

Amended and Restated
Rivercrest Rules, Regulations and Guidelines

Intent

The Architectural Rules, Regulations and Guidelines (“Guidelines”) provide homeowners with suggestions and restrictions to ensure that homes continue to complement each other with compatible architectural style. By harmonizing the homes from the beginning, we hope to avoid stark contrast that can lead to a cluttered appearance in the neighborhood. These Rules, Regulations and Guidelines are adopted under the authority of our Declaration of Restrictive Covenants in order to supplement, specify and provide detail to the architectural control found therein.

House and lot improvements are addressed on the following pages. The restrictions on these improvements are intended to provide an attractive, harmonious, physical environment. In limited circumstances, exceptions to these guidelines can be granted by the Architectural Committee. An architectural review submission form can be found on the back page of these guidelines.

Since these guidelines are provided for the benefit of the residents, the residents are responsible for reporting any violations of the guidelines to the Architectural Committee.

The Architectural Committee will attempt to enforce items that are brought to its attention. However, failure to enforce any portion of these guidelines does not affect the overall enforceability of the guidelines. The Board of Directors of the Homeowners Association may make revisions to these guidelines. Local building codes have precedence over these guidelines should there be a conflict between the two.

The Architectural Committee has 30 days to review any request for Architectural modification. If after 30 days the committee has not requested an extension of an additional 30 day extension for probable cause or has not responded to the request it is deemed approved.

Site Improvements

Grading and Filling:

If a homeowner has a problem with drainage or desires to modify the grading within the lot, the homeowner must make an application to the Architectural Committee before engaging in any land-disturbing activity.

Landscaping:

Homeowners are encouraged to improve their homes through landscaping. Due to visibility, front yard landscaping and landscaped corners may be more supervised than backyard areas.

Landscape Planting:

Homeowners are encouraged to plant trees, shrubs and flowering plants indigenous to Western NC. Below is a list of trees native to this area. This list is meant only as a service to homeowners and not a complete tree list. Fruit trees are not recommended.

Trees:

Eastern Redbud	Magnolia (Fraser)
Red Maple Varieties	Dogwood
Sugar Maples	Crepe Myrtle
Red Hickory	Red Cedar
Hawthorn	

Landscape Rocks and Stepping Stones:

Landscaping rocks and stepping-stones are not recommended, but may be permitted with the approval of the Architectural Committee. Approved landscaping rocks should be displayed in conjunction with greenery and should not be a focal point of the landscape beds. Size, type of stone, positioning and appropriateness may be criteria for approval of landscaping rocks.

Vegetable Gardens:

Vegetable gardens must be located behind the house, out of public view, or enclosed within a privacy screen.

Home Improvements

Additions and Porches:

Room additions and porches should be similar materials, colors and styles as the existing home.

Roofing should be of a consistent color and slope which complements the existing roof line.

Brick, stone or siding should match the home's material and be sufficiently reworked to tie into the home in order to blend the new addition with the existing structure.

Flat roofs are not allowed except with the special approval by the Architectural Committee and with the consent of all neighbors who have a reasonable view of the home from their house.

All new additions must comply with easement and setback restrictions.

Samples of all building materials must be submitted to the Architectural Committee along with the completed submission form. An estimated date of completion should be included in

the architectural approval submission, and the work should be completed within 30 days of this date, weather permitting. The Board reserves the right to revoke approval and tear down any incomplete improvements after this 30 day period.

New Paint

Homeowners are free to repaint their homes using a color identical to the existing paint. Any homeowner who wishes to paint or repaint any part of their home including fences, doors, windows, and shutters with a new color must obtain approval from the Architectural Committee (sometimes referred to as “architectural approval”).

Roof Treatments

When a roof requires new roofing, homeowners are free to re-roof their home using the identical color and type of shingle found on the existing home. If a new shingle type or color is desired, the homeowner must receive approval of the color and type of material by submitting a sample to the Architectural Committee. With the exception of painted metal roofs or copper roofs on porches and over bay windows, asphalt and composition type shingles are the only acceptable roofing materials.

Patios and Decks

All patio and decks require architectural approval before construction begins. Approval may be denied based on the materials, location and size of the structure in relationship to the lot and house. An architectural review form is to be submitted to the architectural Committee before any work begins. This submission form should include estimated completion dates, and all work is to be completed within 30 days of this date, weather permitting. The Board reserves the right to revoke approval and tear down any incomplete improvements after this 30 day period.

Awnings

Awnings may be allowed on the front or rear portion of a home but require prior architectural approval. The Architectural Committee reserves the right to restrict the awnings based on color, location, materials and upkeep. No plastic or metal awnings will be allowed.

Antennas and Satellite Dishes

No antennas or satellite dishes are allowed without Architectural Committee approval. Antennas or satellite dishes, if approved, must be located toward the rear of the roof ridge line or centerline and not visible from the front of the home at the street.

Accessory Structures

Prior to beginning construction or purchasing any new structure, a location plan, evaluation and material submission must be sent with an architectural request form to the Architectural Committee. This request should include enough information to describe the precise nature of the structure in order to aid the Architectural Committee in making their decision. A building

permit may be required if structure is approved. An estimated date of completion should be stated on the form and work is to be completed within 30 days of this date, weather permitting. The Board reserves the right to revoke approval and tear down any incomplete improvements after this 30 day period. Structures as defined shall include decks, additions, play sets, etc...

Furniture and Fixtures

Outdoor Furniture

All outdoor furniture must be located on a porch or patio area. Furniture is not allowed on the lawn except during use. Front porch furniture is more strictly supervised than backyard furniture, except on corner lots where both front and back furniture is more visible from the street.

Front Porch and Corner Lot Furniture

Furniture may be permitted in the front of a home on a sheltered front porch. Folding chairs are not allowed in the front of a home except while in use. Also, plastic stack furniture may not be stored in a stacked position while visible, outdoor location. Colors of front porch furniture are also suggested, any color that is neutral and complements the house colors.

Back Yard Furniture for Interior Lots

The Architectural Committee reserves the right to require a fence, hedge or tree row be installed to hide from view any back yard furniture which is not compatible with the neighborhood. Folding chairs are not allowed in a location that is visible from the street and plastic stack furniture may not be stored in a stacked position in a visible outdoor location.

Play Equipment and Toys

Children are important members of the community, and providing a pleasant place for children to grow and play should be a common goal.

Children's toys should be stored indoors or in a screened part of the backyard not visible from public view. Bicycles and other riding toys should be kept in the garage when not in use.

The type, structure and design of any semi-permanent play equipment must be submitted to the Architectural Committee for approval before installation. Wood construction is required except if otherwise approved by the committee. The structure should be stained to match the majority of the house. Play equipment composed primarily of metal is prohibited. Every effort shall be made to position the play structures out of view from the front of the home at the street. Play equipment cannot exceed 10' in height, and must be located no closer than 5' from all property lines. Any equipment should be located such that use does not reasonably encroach upon a neighbor's enjoyment of his property.

Sand boxes should be kept in a neat and tidy condition, and covers are suggested if the sandbox is located in a fenced yard.

All play equipment must be kept in a good state of repair. The Board of Directors reserves the right to repair or remove any equipment that is not kept in a reasonable state of repair at the homeowner's expense provided the homeowner has been given written warning to repair the equipment. No play structure or equipment is allowed in the common areas.

Swimming Pools

Portable or permanent above ground swimming pools are prohibited. However, above ground hot tubs may be permitted if they are totally screened from public view by privacy fencing following the guidelines for screening pools.

Portable plastic swimming pools with a 6' diameter or less are permitted, but such pools must be stored out of view of neighbors and street when not in use.

Swimming pools below ground level, for use of residents and their guests are permitted with the following guidelines:

All pools must be completely screened for privacy and safety with an approved fence. Screens must be a minimum of 5' high and cannot exceed 6' maximum height. All pools and pool fences must meet all local codes. Swimming pool appurtenances such as waterfalls, slides and diving boards may not be visible from public view.

Skimmer nets, skimmer hose, long handle brushes, pool chemicals, filters, pumps, heaters, plumbing and other pool equipment must not be visible from public view.

Swimming pools must lie outside any utility easement and meet all necessary requirements to obtain a building permit.

Yard Ornaments and Flower Pots

Yard ornaments include statuary, birdbaths, bird feeders, weather vanes and other similar items. Yard ornaments must be accompanied by landscaping. Any yard ornament should be an extension of the natural landscaping rather than a highlighted feature of the landscape. Any yard ornament requires approval of the Architectural Committee.

Flower pots and planters are recommended to be of a neutral color; however, other colors may be acceptable if they are complementary to the home's color scheme. Brightly colored planters, especially of plastic are not allowed on the front porches and front yards, but may be acceptable for backyards and patios. Recommended materials for front porch planters and flower pots include concrete, wood and clay.

Lighting

Exterior residential lighting can convey a warm, inviting atmosphere and aid in providing nighttime security. Care is to be taken in placing fixtures, selection of the fixtures, and type of light sources and amount of light emitted. Tasteful accent lights are encouraged and security lights that do not create a nuisance for other homeowners are permitted. No exterior flashing or high intensity lights or flood lights shall be permitted, except with the prior approval from the Architectural Committee. The Architectural Committee reserves the

right in its sole discretion to require any homeowner to deactivate or remove any light that it deems to be unattractive or bothersome to other homeowners.

Type of Fixtures

Tasteful decorative post lights and streetlights as well as small decorative ground lights and house spotlights are generally acceptable. Spotlights are to be concealed from direct view to avoid light spill onto adjacent property. Lighting should be of a high quality workmanship and in scale and style with the residence. All exterior lighting should be neutrally colored.

Seasonal Lighting

Seasonal decorative lighting is permitted at Christmas and Hanukkah only. The light display period is between Thanksgiving and January 7th. All decorations must be removed by January 7th as a courtesy to others.

Upkeep and Usage

In order to maintain property values, a certain level of upkeep is required. Since realtors and potential home buyers may be touring at any time, it is important to remember to keep your home and lot well maintained. It will positively impact your property values over time.

Standard for upkeep of lawns and landscaping should be set by residents. Dead shrubs and plants should be removed and replaced as quickly as possible. Mowing should occur at regularly scheduled intervals and barren spots of land should be quickly reseeded or landscaped. Proper landscaping and maintenance will help increase your property value and maintain the beauty of the community.

Garden hoses should be stored on a hose reels in the back or side of homes.

Garage doors should be maintained in good working order. If any garage door cannot be closed as a result of faulty operation it must be repaired within 72 hours. It is recommended garage doors remain closed when not in use or when homeowners are away.

All trash, garbage or other waste should be store in sanitary containers. Garbage cans must be concealed from view by screening if kept outside and kept in a clean and sanitary condition. Garbage cans may be placed at the curb for pickup, but should be removed within 24 hours of garbage pickup. There is a contract Trash Service that can be purchased and utilized on a weekly basis. It can make living in the community more pleasant.

Holiday Decorations

Holidays are an important part of our lifestyle and holiday decorations are allowed and encouraged. Those residents wishing to display decorations should remember to be considerate of your neighbors. All decorations should be kept within property setbacks or consent should be obtained from neighboring homeowners to extend beyond the property lines.

Holiday decorations may be displayed for up to one month before any holiday and should be taken down within one week after the holiday. Christmas decorations should follow the

traditional display period between Thanksgiving and January 6th. All Christmas decorations should be taken down no later than January 7th. The Board of Directors reserves the right to remove any lighting or decorations that are deemed offensive only after proper notice has been given to the homeowner.

Discharging of fireworks is very sensitive. Great care should be taken to consider the impact on your neighbors regarding sound and debris. Only fireworks sold in the state of NC are permitted and considered to be legal.

Fences and Walls

Yard Fences

All fences require approval from the Architectural Committee prior to construction. Homeowners must submit a sketch of the proposed area to be fenced, with dimensions, and a sample of the color and materials to the committee.

Fences may be located in the backyard only. Front yard fences are not permitted. Fences may be 4' or 6' in height only and may be made of maintenance free material that does not require painting. Materials include, but are not limited to, vinyl and powder coated metal. Chain link fences are not permitted. Sample designs can be obtained from the Architectural Committee.

Privacy fences are to be 6' tall and are allowed only on lots located on the perimeter of the neighborhood (outside of Driftstone Circle). Privacy fences (6') may be located no further forward than the rear corner of a home's side elevation and may extend to the property line maintaining any easement or setbacks that may be in place. Fences that are 4' in height can be located no further forward than 8' back from the front corner of a home's side elevation.

All existing 6' fences on the interior lots will be grandfathered as this document did not exist at the time the fences were installed. This document was voted on and accepted at the November 12, 2008 homeowners meeting.

Fences may be located within drainage swales so long as they do not impede the flow of any surface water. Where significant drainage is experienced within a swale along a property line the fence should be located a minimum of 3' off the property line to allow the proper drainage and maintenance.

The top of the fences should maintain a smooth slope that, in general, follows the natural contours of the terrain. Varying the length of the bottom of the fence boards should even out minor variations in terrain. Due to the mountainous terrain and grades of many lots this approach will not provide an attractive solution. Where the grade is steep, fences should be terraced in sections to avoid significantly irregular fence line. Terraced sections should not have greater differential at the fence line than 18" and should maintain the 4' and 6' height from the ground at the center of the section. The stringers and other supporting elements are to be turned in and face the yard of the homeowner's construction of the fence.

Retaining walls

Retaining walls along the side lot or within the front yard are required to be stone or brick veneer, matching the home materials as closely as possible. Retaining walls at the rear of the property may be railroad (landscape) tie construction.

Covenant 10

To support covenant #10 of the River Crest Restrictive Covenant's relative to parking, if a homeowner has more than two vehicles and additional parking is needed in order to keep vehicles out of the street, homeowners will make every effort to make use of all driveway and garage space. If additional parking is needed beyond garage and driveway space, it will be adjacent to the existing driveway and of permanent structure to support vehicle parking. All proposed modifications will need prior approval from the Architectural Committee. Failure to comply with the covenant will result in a fine of not less than \$100.00 per day.

Good Neighbor Policy

Be mindful and considerate of your neighbors in regards to noise and trash. Playing extremely loud music or musical instruments which annoys neighbors is a direct violation of the existing County Ordinance, the Sherriff's Department can and will be contacted to help resolve these types of issues.

Revised 02/13

Rivercrest Property Owners Association Architectural Request Form

Name _____

Contact Phone _____

Address _____

E-Mail _____

This form is too filled out with requested information before submission for review by the Architectural Review Committee or by the Board of Directors. To avoid delays in the review process, please provide all required information. Your request will not be processed until all the information has been received.

1. Give an accurate description of the work proposed. Include pictures, colors, structural design including materials to be used. Painting, attach color chip or samples. Fences, specify materials, style, height, color and lot location where fence is to be installed. _____

2. Attach as many elevations (front and side) views of the proposed work as is necessary, including measurements, to accurately describe it. This is required for outside construction, i.e.; room additions, porches, decks, sun rooms, concrete work, etc. A copy of property lines may need to be provided to understand dimensions and distances from property lines.

As a courtesy to neighbors, whose lot is adjacent to yours, or those who would reasonably view the changes/improvements from their property, will be contacted by the Architectural Committee informing them of the proposed/pending request.

Send completed form and any attachments to:

Rivercrest Property Owners Association

P.O. Box 571

Arden, NC 28704