

MILLSBRANCH FOREST HOMEOWNERS ASSOCIATION INC.

ARCHITECTURAL AND LANDSCAPE DESIGN GUIDELINES

September 4, 2003

Due to the nature of the community documents, we felt it was important to converge pertinent information regarding architectural submittals into one document ARCHITECTURAL AND LANDSCAPE DESIGN GUIDELINES. These Architectural and Landscape Design Guidelines, as allowed in the Declaration of Covenants, Conditions and Restrictions (CC&R's) for Millsbranch Forest Homeowner Association, Inc., will provide you with information relevant to improvements, which will require approval from the Association, per Article IV of the Declaration.

• ARCHITECTURAL CONTROL COMMITTEE

In accordance with the CC&R's, an Architectural Control Committee shall be established and shall perform the duties set forth in the CC&R's. In addition to other duties outlined in the CC&R's, the Architectural Control Committee shall adopt guidelines and procedures for the preparation, submission and determination of the application for any approvals required for the construction of any structures, landscaping, or other improvements within Millsbranch Forest.

The Single Family Residential Architectural and Landscape Design Guidelines, as set forth in this document, shall interpret and implement procedures for the Residential Architectural Control Committee's review of, and the standards for the development of single family homes within Millsbranch Forest including, but not limited to, architectural design, placement of buildings, landscaping, plant selection, color schemes, exterior finish and material, signage, wall design and similar matters and shall have the same force and effect as the Association Rules.

A. ANTENNAS AND SATELLITE DISHES

No exterior antennas, aerials, satellite dishes, or other apparatus for the transmission of television, radio, satellite or other signals of any kind shall be placed, allowed, or maintained upon any portion of the property, including any tract or homesite, which is visible from any street, common area, or other lot or tract unless it is impossible to receive signals from said location. In that event the receiving devise may be placed in a visible location as approved by the

Architectural Control Committee, and any exposed cables would be painted to match the color of the house.

No satellite dishes shall be permitted which are larger than 1 meter in diameter. No broadcast antenna mast may exceed the height of the center ridge of the roofline. No MMDS antenna mast may exceed the height of twelve feet (12') above the center ridge of the roofline. No exterior antennas, aerials, satellite dishes or other apparatus shall be permitted which transmit television, radio, satellite or other signals of any kind shall be placed, allowed or maintained upon any portion of the property. By promulgating this section is not an attempt to violate the Telecommunication Act of 1996 ("the Act") as may be amended from time to time. This section shall be interpreted to be as restrictive as possible while not violating the Act.

B. AWNINGS

Awnings over all windows shall be synthetic canvas or similar material, of solid color which matches or complements the color of the body of the exterior of the home or roof color and shall be installed only on the side and/or rear of the home.

1. All awnings must be submitted for approval prior to installation and must include a drawing with the location of the proposed awning installation, sample of material, color of awning and design of awning.
2. Owner is responsible for maintenance and repair of awnings. Association retains the right to determine when awning must be cleaned, repaired or replaced due to weathering, fading, tearing, ripping etc.

C. BASKETBALL EQUIPMENT

1. No basketball backboards shall be installed without the prior approval of the Architectural Review Committee.
2. Permanent basketball poles are permitted, but must be installed on the "interior" side of the driveway (backboards are not allowed to face the street). Architectural approval request must include a site plan of the exact location of where the goal will be installed.
3. Basketball backboards shall not be installed structurally on a building or structure.
4. Backboards must be professionally manufactured, of neutral color (clear, white, gray, or tan) and free of brightly colored decals or graphics.
5. Poles and support brackets must be black in color.
6. All equipment including poles, support brackets and netting shall be maintained in good condition. Broken equipment, including backboards, bent poles, supports, rims and netting and peeled or chipped paint are prohibited. Netting is limited to nylon or similar cord netting, metal or other chain nets are prohibited.

7. Portable basketball goals are permitted as long as they are maintained in good condition and stored when not in use so as not to be visible from neighboring properties. Overnight storage of such equipment in a location visible from neighboring properties is prohibited.
8. Spotlights or other lighting for the purpose of illuminating the area of play is prohibited.
9. The owner and all occupants of the home are fully responsible for ball containment on their individual property as not to cause any damage to a neighboring lot or property. Balls must be kept out of the streets. Painting of the driveway for a basketball court layout or any other similar purpose is prohibited.
10. All rear yard basketball backboard goals must receive prior approval by the Architectural Control Committee and must conform to all the above listed specifications.

D. CHIMNEYS

Chimneys shall be constructed of the same materials and textures as utilized elsewhere on the exterior of the home.

E. CLOTHES DRYING FACILITIES

Facilities and lines for hanging, drying, or airing clothing or household fabrics shall not be permitted.

F. DECORATIVE AND HOLIDAY ITEMS

Holiday decorative items, such as seasonal lighting, displays and holiday flags, do not require approval, however, such decorative items shall not be displayed more than 30 days prior to the actual holiday with which they are associated and must be removed within 14 days after the date of the holiday.

1. Seasonal and Decorative Flags: Seasonal flags shall not be displayed more than 30 days prior to the actual holiday and must be removed within 14 days of the date of the holiday. Flags must be maintained in a good condition at all times. Torn, ripped, faded, etc... constitute grounds for removal. Flags may not be offensive to neighbors or the Association. The Board of Directors, at its sole discretion, shall make this determination on a case by case basis.
2. Decorative and Seasonal Items: The Board of Directors of Millsbranch Forest reserves the right to require removal of decorative items in front yards based on size, quantity, color, location and any other criteria. The Board of Directors, at its sole discretion, shall make its determination on a case by case basis.

G. DRIVEWAY EXTENSIONS, SIDEWALKS & WALKWAYS

Driveway extensions (widening of the driveway) are discouraged and are prohibited without prior review and approval by the Architectural Control Committee. Sidewalk additions will be reviewed on a case-by-case basis with strong consideration of any impact on the architectural features of the neighborhood. Rear yard sidewalks or walkways do not require approval by the Architectural Control Committee.

Submittals for sidewalks will be reviewed on the following:

1. Additional sidewalks will only be considered if there is landscaping on each side.
2. Sidewalks upon individual lots shall not exceed 4 feet in width.

H. EXTERIOR COLORS

1. The Architectural Control Committee must approve the exterior colors of all buildings and structures.
2. Plans and specifications submitted to the Architectural Control Committee must include details of the exterior color scheme, including all exterior surfaces. Exterior surfaces must be compatible with the other buildings in the neighborhood.
3. Any repainting or redecorating of exterior surfaces, regardless of the color to be used, will also require submission to the Architectural Control Committee for approval.

I. FENCES/WALLS/GATES/HEDGES

1. No chain link fence type construction will be permitted on any Lot.
2. The Architectural Control Committee has approved standard wall designs that shall be used on all exterior walls of the subdivision where a theme wall or view wall is required. Gates may not be constructed in any wall or fence without prior Architectural Control Committee approval of the size, location, color, and material. Residential developments requiring walls or fences around the parcel will have the walls or fences installed by the builder of the parcel.
3. No hedge in excess of five (5) feet in height, wall or fence shall be erected or maintained nearer to the front Lot line than the walls of the dwelling existing on such Lot.
4. No side or rear fence, wall or hedge shall be more than six (6) feet in height except fencing around the perimeter of the subdivision may be no more than eight (8) feet, unless otherwise approved in writing by the Architectural Control Committee.
5. All fences and walls shall be of wood construction or better.

6. Prior to the construction of any fence or wall, plans indicating materials to be used and location shall be submitted to the Architectural Control Committee for approval.
7. Any fences or walls installed by the Declarant will not be removed, altered, or painted without the Architectural Control Committees prior written approval.
8. **Perimeter walls on lots bordering common areas may not be torn down to allow access to rear yards. AN ASSESSMENT OF \$500.00 WILL BE APPLIED TO A LOT OWNER IN WHICH A COMMON WALL HAS BEEN REMOVED WITHOUT ARCHITECTURAL REVIEW COMMITTEE APPROVAL.** Access must be gained through the front wall on the side of the home, repairs to this wall must be completed in a timely fashion and include repairing the wall to match the texture and color of the remaining wall.
9. Backyard Wrought Iron Pool Fencing: The specifications for backyard wrought iron pool fencing installation on a Lot with view fencing shall be of a color to match or blend with the exterior body or trim color of the home.

J. FINE GRADING AND MOUNDING

Fine grading is a critical aspect of landscaping. Each lot has been graded such that all storm water will drain away from the house. It is important that this drainage pattern is maintained when preparing the landscape design, especially if mounding or berming is proposed. In all cases, the installation must comply with the City approved grading and drainage plan. Every effort should be made to make mounding appear natural.

K. GARAGES

No garage shall ever be changed, altered or otherwise converted for any purpose inconsistent with the housing of a minimum of two (2) automobiles at all times. All Owners, their families, tenants and contract purchasers shall, to the greatest extent practicable, utilize such garages for the garaging of vehicles belonging to them.

L. GUTTERS & DOWNSPOUTS

Gutters and downspouts will be considered for approval if the finish matches the exterior body, trim or roof tile color of the home. The Association strongly recommends use of high quality materials that offer long life, as the gutters must be maintained in good condition.

M. INSTALLATION OF LANDSCAPING

1. All hardscape for front yards must receive approval prior to installation. Hardscape includes but is not limited to walls, driveways, walkway, lighting, fountains, and additional concrete or other hardscape additions.
2. Rocks and boulders, patios, sidewalks, railroad ties, etc., may be used to supplement and create imaginative landscaping design. Approval from the Architectural Control Committee must be granted prior to installation of hardscape material.
3. Artificially colored rock yards are not acceptable at any location.

N. LIGHTING

1. Other than seasonal decorative lighting, no outside lighting, other than indirect lighting, may be placed, allowed, or maintained on any lot without the Architectural Control Committee prior written approval.
2. Additional exterior lighting should not be of a wattage or lumen count, which will affect neighboring homes.
3. Directional lights or floodlights must be aimed so as not to shine in windows of neighboring homes.
4. Low voltage landscape lighting to accent landscaping features, lights at entrance doors to structures, lights at entrances to any Lot, lights along paths or driveways and lights to illuminate permitted signs is acceptable pending Architectural Control Committee approval of proposed design, be as small in size as is reasonably practical and shall be placed or located as directed or approved in writing by the Architectural Control Committee.
5. Subject to AC approval, security lighting must be attached to the front of the house, preferably the garage or the front of a detached garage. Mercury vapor, fluorescent light, high pressure sodium vapor and metal halide are not permitted.
6. Gas or electric, free standing, pole mounted yard lights are permitted with the consent of the Architectural Control Committee.

O. MACHINERY & EQUIPMENT

1. No machinery, fixtures, or equipment of any type, including but not limited to heating, cooling, air conditioning and refrigeration equipment may be placed on any lot without the prior approval of the Architectural Control Committee. Approval shall be conditioned upon prior screening or concealment from view of neighboring or public property. The screening or concealment should be solid and integrated architecturally with the design of the building structure. It should not have the appearance of a separate piece of machinery, fixture or equipment. It should be structurally stable in accordance with sound engineering principles.

2. Air Conditioners: No window or wall type air conditioners shall be permitted to be used, erected, placed, or maintained on or in any building or on any Lot., except in temporary buildings and then only if approved in writing by the Architectural Control Committee prior to installation or placement.

P. PATIO COVERS

1. Patio covers must be constructed of materials that match and complement the home and must be approved in writing by the Architectural Control Committee.
2. The roofs of all buildings on the Property shall be constructed or covered with asphalt composition shingles or fiberglass composition shingles. The color of any composition shingles shall be of wood tone, earthtone or in harmony with earthtone and shall be subject to written approval of the Architectural Control Committee prior to installation. Any other type roofing material may be used only if approved in writing prior to installation by the Architectural Control Committee.
3. Patio columns must be of sufficient mass and scale relative to the roof they support and must be and painted to match the color of the home.

Q. PARKING

1. Temporary street parking is allowed on the street; in no event shall overnight street parking be allowed.
2. Parking in the front or side yard of any Lot or on unpaved surfaces is prohibited.
3. Parking of boats, campers, trailers, etc., is not permitted within public or private view except as specifically permitted by the CC&R's pursuant to Article 3 section 3.10.

R. PLAYGROUND EQUIPMENT

All playground equipment, including, but not limited to play houses, trampolines and safety nets, forts, or swing sets, visible from a neighboring property will require review and approval by the Architectural Control Committee prior to installation.

1. All such equipment will require a minimum five (5) foot set back an interior side lot line and ten (10) feet to any exterior lot line on a corner lot. All structures are limited to a maximum overall height of eight (8) feet.
2. Color and type of building material is subject to the Architectural Control Committee's review and approval.
3. Canvas covers shall be of a solid color.
4. Bright yellow trampoline safety nets are prohibited.

ALL PLAYGROUND EQUIPMENT MUST BE SUBMITTED FOR APPROVAL PRIOR TO INSTALLATION.

S. POOL AND SPAS (*all pools must be in-ground*)

Pools and spas do not require the prior approval of the Architectural Control Committee. Perimeter walls on lots bordering common areas may not be demolished or removed to allow access to rear yards for the purpose of pool, spa or other construction. AN ASSESSMENT OF \$500.00 WILL BE APPLIED TO A LOT OWNER IN WHICH A COMMON WALL HAS BEEN REMOVED WITHOUT ARCHITECTURAL REVIEW COMMITTEE APPROVAL. In the event wall removal is approved by the Architectural Control Committee, the Committee may require a deposit to secure replacement of removed walls. Access must be gained through the front wall on the side of the home, repairs to this wall must be completed in a timely fashion and include repairing the wall to match the texture and color of the remaining wall. **All pool and spa equipment must be screened from view of neighboring property.**

T. SIGNS

1. No exterior signs, billboards, posters or advertising devices of any kind may be placed, allowed, or maintained on any Lot except one sign of not more than five (5) square feet, advertising the property for sale or rent or signs used by a builder to advertise the property for sale during the construction and sales period.
2. All signs must conform to applicable municipal ordinances.
3. The following are specifications for security signs:
 - a. Security signs must be located a maximum distance of 5 feet from the front of the home.
 - b. Security signs must not exceed 12"x12" in size.
 - c. Security signs must be professionally fabricated and maintained in good condition at all times.

Signs advertising landscaping or pool contractors, etc. must be removed within forty-eight (48) hours of substantial completion of work.

U. STORAGE SHEDS

1. Storage sheds will be permitted and need not be submitted for approval provided the maximum height of the shed does not exceed the height of the immediately surrounding wall(s) or fence(s).
2. **Storage sheds exceeding the height of the immediately surrounding wall(s) or fence(s) shall require prior written approval of the Architectural Control Committee.**
3. Storage shed will require a minimum five (5) foot set back an interior side lot line and ten (10) feet to any exterior lot line on a corner lot. All structures are limited to a maximum overall height of eight (8) feet.

4. The roofs of all buildings on the Property shall be constructed or covered with asphalt composition shingles or fiberglass composition shingles. The color of any composition shingles shall be of wood tone, earthtone or in harmony with earthtone and shall be subject to written approval of the Architectural Control Committee prior to installation. Any other type roofing material may be used only if approved in writing prior to installation by the Architectural Control Committee.

V. OIL BOARDS

Oil pans, boards, carpet or any other object used to collect oil spills from driveway must be removed when the vehicle is not parked over them.

W. SOLAR SCREENS/SECURITY DOORS/SCREEN DOORS

SOLAR SCREENS - Solar screens shall be permitted with prior written approval of the Architectural Control Committee. Color samples must be provided to the Committee for consideration. Solar screens must be maintained to their original condition, free from dirt, torn screen material and bent frames.

SCREEN DOORS - Brown, tan, charcoal, black or white screen doors do not need to be submitted providing they match the color scheme of the exterior body of the house, all other colors must be submitted for approval. Silver-colored aluminum screen/security doors and/or wire screen mesh doors are strictly prohibited. Screen doors must be maintained to their original condition, free from dirt, torn screen material and bent frames.

SECURITY DOORS - Brown, tan, charcoal, black or white security doors may be installed without prior Architectural Control Committee approval, providing they match the color scheme of the exterior body of the house. All other colors must be submitted for approval. Security doors must be maintained to their original condition, free from dirt, torn screen material and bent frames.

X. WATER FEATURES AND STATUARY

Items such as fountains, statuary, etc., are permissible with prior written approval by the Architectural Control Committee.

1. Fountains must be approved by the Architectural Control Committee for installation in front yards and back yards with view facing.
2. Fountains cannot exceed four (4) feet in height and natural in color and must be maintained in new condition. Painted or brightly colored fountains are prohibited.
3. It is recommended that water features be chlorinated.
4. All statutes and yard art must be approved by the Architectural Control Committee.