adjoining properties or Common Areas. If border installation creates any negative drainage issues for adjoining lots to the property, owner will need to remove landscaping border from bed(s) or area(s) of concern immediately at their cost to correct/resolve drainage problem.
- Proposed landscaping borders must be harmonious and complementary with existing landscaping and will not become the main focal point of the yard.
- Color of concrete landscaping borders should be earth tone colors (grey, muted red, brown or similar).
- Edging, Curbing and Tree Rings cannot exceed more than ten inches (10") in height.
- Once installed, owner must maintain landscaping borders in good, clean condition. Repairs and replacement of curbs must be made promptly to ensure edging quality and consistency.

Landscape - Front and Side Yards.

Landscaping within the front yard must consist of a combination of turf lawn trees and shrub beds. Shrub beds must be coordinated between lots, contained suitable ground cover, such as mulch, pine straw or river rock, to provide visual continuity.

Side yards which front onto streets or public open spaces must also be landscaped by the homeowner.

Landscape - Irrigation Systems.

In-ground irrigation systems (underground pipes or tubing) do not require Committee approval providing the entire system is subterranean. All landscape plantings will be maintained by a fully automated underground watering system. Drainage shall not be directed onto sidewalks, curbs, walkways or driveways. Homeowners are advised backflow preventers are to be inspected annually.

Landscape - Maintenance.

All landscaping must be maintained in a neat, attractive and healthy condition. The Owner, considering weather conditions affecting the planting of replacement landscaping, must replace dead or dying landscape materials as soon as possible and/or within fifteen (15) days of written notification from the Committee.

Landscape - Installation of Rocks.

- Landscaping rocks must be displayed in conjunction with landscape theme and must not be the focal point of the front yard.
- Size, type of stone, positioning and appropriateness will be criteria for approval of landscaping rocks.

LATTICES / TRELLIS.

ARC Committee approval is required for any lattices or trellis on the property. All lattice and/or trellis' used for climbing plants and/or vines must be free standing, no higher than seven (7) feet and of a neutral color. Lattice or trellis' used to support climbing plants and/or vines shall not be attached or anchored to the vinyl fences in any way. Latticework shall be supported or framed securely to prevent warping or sagging. Wood latticework should generally be painted white, base color or trim of your home. Latticework may not be used to enclose a patio cover or gazebo. Latticework may not be used on the side of a patio cover that is parallel to the house where the patio cover is attached.

MAILBOXES.

Mailboxes are installed by the Developer in accordance with the approved community design guidelines. In most developments, Carteret County mandates the mailbox design and their placement. The United States Postal Service (USPS) Postmaster also coordinates the setup and the specific owner mailbox assignments of the Mailbox Cluster Units.

MAINTENANCE OF DRAINAGE.

All Owners of real property within the Community Area will be responsible for maintaining the established drainage pattern on such real property in accordance with the grading plan provided to the Owner at the time of closing.

MAINTENANCE OF FENCING.

Each owner of a site will be responsible for maintaining, repairing, and replacing, in a reasonably attractive manner, any fence located on the owner's site.

MAINTENANCE OF THE LAWN.

Front and rear yards should be maintained so as not to degrade the appearance of the neighborhood. This includes mowing, weeding and mulching, trimming and pruning, and replacing dead or diseased shrubs and trees. Trees, shrubs, and bushes bordering sidewalks, walkways, property lines and common areas, need to be trimmed in such a fashion that they do not limit or impede access or infringe on a neighbor's property.

MAINTENANCE OF ALL PROPERTY IMPROVEMENTS.

No property within the community must be permitted to fail into disrepair and all property, including any Improvements upon that property (i.e. landscaping, screens, fencing, etc.), must be kept and maintained in a clean, safe, and attractive condition.

NO HAZARDOUS ACTIVITIES.

No activity must be conducted on and no improvement must be constructed on any property that is or might be unsafe or hazardous to any person or property.

NO UNSIGHTLINESS.

All unsightly conditions, structures, facilities, equipment, and objects, including lawn and garden equipment and other maintenance equipment when not in actual use, must be enclosed within a structure or garage.

PAINTING/REPAINTING – EXTERIOR COLORS.

ARC Committee approval is required for all exterior painting or repainting of the home and accessory improvements.

Committee approval is not required if color and color combinations are *identical* to the original color painted by builder. Any color and/or color combination changes require Committee approval.

- All exterior colors must be reviewed for approval by the Committee, including repainting of existing improvements.
- All roof vent caps, louvers, plumbing stacks, chimney flashing, valley flashing, etc., are to be painted a color not in contrast with the color of the roofing.
- Whenever exterior painting is to be done, all changes must be approved by the Committee prior to commencement of such painting. Changes include any paint or color scheme other than the original brand paint, color number and scheme.
- Garage doors are to be the same color as the siding or trim of the Home, unless otherwise requested and approved by the Committee.
- Most homes have multiple tone paint schemes (e.g., siding color, trim color and accent color for shutters and doors).
- Color selections should be submitted to the Committee in the form of manufacturer's paint chips. Please indicate which color chips are for trim, siding and accent color.

PATIOS / PAVER WALKWAYS.

ARC Committee approval is required. Patio and/or walkways must be installed as an integral part of the Home and property. These improvements can be considered an extension of the architecture and the materials used must complement the residence. Concrete and/or the use of pavers are acceptable materials for these type of improvements. Color of concrete landscaping borders and pavers should be earth tone colors (grey, muted red, brown or similar).

Patios shall be placed on the side (if permitted and feasible for the lot) and/or rear elevations of the property only. The location of the patio and/or pavers cannot be installed in any designated PUBLIC and PRIVATE easement area(s), setback(s) and utility easement(s).

The patio and/or paver dimensions, proposed location(s) and materials to be used must be included with the application. The committee will review lot size as a factor in approval of patios and to also confirm and ensure the maximum surface area on the lot is not exceeded. Owner to ensure addition of patio landscaping borders will not negatively impact drainage on Subject Lot, adjoining properties or Common Areas. If border installation creates any negative drainage issues for adjoining lots to the property, owner will need to remove landscaping border from bed(s) or area(s) of concern immediately at their cost to correct/resolve drainage problem. Once installed, owner must maintain patio and/or pavers in a clean and acceptable condition.

PATIO COVER/ADDITIONS, EZ BREEZE AND SCREEN ENCLOSURES.

ARC Committee approval is required. Homeowner to ensure improvement will meet all Carteret County requirements where applicable:

- ARC application must show the enclosure design, specific location of the improvement in relation to the home, exterior views of the screen system (via a brochure if available), materials and colors to be used, and overall dimensions.
- Owner is responsible for verifying any county and city/Township requirements for the enclosure or the patio cover, including obtaining any necessary building permits, if applicable. Owner will adhere and comply with all HOA and Carteret County requirements as part of the installation.
- The location of the patio cover or enclosure cannot be installed in any designated PUBLIC and PRIVATE easement area(s), setback(s) and utility easement(s).
- No flat roofs allowed and roofing must match that of existing home in terms of design, architecture and materials used. No metal roofs are allowed for these improvements.
- If porch is to be enclosed, porch must contain materials that are consistent architecturally with the home, if applicable.
 - Color of the porch screens, if used, must be charcoal or black.
 - Color of enclosure should be the same color as the siding or trim color of the home.
 - Color of enclosure frame and overall design of enclosure should be the same color as the siding and/or trim color of the home. No exposed wood is allowed, must be wrapped to match aesthetics of home.
 - Once installed, owner must maintain patio enclosure, windows and/or screens in a well-maintained, clean condition, to include all maintenance and upkeep of exterior appearance (i.e. pressure washing exterior siding when needed or requested by the HOA).

PLAY AND RECREATION EQUIPMENT.

ARC Committee approval is required for all play equipment, play houses and trampolines. Play equipment shall be positioned in a way to minimize its impact on neighbors and its appearance to neighbors. Size of equipment will be considered on a case-by-case basis depending on the Lot size and its proposed proximity to neighbors. Play and recreation equipment must be located in the rear yard and located behind a six-foot (6') privacy fence, unless the variance is approved in writing by the ARC Committee.

Play Areas

Play areas may include sandboxes and large mulched areas around swing sets. The areas may be edged with timbers or other suitable edging material. To avoid the use of sandboxes by animals, you are encouraged to cover them when not in use.

Swing Sets

Swing sets may be metal or constructed of wood no taller than twelve feet (12') in height (from ground to tower roof height) and located behind a six-foot (6') privacy fence. Those structures with climbing towers may maintain an upper level tower. Wood sets may be left natural, stained, painted white or painted to match the exterior color of the house.

Trampolines

Trampolines are limited to the rear yard and generally should not be visible from any street or adjacent properties. On corner lots, trampolines must be located on the side of the lot farthest from the side street. Trampolines should be located behind a six-foot (6') privacy fencing and/or suitably screened (i.e. landscaping) and must be located at least fifteen feet (15') from adjacent lots and may not exceed twelve feet (12') in height.

- If safety netting is used it must be black or charcoal. The color of the supporting poles must match the home.
- Alternatively, the trampoline may be recessed into the ground, eliminating the need for a screen.
- Trampolines must be anchored to the ground with appropriate hardware.
- Trampolines must be kept rust free with no torn canvas or missing springs.
- Trampolines must be stored in a garage or storage building during wind storms, tropical storms or hurricanes.
- Proof of Liability Insurance must be provided with request. Trampolines, new and existing, must be maintained and repaired as needed.
- Should the trampoline cause damage to any other property or structure, owner of said trampoline will be responsible for the damage.

PODS /TEMPORARY STORAGE UNITS/MOVING CONTAINERS.

A "PODS" type container (or similar offered storage service container) is permissible providing the owner notifies the Management Company in writing to include the intent to use such storage unit, the start date of when the unit will be delivered to the home, and the intended removal date. The container must be placed in the driveway or on the street (only if street storage is permitted by the Carteret County). Sidewalks, pedestrians and/or vehicular traffic cannot be blocked by the container. The storage unit may be stored for a maximum of three (3) weeks. The owner must notify and request additional time in writing to the Management Company for ARC approval.

RECREATIONAL VEHICLES, TRAILERS, BOATS, WATERCRAFT.

Parking any vehicles on streets or thoroughfares within the Community or parking of commercial vehicles or equipment, mobile homes, recreational vehicles, golf carts, trailers, stored vehicles, or inoperable vehicles in places other than enclosed garages; however, construction, service, and delivery vehicles shall be exempt from this provision during daylight hours for such period of time as is reasonably necessary to provide service or to make a delivery to a Lot or the Common Area. A Commercial Vehicle shall mean any vehicle whose title is placed in the name of a company or corporation or any vehicle that is required to be licensed as a commercial vehicle by the North Carolina Division of Motor Vehicles. Recreational vehicles of all types, to include recreational vehicles (RVs), trailers of all types (either with or without wheels), campers, camper trailers, house trailer, horse trailer, motor home, all-terrain vehicles, or any similar vehicle shall not be stored on or at any lot unless completely enclosed within a garage so as to be not visible from the streets or other lots. These types of vehicles may be brought to the residence for loading and unloading, but may not be parked/stored overnight. No vehicle, trailer of any kind may be parked on front lawns and/or Common Areas.

Boats and other watercraft (i.e. jet skis), are permitted in the Community with the approval of the ARC, with said approval to be in the sole discretion of the ARC based on boat type, size, their proposed storage location of the boat, and other factors deemed relevant by the ARC.

Boats shall be permitted up to twenty-five feet (25') maximum in length. Boats on their trailers shall be permitted to be stored in the rear yard of the dwelling, providing it is behind ARC approved six-foot (6') fencing. Storing of the boat and/or boat trailer in the driveway or on any streets or thoroughfares in the community is not permitted.

One (1) boat is permitted per Lot shall be permitted to be stored on the exterior of the Lot, and one (1) additional boat may be stored inside the garage or behind approved fencing screened from view from the street and adjoining Lots.

Boats and boat trailers must be maintained in good condition and cannot fall into disrepair while stored on the Lot. The Lot Owner shall remove the boat or boat trailer immediately from the Lot and make the required repairs, maintenance or cleaning necessary to bring the boat and boat trailer into acceptable condition.

ROOF / SHINGLE REPLACEMENT.

Replacement and repair of roof elements in single family homes due to damage does not require approval unless materials and colors differ from the original construction or previously approved modification. New roofing of the same shape, color scheme and material as the originally installed roof can be installed without Committee approval. The approved color of roofing material is "*Weatherwood*" or an earth tone color that is equivalent. Any color or roofing material changes require approval. All roof penetrations such as attic and plumbing vents should be finished to blend with the roof color. Eaves troughs are to be maintained in good condition.

SCREEN DOORS / SECURITY DOORS.

Committee approval is not required for the addition of screen doors or security doors added to a home if the material and color matches or is similar to existing doors and windows on the home.

SECURITY DEVICES.

The installation of video cameras and other security/surveillance equipment (i.e. “Ring” or “Nest” cameras) does not require ARC approval providing the following are met:

- Security devices including cameras, alarms, and the installation of window and door components shall be selected, located and installed so as to be an integral part of the house and not distract from its overall architecture and appearance.
- Sirens, speaker boxes, conduit and related exterior elements must be unobtrusive and inconspicuous.
- To protect neighbors and Association members, home cameras and related security/surveillance equipment cannot be directed specifically at other homes in the community and/or Common Areas, in which invasion of privacy may occur. If complaints are received or camera settings observed, the Owner will be expected to adjust camera direction accordingly, while achieving the intended surveillance result.

SHUTTERS.

Shutters must be consistent with the architectural design and color scheme of the residence. Exterior shutters must be the same materials and painted to match the color scheme of the exterior of the Home, unless otherwise approved by the Committee. A change in shutter color or design will require Committee approval.

Removal of existing shutters without replacements must be submitted for ARC Committee review and approval. Broken or missing shutters must be repaired or replaced within thirty (30) days. See previous “Hurricane Shutters” section specific to Bahama-type Shutter installation guidelines.

SIDING.

Replacement and repair of siding elements in single family homes due to damage does not require ARC approval unless materials and colors differ from the original construction or previously approved modification. Aluminum or steel siding is not permitted. Approval is not required to re-side your home in the same materials and colors as the originally constructed or previously approved. Any color or material changes require approval. Siding shall be kept in a well-maintained condition. Exterior walls must be clean and free of mildew and algae.

SIGNS.

Please reference Section 4.3.4 – “Signs” (page 12) in the CC&Rs regarding the display of real estate and political signs. The display regulations are listed below:

Political/Civic Signs.

Temporary political signs are allowed on private property subject to current Carteret County and/or Township political display ordinance. Political flags and signage will be permitted only if they adhere to these ordinances as they pertain to allowable type, quantity, size, length of time and manner of placement. If there is no ordinance in place, the following guidelines are adopted for political signs and flags:

- The Board encourages any political signs be placed no earlier than thirty (30) days before an election, run off, primary or referendum. All political signs must be removed from the property within seven (7) days of such event as mentioned above.
- Political signs shall have a maximum size of nine (9) square feet, with a maximum height of five feet (5’) from the top to the ground level.

Real Estate Signs.

- Each owner may erect or post one “For Sale”, “For Lease” and “For Rent” sign at the property. The size shall not exceed eighteen inches (18”) by twenty-four inches (24”).
- Height of sign shall not exceed six feet from the top to the ground level.
- A sign of professional quality not exceeding fifteen inches (15”) by eighteen inches (18”) may be placed in a front window.
- Wording on the sign shall coincide with activity, i.e., for sale, open house, contractor identification, etc.
- Open house signs shall be allowed only when sales personnel are in attendance. Temporary flags, banners, balloons, streamers, propellers or other similar apparatus placed and intended to attract the attention of the general public are allowed on the property only of the open house during the open house period and shall be removed at the end of each day. Display of these items is not permitted unless permission is provided by the ARC or the Management Company in writing. All signs shall be removed at the close of escrow or occupancy.

SOLAR PANELS / SOLAR COLLECTION DEVICES.

ARC Committee approval is required. Solar equipment must be designed as an integral part of the roof. The solar device must meet the following criteria for installation:

- Solar Panel installation must conform to all Carteret County, State, Federal and Electric Utility regulations.
- Solar equipment may not extend higher than or beyond the roof line, the device(s) must conform to the slope of the roof, and the top edge of the device(s) must be parallel to the roof line.
- Solar equipment color must blend in with roof and or home colors as much as reasonably possible. The color of the frame, support bracket(s), and visible piping or wiring must be silver, bronze, or black tone commonly available in the marketplace or hidden from view.
- The location of the equipment must be installed on the rear facing portion of the roof (away from the street) that, in the opinion of the ARC, is the least objectionable location for the device. The Committee’s guiding principle is to balance between a location that enables the equipment to be effective and a location that is the least visible and least obtrusive. Be aware that some Insurance companies will not insure.

STATUES/ FOUNTAINS / WATER FEATURES.

ARC Committee approval is required of statues, fountains and water features of any kind. If statue is in the front yard, it must be located on porch steps or within a five-foot boundary from the front of the house. No statues can be positioned as a main focal point of the yard. All statues must be made of ceramic, concrete, metal or wood and cannot exceed three-feet (3’) in height.

STORAGE SHED.

ARC Committee approval is required. Only one (1) Storage Shed per Lot will be permitted on a non-water lot. Location of the shed is limited to the rear yard only and generally should not be visible from any street or adjacent properties. Shed must be screened from view with a six-foot (6’) privacy fence and/or suitable landscaping/plant materials. The shed materials and colors must match those of the exterior of the home, specifically its base and trim siding colors, shutters and related accessories.

Roof shingles must match those on the home (i.e. asphalt shingle type and color). No metal tops or similar metal roof coverings are allowed.

Plastic/Rubbermaid/Metal/Aluminum siding type storage buildings are not permitted. The overall size of the shed cannot exceed no larger than **280 square feet**. The shed roof cannot be any higher than ten feet (10') from the base of the shed to its highest point. If there is a porch, awning, overhang or any other item attached to the building it must be included in the 280 sq. ft. The building must be set back a minimum of five feet (5') from the side and rear lot lines. On corner lots, sheds must be located on the side of the lot farthest from the side street. Buildings must be installed with hurricane tie-downs and meet all Township/county building requirements and permits from Carteret County, as applicable.

SWIMMING POOLS.

Above-Ground Swimming Pools

No above ground swimming pools shall be located on any lot. The only exception to this guideline is for small “kiddy” pools which have a volume capacity of fifteen (15) gallons or less that must be located in the rear of the home.

In-Ground Swimming Pools

ARC Committee approval is required. In-Ground Pools may be permitted in fenced yards. Request for in-ground swimming pools will be reviewed on a case-by-case basis with consideration given to, but not necessarily limited to, the size of the yard area, setback from impact on neighboring properties, size of pool enclosure, and pool materials.

In-Ground Swimming Pool Installation Protocol for River East Owners

All In-Ground pools must meet the HOA, Carteret County and DHEC (Department of Health and Environmental Control) regulations and standards. **The owner will need to first check with Carteret County to obtain any necessary permits prior to applying for ARC review.** In addition to the ARC application requirements contained within these Guidelines, the owner will be required to following these pool installation guidelines effective February 1, 2020:

- The ARC application for the pool installation is filed with the Management Company
- Access to the rear yard through other owner’s property or the Association’s Common Area for the installation of any in-ground swimming pool will be the owner’s responsibility to secure any agreement(s) and easements with other owner(s) or the Association as needed.
 - Proof of neighbor(s) acceptance (including approval from the Board of Directors for the Common Area access) must be included with the ARC application where any access or easements is needed to be accessed for the project.
- To ensure minimal disturbance to Common Areas and roadways, a **refundable \$2,000 damage deposit** in the form of a check will be required from the owner at time of ARC application and prior to beginning the pool project to ensure damage to the Association Common Area is not damaged by any of the pool contractors.
 - The damage deposit check will be made payable to **RIVER EAST COA** and will be held by the Management Company until all final work is reviewed and verified by the Management Company, ARC and/or Board of Directors.

- All related permitting and approval from Carteret County and DHEC (if applicable) must be provided in writing to the Management Company.
- It is the responsibility of the owner to notify the Management Company of the **STARTING INSTALLATION DATE**, so an Association representative may evaluate the site before installation work has commenced.
 - Owner and contractors will ensure minimal disturbance and distress will be created on neighbors during pool install to property and the Common Areas as a whole. Contractor will ensure that swimming pool installation and pool backwash water shall not drain into adjacent properties or Common Areas.
- Damage caused to any Common Area, landscaping, sod, shrubs, plant material or irrigation during the owner's pool installation by the installer(s) or deliveries will be the financial responsibility of the owner to pay the Association for any said repairs or replacement(s).
- Should damages occur during the pool installation, the damages will be noted and reported immediately to the Owner and the ARC and Board of Directors by the Management Company.
 - During the project, if any damages done to Common Area exceed \$2,000, the owner will be notified by the Management Company and required to issue another \$2,000 damage deposit check to the HOA before further installation can commence. Failure to supply another deposit check will result in a \$500 fine.
- Conversely, it will be the responsibility of the owner to notify the Management Company of the **COMPLETION INSTALLATION DATE**, so an Association representative can evaluate the site to confirm all pool installation work is complete, no Common Area has been damaged from contractor(s) work and the damage deposit check(s) with any damage adjustments where noted, can be returned to the owner.

VEHICLES – LICENSURE AND REPAIRS.

No inoperable vehicle of any kind and no passenger vehicles or other vehicles not currently licensed shall be parked or stored on any driveway. No vehicle of any kind shall be repaired or rebuilt anywhere within a Lot other than within the garage, which screens the sight and sound of the activity. This includes maintenance (other than washing and polishing vehicles), servicing, repair, dismantling, or repainting of any type vehicle, boat, trailer, machine, and similar types.

VEGETABLE GARDENS.

ARC Committee approval is required. Vegetable garden must be located in either the rear yards and cannot exceed more than 240 square feet. Garden must be screened from neighboring homes, common open space areas, and adjacent streets.

WINDOWS.

ARC Committee approval is required. Windows must be consistent with the architecture of the house. Proposed windows and/or doors must match the material, appearance and finish of the original windows and/or doors. Replacement windows shall be substantially the same as those initially installed. Any proposed variance from the foregoing will be considered on a case-by--case basis. Bars and roll down security shutters are not permitted on the exterior of windows and/or doorways. All broken windows and screens must be repaired at the earliest convenience not later than fourteen (14) days of being damaged.

WIRES AND CABLES.

Wires and cables, including those installed to convey radio, satellite or television signals, shall be hidden and/or painted, buried or secured flush with the side of each house so as to minimize their visibility from the street and adjoining properties.

CONFLICTS

The Committee does not have the lawful authority to consent to any modification that violates the Declaration. Owners are cautioned to review all legal requirements carefully before submitting their applications. Any owner whose modification violates any provision of the Declaration, whether or not it is inadvertently approved by the Committee, shall be required to remove the unlawful modification.

ENFORCEMENT

River East Community Association, Inc., its Board of Directors, and Architectural Review Committee shall enforce the policies contained herein to the greatest reasonable and legal extent possible. Violations of these policies may be dealt with by one or more of the following:

FINES AND SUSPENSION

Fines and/or suspension of membership privileges may be imposed on property owners by means of the citation process. A complete listing of possible penalties and citation procedures are published separately.

LEGAL PROCEEDINGS

Proceedings at law may be instituted against property owners. It should be noted that River East Declaration provide that the prevailing party in any such litigation shall be entitled to attorney's fees from the other party.

RECORDATION

These design standards were initially adopted by River East Architectural Review Committee on the 24th day of December 2020. As provided in the Declaration and as provided in this document, these Design Standards are subject to amendment by the Committee with the advice and approval of the Board.

RIVER EAST COMMUNITY ASSOCIATION, INC.,
a North Carolina non-profit corporation

Kyle J. Berzina

Kyle J. Berzina, Architectural Review Committee (Signed Electronically on 12/24/2020)

DEFINITIONS

The following words, when used in these Design Guidelines, shall have the meaning as specified:

1. **Accessory Building** - A subordinate building or structure on the same lot or building site, above or below grade, conforming to the same setbacks, color schemes and roof requirements (where applicable) as the main structure, the use of which is incidental to the main residence, and which is used exclusively by the occupants of the main residence.
2. **Approvals and Consents** - Approval, consent, authorization or permission shall mean an approval, consent, authorization or permission in writing.
3. **Architectural Review Committee (or ARC)** - The committee appointed by the Declarant or by the Association to review and approve or disapprove requests for architectural approval, as more fully provided in the Declaration.
4. **Association** - River East Community Association, Inc., a homeowners' association.
5. **Board** - The Board of Directors of River East Community Owners Association, Inc.
6. **Building Permit** - The permit to build, construct, alter, repair or demolish a structure or structures. The building permit is issued by the Department of Building and Safety of Carteret County and/or Town of Peletier/Township of White Oak.
7. **Common Elements** - Any real estate owned or leased by the Association other than a Home.
8. **Community** - River East, the real estate described on Exhibit A attached to the Declaration, as supplemented and amended from time to time, with respect to which a person, by virtue of such person's ownership of a Lot, is obligated to pay for real estate taxes, insurance premiums, maintenance, or improvement of other real estate described in this Declaration.

9. **Declarant** – *D.R. Horton and Norris Landing Developers LLC, and any other person or group of persons acting in concert, to whom the Declarant, by recorded document, expressly assigns one or more of the Declarant's rights under the Declaration (which shall be the extent of the Declarant's rights to which such assignee succeeds).*
10. **Declaration** - *River East Declaration of Covenants, Conditions and Restrictions (CCRs) and any other recorded instruments, however denominated, that create this Community, including any supplements and amendments to those instruments and also including, but not limited to, plats and maps.*
11. **Design Standards** - *These Design Standards may be amended from time to time by the Committee with the advice and approval of the Board.*
12. **Easements** - *The areas of any lot or building site reserved by any Declaration of Protective Restrictions, reservation or conveyance to be used for roads, streets, bridle trails, parkways, park area, and for any public or quasi-public utility service or function beneath or above the surface of the ground. An interest in land owned by another that entitles its holder to a specific limited use or enjoyment. Put simply, an easement grants access to property that is not owned by the easement holder.*
13. **Existing Improvements** - *All existing exterior improvements, structures, and any appurtenances thereto or components thereof, of every type or kind, and all existing landscaping features, including, but not limited to, buildings, outbuildings, swimming pools, tennis courts, patios, patio covers, awnings, solar collectors, painting or other finish materials on any visible structure, additions, walkways, sprinkler systems, garages, driveways, fences, screening walls, retaining walls, basketball hoops, stairs, decks, hedges, windbreaks, plantings, trees, shrubs, flowers, vegetables, sod, gravel, bark, exterior light fixtures, poles, signs, exterior tanks, and exterior air conditioning, cooling, heating and water softening equipment.*
14. **Hardscape** - *Artificial surfaces placed on a lot such as concrete, asphalt-concrete brick or stone, driveways, walks, steps, sports courts, decks (wood or concrete), pool decks or any other coverage not classified as a structure.*
15. **Home** – *A residence that has been built, or is to be built, on property that is in the River East Community.*

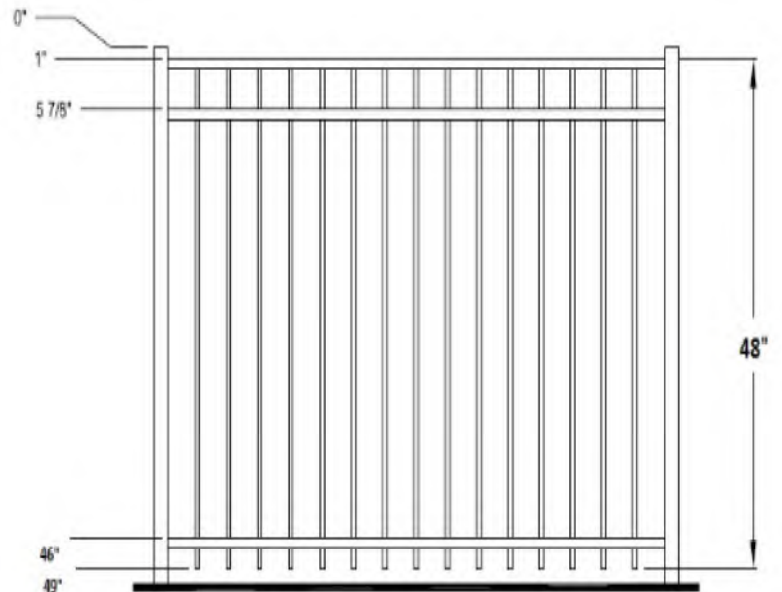
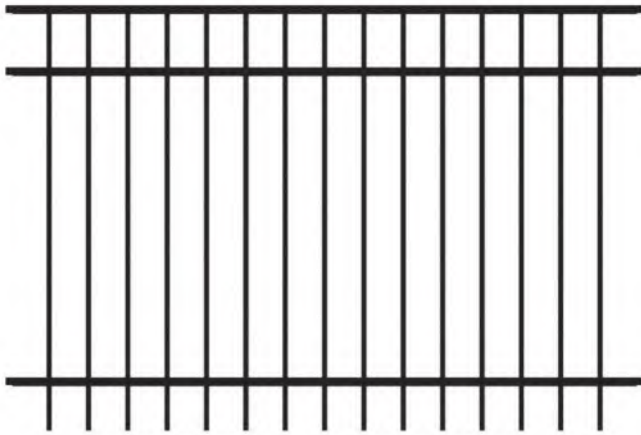
16. **Owner** - *The Declarant, a builder, or other person who owns a Lot (Homeowner), but does not include a person having an interest in a Lot solely as security for an obligation. The Declarant is the owner of each Lot provided for in the Declaration until that Lot is conveyed to another person who may or may not be a Declarant, the Homeowner.*
17. **Parcel** - *Any separate lot, plot of land, or parcel of land, which is contained in the Community, and on which a Home is located or is planned to be constructed or located (or on which more than one Home may be located in the case of property which contains or is planned to contain condominiums, cooperatives or apartments).*
18. **Property line** – *Any recorded boundary of a lot. Please review your lot survey for actual property/lot lines.*
19. **Proposed Improvements** -*Any Improvement which has not yet been constructed, installed or erected, and includes demolition or removal of any building or other structure, and also includes any change of the exterior appearance of a building or other Existing Improvement.*
20. **Setback** – *The distance by which a structure, parking area or other development feature must be separated from a lot line, other structure or development feature, or street centerline (see Carteret County Development Code). All setbacks within River East are outlined and controlled by the Declaration.*
21. **Survey** - *Documents showing the boundary lines of a parcel, all applicable easements and existing structures, which is certified by a licensed surveyor.*
22. **Utility Lines or Utilities** - *All water, sewer, and under-drain pipelines which lie beneath the surface of the ground and also all electric, telephone, gas and other wire lines, with poles and other necessary appurtenances which run above or below the surface of the ground.*

4' Black Aluminum Fencing - Sample

Four-foot (4') black aluminum fencing (or variation of style)

Generally permitted for:

- Water/Pond Facing Lots or
- Rear Perimeters with Transition to Six Foot Fencing
- 54" height is permitted only if an In-Ground Swimming Pool is to be installed (DHEC requirement for this fencing height)



6' Wood Dog-Eared Fencing Style - Sample

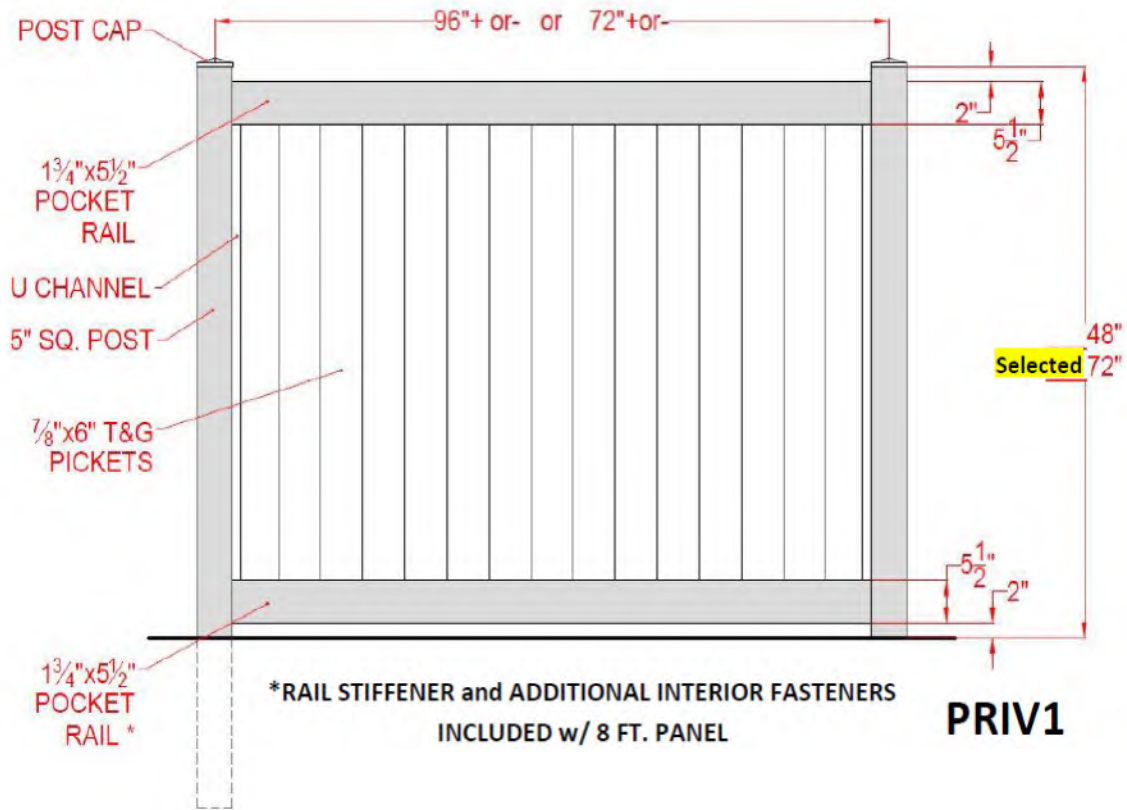


6' Wood Shadowbox Fencing Style - Sample



6' Vinyl/PVC White Fencing Style - Sample

Six-foot (6') PVC white vinyl fencing (specification/sample below):



ARCHITECTURAL REVIEW REQUEST

River East Community Association, Inc. c/o Premier Management

Post Office Box 12051

Wilmington, North Carolina 28405

Main (910) 670-3012 Fax (888) 799-7626

www.PremierManagementNC.com

FOR OFFICE USE ONLY

Date Received from Owner _____

Review Time Allowed Up to Thirty (30) Days

Crucial Date _____

Date Sent to Committee _____

Date Rcvd From Committee _____

ARCHITECTURAL APPROVALS ARE GRANTED PURSUANT TO APPLICABLE COVENANTS, CONDITIONS AND RESTRICTIONS (CC&R's) of **RIVER EAST COA**. It is the responsibility of the owner to assure their project is compliant with all CC&R's, Association Policies, Architectural Guidelines, and Rules and Regulations, if applicable.

For the Owner: Please completely fill out **Sections 1, 2, 3 and 4** below for your submittal. Leave no line blank.

If question does not apply to your request, please indicate with "Not Applicable" or "N/A".

Important Note: Beginning any work on an unapproved submission may subject the applicant to corrective measures by the Association, including removal and/or restoration of the project at the Owner's expense.

SECTION 1 – GENERAL INFORMATION

Owner Name(s) (print): _____ Date: _____, 202__

Project Address: _____ Lot #: _____

Best Contact Number: (_____) _____ - _____ Email Address _____

SECTION 2 – ARCHITECTURAL REVIEW REQUEST SPECIFICS

TYPE OF ADDITION OR CHANGE(S) REQUESTED (i.e. LANDSCAPING INSTALLATION, NEW STORM DOOR, DECK, PATIO ENCLOSURE, ETC.):

DETAILED DESCRIPTION OF PROJECT AND/OR IMPROVEMENT (Use a separate sheet, if necessary):

DOES YOUR PROJECT REQUIRE A DUMPSTER?: YES NO ESTIMATED DATE OF COMPLETION: _____, 202__

NAME OF COMPANY/CONTRACTOR EXPECTED TO PERFORM WORK: _____

Note: It is the responsibility of the owner to ensure all contractors on your project adhere to all HOA regulations.

ADDITIONAL REQUIREMENTS

1. *Attach a copy of your House Location Plot Plan / House Survey and highlight on this plan the intended location(s) of the proposed improvement(s).*
2. *For all fencing requests, highlight and provide the proposed fencing layout clearly and show any existing fencing on the House Location Plot Plan. Include an illustration of the proposed fencing with height and material(s) used.*
3. *Owner to ensure proposed improvement(s) are not located in any Drainage or Utility Easement(s) or Setbacks (if and where) applicable to the property. Measurements from existing structures and property lines must be shown. Improvement(s) cannot be located in any easements.*
4. *Additional illustrations or information may be required by the ARC Committee, if necessary for adequate review consideration.*

SECTION 3 – ATTACHMENTS FOR THIS REQUEST

ENCLOSED ATTACHMENTS: (Check all that apply to your Submittal) – Note: "X" is Required

- House Location Plot Plan* *Applicable Drawing(s)* *Product or Manufacturer's Brochure(s)*
- Product / Paint Sample(s)* *Pictures (x _____)* *Other Supporting Documents / Information*

SECTION 4 – ACKNOWLEDGEMENTS AND SIGNATURE (REQUIRED)

I fully understand and agree:

1. Work on the project has not, nor will be, started until approval is received in writing from Management Company, the Board of Directors and/or ARC Committee.
2. I understand that my improvements must be completed per specifications or approval is withdrawn.
3. I am responsible for the timely completion of the project and the prompt removal of any related debris. Please refer to HOA Guidelines for specific project timeline requirements, if applicable.
4. It is my responsibility to comply with the zoning, building codes laws, etc., of all governmental authorities. I understand that Association ARC approval does not constitute approval of the local building department and I may be required to obtain a building permit.
5. It is my responsibility to ensure all contractors are properly insured and require a Certificate of Insurance.
6. If an easement exists on my property, it will be referenced and located before any work begins.
7. I will follow the rules of the Protective Covenants, Architectural Guidelines and Rules and Regulations.
8. Approval by ARC is for aesthetic considerations only and does not represent structural integrity or soundness of construction.
9. Submission of this request gives permission of a member/members of the ARC Committee/Board of Directors and Management Company to walk the owner's property to view/inspect the proposed project request before being started as well as upon completion.

Homeowner Signature is REQUIRED below. No substitutes allowed, including the Contactor performing the work.

Failure to sign will result in a returned application to the owner.

Owner Name(s): _____ Date: _____, 202__
(Signature - Required)

Please submit your completed request to:

*ARC Review Request – River East, c/o Premier Management, Post Office Box 12051
Wilmington, North Carolina 28405
Office (910) 670-3012 Fax (888) 799-7626 Email to: arc@premiermanagementnc.com*

- DO NOT FILL OUT BELOW THIS LINE -

SECTION 5 – FOR ARCHITECTURE REVIEW COMMITTEE (ARC) / BOARD OF DIRECTORS USE ONLY

Application Sent to Committee: _____ Date: _____, 202__

ARC Committee Final Decision: APPROVED _____ APPROVED, SUBJECT TO CONDITIONS _____ DENIED _____

Please reference the supplied ARC Response Sheet for ARC Committee decision details.