

Neuse Colony Association, Inc.



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ARCHITECTURAL REVIEW COMMITTEE

The Architectural Review Committee is made up of five members. A Chairperson is selected from the Board of Directors from the Neuse Colony Association, Inc. The other four members are selected from volunteers from within the subdivision. All members of the Architectural review Committee are volunteers to these positions. The members volunteer their time and knowledge of the Restrictive Covenants, building codes, and overall aesthetic continuity to review each Architectural Request.

The charge of the Architectural Review Committee, as described in Article VI of the Restrictive Covenants is to maintain and promote consistent standards of changes, modifications, and new construction in the subdivision, while remaining open-minded to all proposed changes by homeowners. Each request is based on the merits of the request. The Committee will review submissions as needed.

Committee members will communicate, discuss, and review all Architectural Requests based on the submission of a **complete** package to the Management Company. It shall be the responsibility of the Management Company to establish a direct communication with the Chairperson, who when the AR package is complete will disseminate it to the other committee members for discussion and input. Electronic communications will be the first line of communication and discussion; however meetings or phone calls and conferences may need to discuss larger projects. Any responses by adjoining property owners will be reviewed and taken into consideration. Each committee member is encouraged to review the package and make comments back to the Chairperson. The Chairperson will collect and organize the responses, questions, and concerns and return the material to the committee to get an overall picture. The Chairperson will also make any addition request of the homeowner, through the management Company, for additional items, contracts, waivers, setbacks, and issues discovered during the Committees discussion.

Once the Architectural Review Committee reaches a consensus decision, the Chairperson will notify the Committee's decision to Architectural Administrator of the Management Company. The Management Company will notify the owner and provide necessary details after receiving the Architectural Review Committee's decision.

An Architectural Request approved by the Architectural Review Committee is equivalent to a contract to comply with the specific details set forth in the approval. Significant alterations/deviations from the approved plan will require resubmission.

Approval of any submission or portion thereof does not ensure approval of similar submissions, as each submission will be considered on its own merits.

With approval by the Board of Directors, architectural guidelines are subject to revision and the Management Company will be notified of updates. Updates may be emailed to all homeowners on file or possibly posted to a secure section of the Neuse Colony website.

RESPONSIBILITIES OF ALL PARTIES FOR REQUESTS

Board of Directors

The Board of Directors is responsible for the final interpretation of the Covenants and Restrictions. The Board of Directors is responsible for making decisions about violations, either in the Restrictive Covenants or in Architectural Requests matters and is empowered to levy penalties or pursue legal remedies.

Architectural Review Committee

The Architectural Review Committee is responsible for reviewing requests, making site inspections (both before and after the modifications), and approving or disapproving all architectural requests. The Architectural Committee is also responsible for updating these guidelines, as required, for approval by the Board of Directors.

Homeowners

Each homeowner has the responsibility to properly complete and submit an Architectural Request Form with supporting documents to the Architectural Review Committee prior to making the proposed improvement. Each homeowner is also responsible for adhering to the Restrictive Covenants and Association Guidelines, complying with the decisions made by the Architectural Review Committee, reporting any problems or violations to the Management Company and ensuring that “Contractor Requirements” are complied with whether done by the owner or outside contractor.

Contractor Requirements

Each contractor, subcontractor, or worker must adhere to the agreements of the Contractors Agreement. This Agreement is a binding contract between the Contractor and any workers operating under the Contractor. Liability for any damages to the community or other property owners is assigned to the Contractor. Guidelines for the other responsibilities, while performing the assigned construction, renovations, or service are in the Contractor’s Agreement. On large-scale projects, Contractor Agreements may be required with the AR request package, prior to approval.

Management Company

It is the responsibility of the Management Company to periodically inspect the properties for any changes. It is the responsibility of the Management Company to notify the Architectural Review Committee when an AR request is submitted. It is the responsibility of the Management Company to notify the Board of Directors of violations by homeowners, contractors, or committees. The Management Company shall also convey to responsible parties of such violations and decisions made by the Board of Directors.

ARCHITECTURAL REVIEW SUBMISSIONS

It is the interpretation of the Architectural Review Committee and the Neuse Colony Association Board of Directors that the provisions of Article VI apply to a wide variety of aesthetic considerations in the neighborhood. Every attempt has been made to include modifications that have the potential to affect property values. Suggestions for improvement of this document should be submitted to the Architectural Review Committee or to the Board of Directors directly.

While every effort has been made to identify aspects of change requiring approval, the homeowner who has any doubt if his/her situation is adequately addressed should contact the Management Company's Architectural Administrator for guidance-- When in doubt, assume a submission is required.

Architectural Review Submissions should:

1. Be Sound and appropriate to its surroundings.
2. Not adversely impact the natural landscape or the man-made environment.
3. Protect the interest of neighboring owners by making reasonable provisions for such matters as surface drainage, sound and sight buffers, preservation of views, light and air and other aspects of design which may have substantial effects on neighboring property.
4. Be compatible with the design characteristics of the owner's home and the general neighborhood setting. Compatibility is defined as harmony in design, style, scale, materials, construction and color details
5. Be compatible with the design characteristics of the owner's home and the general neighborhood setting. Compatibility is defined as harmony in design, style, scale, materials, construction and color details.
6. Scale must relate appropriately to adjacent structures and their surroundings.
7. Materials used should be the same as or better than materials used in original home or other materials compatible thereto
8. Color may be used to soften the design, but must be consistent with the residence color scheme
9. Be performed with the quality of workmanship equal to or better than that of existing structures.

ARCHITECTURAL REVIEW PROCESS TIMELINE

Reminder: No construction shall begin without Architectural Review Committee written approval of the submission. Therefore, no commitment for labor and/or materials should be given to contractor prior to receipt of a written approval from the Management Company. Allow enough time for processing and approval in planning for construction or extensive landscaping. In general, the review and approval cycle is 30 days. However, the 30-day clock does not start until the submission, including all supporting documents, is complete. If you have any questions regarding the date the submission was accepted as complete please feel free to call the Management Company.

Changes, additions, removal or relocation that have been identified as requiring submission, or that the homeowners believe may require submission, shall follow the process described in this section. The process will be the same for all submissions with the required details varying depending upon the type of change

1. Prepare the Architectural Review Form (copy available from the Management Company) and attach any drawings, sketches and supplemental documents for the Architectural Review Committee. A complete submission will **FULLY** describe/depict the change and stands on its own without need for further explanation or clarification.
2. Sign the form.
3. Present the complete submission to all adjoining property owners and neighbors who may be visually impacted by the change, and obtain their signatures. **Note:** This signature only reflects that each neighbor has seen the complete submission. It is NOT an approval of the submission.
4. Present the submission to the Management Company at the address on the top of the Architectural Request form. Incomplete or illegible submissions will be returned immediately to the homeowner. Upon receipt of a **complete and legible** submission, the review process will begin.
5. The Management Company will notify the Architectural Review Committee that a request has been submitted and will email the submission to the Chairperson for review by the Architectural Review Committee, as described in the “Architectural Review Committee” section located on page 1.

NOTE: It must be recognized that the submission and approval process is administered by volunteers on their own time (nights and weekends) and is inherently lengthy. The Architectural Review Committee meets as needed. It is the responsibility of each homeowner to **plan in advance** and allow for the normal turn around time of 30 days from the date received by the Management Company receives a completed application packet to respond.

Items Needed for Architectural Review Submissions

The following will help to assist the homeowner will making a complete Architectural Request Submission.

In some cases, many attributes or details of new home construction or a proposed change, addition items or information are required for the Architectural Review Committee to make sound responsible decisions. In other cases the nature of the change will be simple and straightforward, as will be the submission.

The following items may be used as a method of describing or visually depicting the requested change (as applicable).

1. Identification of the party responsible for performing the improvement (homeowner, contractor name and license number, etc.).
2. Drawings need to be to scale to show a relationship to location, height, etc., with the dimensions and scale used clearly marked on all drawings. For major construction projects such as additions, sunrooms, dormers, etc., for which a hired contractor is used, the design drawing should suffice, showing rooflines and other such detail.
3. Plat plans – top down drawing showing location of existing structure(s), property boundaries in relation to adjoining property(s), and location of proposed change(s). This should involve the original plat plan for the lot.
4. Elevation drawings – a side view that will show height, topography of land, and visual image of the change.
5. Written description of the types of materials to be used or a contractor's bill of materials.
6. Location for building material storage during construction, soil disposal plan, drainage plan, and landscaping plan (as applicable).
7. Written and/or visual depiction of construction details, what is the desired product of the change or addition.
8. Pictures, magazine cutouts, etc. which show the desired change.
9. Color chips or color sample cards to show final color scheme.
10. Estimated start date.
11. Estimated completion date
12. Any other aids that will assist the Architectural Review Committee in their review. These items will be relayed through the Management Company to the lot owner.

ARCHITECTURAL REVIEW COMMITTEE DECISIONS

Based on the decision for the Architectural Review Committee, a request is either:

- a. Approved as it;
- b. Approved with additional recommendations;
- c. Approved with Stipulations; or
- d. Disapproved.

APPROVED:

Construction should begin at the indicated start date or within three months after the date of the written approval by the Architectural Review Committee. Work must be completed within a maximum of one year after the start of construction. If a project will take longer than one year, it must be stated in the request and reason why.

Approval for projects that are not begun as specified above will lapse, and the applicant must resubmit the proposal or a written request for an extension to the Architectural Review Committee Chairperson.

APPROVED WITH RECOMMENDATIONS:

Agreement to Approval with Recommendations by Homeowner

Based on the agreement and understanding of the Architectural Review Committee's recommendations, the renovation or construction may begin with the listed recommendations from the ARC.

APPROVED WITH STIPULATIONS:

Agreement to Approval contingent upon the listed Stipulations by Homeowner

Based on the agreement and understanding of the Architectural Review Committee's recommendations, the renovation or construction may begin contingent upon the stipulations listed with the approval. Failure to follow or abide with the stipulations is a violation of the approval, and the proposal is **Disapproved**.

DISAPPROVED:

Appeals/Resubmissions

To appeal a disapproved submission, the homeowner should submit a written response including specific detailed information that clarifies why the submission should be reconsidered. The homeowner may also request a meeting with the Architectural Review Committee to further discuss the submission.

CHANGES & MODIFICATIONS NOT REQUIRING A SUBMISSION

The following changes to lots or homes on the lots **do not** require an Architectural Review Request to be submitted. Please contact the Management Company or the Architectural Review Committee if there are any questions. Remember, we are a community. What one homeowner does may have an impact on the community; just remember to be good neighbors.

TREES

1. Removal of trees from lots does not require a submission. If trees are to be cut, proper consideration for the neighbors is strongly suggested. If trees pose the potential to cause damage to common areas or to other personal property, a tree service is recommended, but not required.
2. Planting new trees does not require approval, if the new trees when mature will remain on the lot.
3. Major tree removal, such as clear cutting a lot should be discussed with the Architectural Review Committee to ensure that required erosion control systems are in place as well as a development plan for at least a grass lot.

LANDSCAPING

1. Changes to general landscape elements such as bushes, ornamental trees, sod, seed, and irrigation system repairs do not require a submission.
2. The addition of an irrigation system to either a private well or to the community water system does not require a submission.
3. Water from the lakes may be used with approval of the appropriate Lake Association and the appropriate lake owners.
4. Flower boxes, which are painted to match exterior color, do not require a submission.

HOUSE, GARAGE, OUT BUILDING MAINTENANCE

1. The periodic repainting, refinishing, or reapplication of exterior stains with the existing color scheme for maintenance issues on the lots does not require a submission. Remember the environmental impact of certain applications near the waterways.
2. Roof repair and replacement should be of the same color as previously approved for the construction of the dwelling. Changes in shingle color will require a submission.
3. Interior changes to existing structures that do not change the footprint of the approved home do not need a submission. This includes all interior painting, floor maintenance, installations, and “general” home repairs, unless required by Johnston County Inspections.

CHANGES & MODIFICATIONS REQUIRING A SUBMISSION

The following changes to lots or homes on the lots require an Architectural Review Request to be submitted. Please contact the Management Company or the website for a copy of the Architectural Review Request Packet.

1. Additions to the main dwelling requiring a foundation and footing;
2. Awnings: New Installation or color change of existing awnings;
3. Changes in color of dwelling, including trim and doors;
4. Change in materials to original approved home (siding, brick, roof, shingle color);
5. Changes in the roofline: Changes resulting from new enclosures;
6. Decks: New construction or additions, including deck skirt;
7. Driveways or parking pads not covered in original home approval;
8. Enclosures with screening: porches or patios;
9. Extensive Landscaping: complete new sod and new terraces;
10. Fences: Wooden, Metal, Stone, Brick, Natural;
11. Free Standing Poles: Basketball goals, Security lighting;
12. Free Standing Structures: Outbuildings, Play house, Tree house,
13. Hedges and screen plantings;
14. New home construction;
15. Pools (In-ground preferred);
16. Recreational or sports equipment;
17. Satellite Antennae and Satellite Dishes
18. Semi-permanent play facilities;

Note: All changes are first subject to the Restrictive Covenants. If the request is prohibited by the covenants, the submission will be disapproved with the corresponding Restrictive Covenant detailed in the Architectural Review Committee's response.

NEW HOME CONSTRUCTION SPECIFICATIONS

(Minimum Square Footage, as detailed in Restrictive Covenants)

The following chart shows the MINIMUM square footages of homes constructed in the Neuse Colony Subdivision described in each section, phase, and recorded covenant detailing each. New construction will follow the most recent change to the Restrictive Covenants as recorded. All foundations shall be veneered with Brick, Stone, or Stucco Cement. This chart is listed initially in this report on page 8 of the Restrictive Covenants Summary Section.

Section	Phase	Lots with Existing Homes	Min. Size	Date Amended	Book	Page
A	ALL	1 - 36 (All)	1,800	June 2, 1987	1079	251
A	ALL	Un-built as 11/20/1990	2,200	January 10, 1990	1200	374-402
B	ALL	Lots 1 - 29	2,000	November 7, 1990	1233	65-82
C	II	60, 61A, 61B, & 62	2,000	January 7, 1992	1236	734-736
C	II	60, 61A, 61B, & 62	2,000	April 3, 1997	1589	851-853
D	I	4 & 8	2,000	November 26, 1990	1189	41-42
D	II	6, 11, 12, 16, 17, 18, & 21	2,000	January 18, 1991	1215	145-150
D	III	ALL	2,000	June 10, 1991	1211	19-21
D	IV	22 - 34, & 36	1,800	March 4, 1997	1589	756-758
D	IV	22 - 34, & 36 "Patio"	1,500	March 4, 1997	1589	756-758
D	IV	36 Specific	2,000	March 4, 1997	1589	756-758
D	IV	22 - 34, & 36	1,800	April 11, 1997	1589	851-853
D	IV	22 - 34, & 36 "Patio"	1,500	April 11, 1997	1589	851-853
D	IV	36 Specific	2,000	April 11, 1997	1589	851-853

Therefore new homes built in:

Section A: Estates shall have a minimum of 2,200 square feet of heated floor space exclusive of porches, carports, and garages.

Section B: Newly constructed homes shall have a minimum of 2,000 square feet of heated floor space exclusive of porches, carports, and garages.

Section C: Newly constructed homes shall have a minimum of 2,000 square feet of heated floor space exclusive of porches, carports, and garages.

Section D: Phases I, II, and III: Newly constructed homes shall have a minimum of 2,000 square feet of heated floor space exclusive of porches, carports, and garages

Section D: Phase IV: Newly constructed homes shall have a minimum of 2,000 square feet of heated floor space exclusive of porches, carports, and garages, unless designated as a "patio" lot on the final plat of the phase.

Section D: Phase IV: Lots 22-34: Newly constructed homes shall have a minimum of 1,800 square feet of heated floor space exclusive of porches, carports, and garages, unless designated as a "patio" lot on the final plat of the phase which require 1,500 square feet.

Section D: Lot 36: Newly constructed home shall have a minimum of 2,000 square feet of heated floor space exclusive of porches, carports, and garages.

NEW HOME CONSTRUCTION SPECIFICATIONS

(Setbacks as detailed in Registered Plat Books)

Street Setbacks

All Streets have a 50 foot right-of way. Depending on the width of the street, will depend on the define Right-of-Way. Most streets in all sections are 20 feet wide, therefore providing a 15-foot maintenance and utility right-of way adjacent to the streets.

New Home Setbacks

Front of House from Street: 35 feet from Right of Way;

Side Street Setback: 15 feet from Right of Way;

Rear Setback: 30 feet from back property line;

River Setback: 50 feet from highest water level;

Lake Setback: 20 feet from highest water level;

Highway 42 Setback: 60 feet except for Well Lots, 100 feet

New Construction, Additions, or Landscaping

The same setbacks as above relate to all construction.

Inspection

The Architectural Review Committee may, from time to time, do random on-site inspections to assure compliance with approved submissions. Homeowners are asked to cooperate during such inspections. If deficiencies or significant deviations are noted, the Architectural Review Committee will notify the homeowner in writing, with a response expected within 30 days.

Permits

If any building permits are required, it is the sole responsibility of the homeowner or contractor to obtain the permit(s). It is the responsibility of the homeowner or the contractor to call for inspections with the Johnston County Department of Inspections.

Note: To minimize erosion problems, lot should not be cleared more than 60 days prior to start of construction. An approved erosion control plan must be implemented and maintained for the duration of project. Plastic screening material should be backed up with appropriate wire to prevent breakthroughs. Replanting of grass is required after any new construction to lessen runoff after erosion controls have been removed.

LANDSCAPE MODIFICATIONS REQUIRING SUBMISSION

Some types of landscaping modifications, which represent more significant projects, that may be structural, have an impact on adjacent property, or require strong aesthetic consideration require an AR Request.

Grading

Any proposed change in the grade or topography of the lot requires the submission of an Architectural Review Request. Changing the grade or lay of the lot, may result in improper drainage or erosion issues. Therefore, such changes must be approved prior to starting. Neither the Board nor the Committee accepts any liability for any damage caused by such grading action, whether approved by the Committee or not. You must seek advice and counsel of a civil engineer and or landscape architect

Retaining walls- Major changes to the topography of your lot, as a result of installing retaining walls, could result in improper drainage. Therefore, such changes must be approved prior to starting. Neither the Board nor the Committee accepts any liability for any damage caused by such retaining walls, whether approved by the Committee or not. You must seek advice and counsel of a civil engineer and or landscape architect. Brick, stone and stucco materials are allowed for retaining walls.

Drainage, Swale, and Runoff- Careful consideration should be given to landscaping that will regulate current drainage/runoff to adjoining property. The lot owner should refer to Easements: Article VII, Sections 2 and 3 of the Restrictive Covenants. Details should be contained in submissions. Should future problems develop, any correction is the responsibility of the homeowner who made the modifications even if Committee approval has been granted.

Ornamental Walls and Fountains- Ornaments/figurines to be placed in public view (front yards, corner lots, etc.) should be submitted with a picture. Should the ornamental walls and fountains requiring footings, this should be included in the request.. This applies to permanent placements not to the temporary installations of seasonal visuals (Halloween, Christmas, etc.)

Hedges and Screen Plantings- The lot owner should consult the restrictions on Easements in the Restrictive Covenants first. Plantings on side lots, which may impede the line of site of the right-of-way as well as maintenance, should submit a request. Hedges or screens that form barriers between properties should have an agreement between neighbors as relating to maintenance access as well as following the requirement to remain on the installer's property when fully mature. Setbacks from property lines should consider the potential growth of the hedge or screen planting.

Screening Plantings may be used to eliminate the view of equipment or outbuildings from the street and by neighbors.

Material and Color Modifications to Existing Structures

Changes in exterior materials and color scheme require an Architectural Review Request, since this would constitute a change from the approved dwelling. Changes must be comparable to those on existing structures, and compatible with the architectural character of the Neuse Colony Association, Inc. The aesthetics of the proposed change will be a primary consideration of the Committee using the following guidelines for evaluation.

Brick and/or stone will remain unpainted, unless painted as part of the original, approved construction for the dwelling and lot. If a homeowner wishes to paint or finish the natural stone or original brick, a submission is required.

Color changes to the dwelling or outbuilding (siding, trim, doors and roofs) different from original Architectural Review Committee approval require a submission.

For all submissions where a change in color or material is being requested, a color sample is required.

Note: the following suggestions are guidelines to help maintain the harmony and maintain the property values of the community:

1. Keep all colors low in intensity (saturation or chroma);
2. Colors must blend with the colors of the homes in the immediate vicinity.

Outside Buildings Require Submission

In accordance to the Restrictive Covenants, only one out building is allowed on each lot. The lot owner should consider the following:

1. Outbuildings, whether stick built or pre-fabricated should be of similar materials and design as the main house.
2. Foundations for stick built units should be concrete slab with concrete blocks veneered with brick, stone or stucco.
3. Foundations for pre-fabricated units should be concrete blocks on poured footing with attractive under pinning consisting of latticework and appropriate shrubs.
4. Exterior materials should be of the type and color as the main house.
5. Roof shape and slope should be similar to that of the main house.
6. Roof shingles should be matching or close to matching, as that on the main house.

See appendix H for Guidelines.

Driveways, Driveway Extensions and Concrete Pads

All driveways, driveway extensions, and concrete pads require submission for approval based on the Restrictive Covenants.

For new construction, driveways must be paved with Plain or Stamped Concrete, Brick or Asphalt.

Consideration must be given to the need for screening and existing drainage and water run-off must not be compromised. Submissions should include details for new drainage. If drainage issues arise, the owner of the lot is responsible for all corrective measures to control the drainage and erosion issues.

Driveway extensions and pads may be approved. Usually it is necessary that at least three feet be maintained between any addition and adjoining neighbor's property.

Due to unattractive appearance, secondary unpaved roads on lot are discouraged.

VIOLATIONS AND REMEMDIES

Any noticed violation is not handled by the Architectural Review Committee, but is turned over to the Management Company, which notifies the Board of Directors. There are essentially two types of violations that must be dealt with by Neuse Colony Association, Inc. Board of Directors:

1. New construction, implementing a change, addition, or deletion to existing home without prior approval of a properly completed submission, and
2. Deviation or noncompliance with an approved submission.

Remedial Process

The Board of Directors expects to amicably resolve violations and disputes regarding interpretation of the Restrictive Covenants or Architectural Review Requests through straightforward discussions with the homeowners.

After all attempts to resolve a violation have been exhausted, including the opportunity for a hearing, the Board of Directors will select the appropriate remedy and notify the property owner of such action.

The Board of Directors is hopeful that homeowners will act as good neighbors and therefore minimize the time and expense associated with unpleasant legal remedies as allowed in Article IV: Section 13 of the Restrictive Covenants.

Neuse Colony Association, Inc. Remedies

The Neuse Colony Association, Inc. shall have the right to enforce, by any proceeding at law or in equity, all restrictions, conditions, covenants, reservations, liens and charges now or hereafter imposed by the Restrictive Covenants.

Failure by the Neuse Colony Association, Inc. to enforce any covenant or restriction herein contained shall in no event be deemed a waiver of the right to do so thereafter.

Remedies include but are not limited to:

1. Obtaining a Restraining Order to prevent an action.
2. Obtaining a Court Order to require the homeowner to remove a project.
3. Imposing a daily fine for each day the violation(s) remain as authorized by the Planned Community Act, which became law on January 1, 1999.

Appendix A: Guidelines for the Construction of Fences

It is the intention of these guidelines to allow for the construction and installation of fences, so the homeowner has the option of creating an enclosed or semi-enclosed backyard for privacy, security, or protection of small children.

The installation of fencing requires approval by the Architectural Review Committee. This is required to prevent the costs to the homeowner for the removal or correction of the fence that has not been approved or met the guidelines. The following guidelines will assist the Architectural Review Committee in evaluating all requests.

Guidelines:

Existing fencing should not be used beyond its useful life reflecting poorly on the neighborhood and community. Should this happen, the Board of Directors via the Property Management Company will request the property owner to correct the problem. Replacement fencing will follow the same guidelines as that for new fencing listed below.

The design should be aesthetically pleasing, materials and construction to be long lasting and proper appearance maintained with reasonable care.

The preferred fencing is one that consists of live plantings, particularly in situations where the purpose is to screen something from view. However, if a material is used, iron, aluminum, brick, stone, and stucco are the preferred materials for fences.

Properly treated wood is also acceptable with the following conditions:

1. Wood must be painted within 3 months of installation or as soon as weather permits.
2. Picket type fences should have rounded or pointed tops as opposed to flat. Newly constructed picket fences should meet Johnston County building codes for the year in which the fence is installed. Posts to be adequate in size, compared to picket width, with finials on top. Copper tops on posts are also acceptable.
3. Regardless of type, all fences must have the good side facing out.

Hog wire or chicken wire fences are not allowed.

Chain link fencing (black) is allowed for pet enclosures. See guidelines for pet enclosures (page 22).

Invisible electrical fencing should be installed at least 1ft. inside of easement right away.

Submission Information for the Construction of Fences

Description and Scope of Project

A general description and scope of project detailing the purpose, design, and maintenance of the fence should be included as part of AR Request. This should also include any landscaping plan in conjunction with the fence installation. A complete AR Request submission is required.

Location of Fence

1. Submit a top down map (surveyor's plat) to indicate the exact location of the fence in relation to the house and property lines including dimensions.
2. Fencing must not infringe on easements or access right-of-ways.
3. Location should allow for ease of maintenance with out infringing on neighboring property. The same is true for landscaping materials when full grown, they should not infringe on neighboring property.
4. In general, fences should extend from the rear property line forward to no more than the back corners of the home. Exceptions will be considered based on their particular merits.

Materials List

A list of materials to be used in the construction of the fence is required in the AR Request.

Drainage Easement

All fence installations must abide with current drainage easements and drainage flow. Natural or landscaped drainage must not be disturbed during the installation of the fence

Appendix B: Guidelines for Swing Sets, Playhouses, and Tree Houses

It is the purpose of these guidelines to encourage youthful play while minimizing the visual impact of such equipment to the community. Such projects require approval by the Architectural Review Committee and the following guidelines will be used in evaluating each proposal.

A plat map showing the location of the proposed play set on the lot is required. The amount of available space of the lot will be a consideration.

Construction materials should be natural wood or earth tone, with neutral canvas covers where applicable. The installation of brightly colored metal or plastic play facilities is discouraged.

All play equipment should be constructed behind the building envelope or in a location screened from the street.

Children's Playhouses are suggested to be no more than 8' wide by 8' deep by 8' high (roof peak). The design of the playhouse should be that of a miniature house, with consistency as to neighborhood style, color and trim. This shall constitute the one outbuilding on the lot.

Swing Sets should be of a type that is commercially available. Consideration should be taken on the size of the swing set footprint as it relates to the size of the lot and visual effect to the surrounding landscape. This does not constitute a building, but rather recreational equipment.

Tree Houses are suggested to be no more than 8' wide by 8' deep. The design of the tree house should be that of a miniature house, with consistency as to neighborhood style, color and trim. This shall constitute the one outbuilding on the lot.

The Neuse Colony Community is an aesthetically pleasing environment. However, the proximity of our homes dictates that we be especially mindful not to intrude on our neighbors' vistas.

Appendix C: Guidelines for Basketball Goals & Recreational Equipment

Recognizing that the scenic views across front yards and along Neuse Colony Subdivision roads are for the enjoyment of all and well worth protecting, any proposed installation of a basketball goal and recreational equipment will require the completion of an Architectural Request Form.

Subject to the approval of the Architectural Review Committee, one pole-mounted basketball goal may be proposed for the edge of the driveway, behind or to the side of the house footprint.

It is suggested that no recreational equipment of any type should be permanently affixed to the exterior of any residence, including the garage.

Submissions for basketball goals should include construction and installation details.

The following guidelines govern the installation of basketball goals and other permanently affixed recreational equipment:

1. Basketball goals are not permitted in the street nor should any recreational equipment be left in the street or front yard while not in use, as this is a violation of the right-of-way Restrictive Covenant.
2. To better preserve sight lines with minimal clutter, consideration should be given to installing sleeve-mounted or portable weighted base basketball goals, which should be removed from sight when not in use.
3. Basketball goals, approved for installation, should have a white, black or clear backboard and black or white pole.
4. To be considerate of your neighbors, it is requested that play be limited to the hours of 10:00 a.m. – dusk (not later than 8 p.m.) weekdays and 10:00 a.m. – dusk (not later than 9 p.m.) weekends.

Appendix D: Guidelines for Arbors, Decks, and Patios

The Board encourages creative designs and patterns for decks, arbors and patios, particularly in replacement of existing builder-supplied components. However, plans for such improvements shall be submitted to the Architectural Review Committee for approval.

There are no predetermined styles in this document for decks, arbors or patios.

Location

1. Patios normally should be located behind the house, but may extend beyond, around corners, or be freestanding.
2. Obstruction of views or breezeways of adjoining properties will be given consideration in all cases.

Decks

1. Deck materials are generally pressure treated wood in conjunction with a finish of stain or paint or suitable protectant applied within 3 months of construction or as soon as weather permits is required. Composite decking materials are allowed and come in a variety of wood color stains and white.
2. Decks should be of a reasonable height for their intended purpose.
3. Posts may be made of brick, stone, stucco, pressure treated wood or other suitable material.

Patio Materials

1. Concrete slabs with smooth finish or exposed aggregate are recommended. The homeowner will need to include landscape plan in request for privacy on a patio.
2. Brick or other pavers with sand fill or grout are approvable for the patio. Stone with sand fill or grout are also allowed. All materials to be used should be included in the AR Request.

Arbor Materials

1. Arbors must be constructed of materials consistent with the home's exterior, the arbor and all wood products must be stained or painted with in 3 months of construction weather permitting.
2. Arbors should be no higher than eight feet above the deck surface.
3. Screens as part of an arbor may extend to the arbor.

Appendix E: Guidelines for Pools

All pool submissions must include location of equipment, size of pool, size of deck, landscaping changes, setbacks and fencing.

Above ground pools are suggested.

Pools must meet minimum setback requirements of Neuse Colony Association, Inc. and Johnston County.

Runoff from pool drainage must be considered in overall landscape plan.

Safety fencing must be installed within 60 days of pool completion. The Architectural Review Committee with proper justification can grant longer periods for the installation of fencing.

Appendix F: Guidelines for Pet Enclosures

It is the intention of these guidelines to allow homeowners the option of creating a fenced enclosure for family pets, which is aesthetically pleasing, functional, and does not adversely affect adjacent properties.

The installation of pet enclosure fencing requires approval by the Architectural Review Committee. The following guidelines will assist the Committee in evaluating all requests.

Guidelines

1. The design should be aesthetically pleasing, materials and construction to be long lasting and proper appearance maintained with reasonable care.
2. All pet enclosure fencing must be approved prior to installation. This is required to reduce the costs to the homeowner if the enclosure is not approved.
3. The area enclosed by the pet fence should be appropriate in relation to the lot size.
4. Black chain link fencing for the purpose of a pet enclosure is acceptable.
5. Maximum fence height shall be 5 feet.
6. Foul odors – Pet enclosures should be properly maintained and cleaned to minimize foul odors.
7. Pet shelter – Shelters placed within the pet enclosure such as a doghouse must be constructed of quality materials and be properly maintained.

Location

1. Location should allow for ease of maintenance without infringing on neighboring property.
2. Pet enclosures shall be located in the rear portion of the property and shall be screened from the street.
3. Submit a top down map (surveyor's plat) to indicate the exact location of the pet enclosure fence in relation to the house and property lines.
4. No pet enclosure will be allowed within 50 feet of any lake.
5. Fencing must not infringe on easements or access right-of-way.
6. Setbacks - Minimum setback to adjoining property shall be 10 feet.
7. Drainage - Pet enclosures should be located in such a way as to avoid restriction of existing lot drainage or cause excess drainage onto adjacent property.

Appendix G: Guidelines for Garden Plots

To accommodate horticultural pursuits in Neuse Colony Community while preserving aesthetics the following guidelines have been adopted.

1. No plantings of any kind are permitted in the common, easement, buffer, or greenway areas.
2. Vegetable garden plots should be confined to the rear of residential lots.
3. Vegetable gardens are not permitted in the rear yards of corner lots where the garden would be visible from the street unless the plot is screened from public view by low growing evergreen shrubbery installed and maintained by the homeowner.
4. Garden plot are suggested not to exceed 225 square feet in area, which is 15' x 15' for example. However larger lots will be handled based on available space.
5. Garden plot should be located within the available lot area, at least 6 feet removed from adjoining property liners, greenways and common grounds.
6. Planting trellises/supports must be removed at the end of the growing season.
7. Artificial ornaments and other deterrent devises, which tend to be undesirably noticeable or showy, should not be used. Scarecrows are prohibited.
8. Garden plots must be maintained in a neat and orderly manner at all times, including but not limited to regular weeding. It is suggested that within ten days of the first killing frost all plants and planting materials must be removed and the plot manicured to ground level.
9. Insecticides and fertilizers having ill-smelling or offensive odors should not be used.
10. All garden waste must be securely bagged and disposed of properly off site.

Appendix H: Guidelines for Outbuildings

As allowed in Article VI: Section 1, Land Use and Building Type, one additional building may be constructed on the lot. The additional building may be:

1. The Children's Playhouse or Fort;
2. The Tree House;
3. The Dock Shelter;
4. The Outside Storage Building.

All outbuildings must follow an Architectural Request for Approval. The following are guidelines for the submission of an outbuilding structure:

1. Whether stick built or pre-fabricated, the outbuilding's exterior materials should be of the type, color, and design as the main house;
2. Foundations for stick built units should be concrete slab;
3. Lower foundation constructed with concrete blocks veneered with brick, stone or stucco;
4. Foundations for pre-fabricated units should be a sufficient number of concrete block piers mortared together with cement and on a poured footing;
5. Foundations for pre-fabricated units should be finished with under pinning;
6. Roof shape and slope should be similar to that of the main house;
7. Roof shingles should be matching or close to matching, as that on the main house;
8. Outbuilding landscaping may include the appropriate shrubs.

Appendix I: Guidelines for Maintenance

It is the primary responsibility of homeowners to maintain their property, including a vacant lot, in a way that does not detract from the overall beauty of the neighborhood. It is hoped that each and every homeowner will take this responsibility seriously, as this can severely affect the value of all properties.

With the intent of neighborly consideration, the following is a list of areas that should be reviewed on a regular basis to insure that your home and property is in good repair:

1. Shrubbery, Trees, and Lawns: Natural areas must be well maintained with no unattractive growth, felled trees or limbs or accumulation of trash/debris.
2. Driveways and Sidewalks
3. Decks
4. Fences
5. Playground Equipment
6. Roofing
7. Paint and Stain
8. Garbage Can Storage

Failure to perform proper maintenance of the above is subject to intervention by the Board of Directors as this violates Article VI: Section 8 of the Restrictive Covenants.

Neuse Colony Contractor Requirements

The following are requirements of all contractors in the Neuse Colony Subdivision.

1. Contractors and contractor personnel (sub-contractors) performing work in the Neuse Colony Subdivision will do so with the utmost consideration and respect for neighboring and community properties.
2. Correction of any damage to neighboring and community properties resulting from actions by contractor and/or contractor personnel will be the responsibility of the general contractor.
3. Job site will be kept in a clean, orderly and safe condition at all times.
4. Trash from construction materials and eating and drinking by contractor personnel, will be placed in appropriate containers provided by the General Contractor and not thrown on the ground and allowed to transfer to neighboring and community properties.
5. Parking by contractor personnel shall be confined to the job site and not cause damage to neighboring and community properties.
6. Parking shall not interfere with normal maintenance of common or neighboring properties such as cutting the grass and owners getting in and out of their driveways.
7. The loudness of music played by contractor personnel shall be low enough not to disturb the neighbors and not started before 8:00 A.M.
8. To the extent possible, mud and dirt from tires of construction equipment and contractor personnel vehicles, will be contained within the job site and not scattered to community streets and neighboring properties. Unavoidable accumulations will be cleaned up immediately.
9. Delivery of construction and landscaping materials and equipment to the job site will be done at a time not to begin earlier than 7:00 A.M. and no later than 6:30 P.M.
10. Care should be taken not to cut septic tank lines, cable and dish TV lines, underground phone, electrical and other lines affecting the community.
11. It is the responsibility of the contractor to notify No-Cuts and other utility providers when digging near service lines.
12. Violations of any of the above are to be corrected immediately by the general contractor.
13. Failure to correct any violation is subject to review by the Board of Directors, which may include, but are not limited to, potential penalties in the form of fines.

Contractor Name

Date

Contractor Signature

Please have contractor read and sign and return to Kohn-Ell Association Management Services, Inc. 104 North Fayetteville Street, Clayton, NC 27520.

NEUSE COLONY HOMEOWNER ASSOCIATION, INC.
c/o Kohn-Ell Association Management Services, Inc
Clayton Office
104 North Fayetteville St, Clayton, NC 27520

(919) 585-4240
FAX (919) 359-8866

REQUEST FOR ARCHITECTURAL APPROVAL

Submit all requests for changes or additions to Kohn-Ells Association Management Services, Inc. to the address listed above. Please attach any drawings and/or sketches that will aid in making a decision regarding your request.

PROPERTY OWNERS NAME: _____

PROPERTY ADDRESS: _____ **LOT NO.:** _____

TELEPHONE NUMBER: HM# _____ **WK#** _____

ESTIMATED COMPLETION DATE: _____

1. Narrative description of the proposed home and/or landscape improvement change or addition. Cite materials and color(s), to be used. State similarities to existing structures as appropriate. Use a separate sheet of paper if necessary.

2. Please attach drawings to this request showing all proposed improvements including relationships to existing structures, landscaping and lot lines. Two drawings or more are needed to clearly show proposed improvements including existing structures:

- A. Plot Plan – “top down view” – the improvement should be drawn on a copy of your lot survey to show where the change will be placed.
- B. Elevation(s) – “side view(s)” – one or more as necessary.

3. Attach paint or vinyl siding samples, if applicable. (This includes black and white).

4. A permit and inspection by Johnston County Inspections Office may be needed.

FOR THE Kohn-Ell OFFICE ONLY

ID#: _____ **Date Received:** _____ **Received By:** _____

4. When the committee reviews this request, your neighbors have the right to comment and present views about your requested improvements. This is not for their approval; it is only to make them aware that there will be changes next door. Please obtain signatures from all property owners having adjoining lot lines with your property, and all property owners who would reasonably view the improvement from their property, i.e., across the street. If the signatures are missing, the request can be denied as incomplete. If this should happen, you would need to resubmit with the required information in order to get the request reviewed for approval.

I acknowledge that the requesting property owner has shown (me/us) the architectural request form for the proposed improvement(s) described on this form. I understand that (I/we) may make verbal or written comments directly to the Architectural Committee.

<u>DATE</u>	<u>PRINTED NAME</u>	<u>SIGNATURE</u>	<u>ADDRESS</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

REASON FOR THE CHANGE/ADDITION _____

ALL PROJECTS MUST BE COMPLETED WITHIN A 12 MONTH TIME FRAME

ARCHITECTURAL COMMITTEE:

- Approved
- Conditional Approval
- Disapproval

COMMENTS: _____

Signed: _____ **Date:** _____