

~~TEXT THAT IS STRICKEN THROUGH WILL BE REMOVED FROM COVENANTS AND MOVED TO ARCHITECTURAL REVIEW COMMITTEE (ARC) GUIDELINES~~

YELLOW HIGHLIGHTED TEXT EXPLAINS REASON FOR MOVE TO ARC GUIDELINES

BLUE HIGHLIGHTED TEXT IS NEW LANGUAGE TO COVENANTS

Article VI

Construction and Use Limitations

It is the intent of the Association to promote, protect and enhance the value of the Land, the Residential Lots, and the Common Property in the Subdivision.

Therefore, to the extent permitted by applicable law, in the event of a conflict between the Covenants and the applicable zoning or Subdivision ordinances or the Covenants and the applicable building codes, the highest, most stringent and most restrictive standard shall be deemed the controlling standard for all construction in the Subdivision.

Section 1. Residential Use and Construction Requirements (Conventional or Pre-fab Construction)

- A. Residential Lots shall be used for single family residential purposes only.
- B. Single family residences of one story construction shall have a minimum of 1500 square feet enclosed, heated living area.

Single family residences having more than one story shall have a minimum of 1700 square feet enclosed, heated living area. The basement area, if any, shall not be included in the square footage requirements established by the Covenants whether or not the basement is partial or full or partially or fully above ground level.

Single family residences of one story construction on Lots 201-213, shall have the minimum of 1700 square feet enclosed heated, living area. Single family residence having more than one story located on Lots 201-213, shall have a minimum of 2100 square feet enclosed heated, living area. The basement area, if any, shall not be included in the square footage requirements established by the Covenants as amended and supplemented regardless of whether or not the basement is partial or full or partially or fully above ground.

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- C. The main floor of the residence must be supported by and constructed on continuance weight bearing exterior walls (interrupted only by enclosed windows, doors or garage doors) built on a continuous footer constructed to meet the requirements of the applicable state and county building codes.

The main floor may be constructed, in whole or in part, on a concrete slab poured on grade.

The bottom of the foundation sill plate located on top of the foundation wall must be at least two feet above ground level at every point when neither basements nor concrete slabs are employed in the construction technique.

- D. All dwelling for human habitation and other free standing structures erected on any Residential Lot shall be of conventional “stick built”, “panelized”, or “modular” on-site construction. ~~At least 70% of the roof of any structure having less than 1751 square feet enclosed heated living area shall have a minimum slope of 6/12 and a minimum 12 inch overhang over each end and side wall.~~ (Move to ARC guidelines and change to “At least 70% of the roof of any home or garage shall have a minimum slope of 6/12 and a minimum of 12 inch overhang over each end and side wall”)

- E. All building materials shall be new or structurally sound.

All dwellings for human habitation and all other free standing structures erected on any Residential Lot in the Subdivision shall have solid exterior, weight bearing footers, foundations and walls. ~~The exterior walls of all improvements constructed upon any Residential Lot shall be brick, wood, aluminum, vinyl, Masonite, dryvit or stucco. No asphalt shingles, tar paper, tin or similar building materials shall be used for the exterior walls of any improvements.~~ (Move to ARC guidelines. This will allow for streamlined changes to ARC guidelines when new building materials, techniques, etc. become available. Currently any changes would need to be done through community vote on covenants which can only occur at annual meetings and through a prolonged process, and then changes must be recorded with both Virginia and North Carolina Court Clerk’s offices)

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~~Concrete or similar block may be used for foundations but they shall not be employed as “above ground” exterior walls unless they are fully and permanently stuccoed or brick veneered.~~ (Move to ARC guidelines. Same explanation as in previous section)

F. No temporary structures of any nature shall be erected, located, occupied, used or maintained on any Residential Lot except for “port-a-johns” when used in connection with construction of an on-site single family residence and then only so long as such residence is under construction.

G. Manufactured houses prohibited.

Absolutely no manufactured houses (trailers, mobile homes or multiple wide mobile homes) are permitted in the Subdivision.

Manufactured houses (defined as mobile homes whether single or multiple wide) are absolutely prohibited. No manufactured houses shall be located, erected, placed, or parked on any Residential Lot in the Subdivision. A manufactured house (single or multiple wide) is defined as a structure transportable in one or more sections that is built on a permanent chassis having an exterior tongue or other apparatus to enable the unit or units to be moved or towed from one location to another by use of an external motorized power unit and designed to be used as a dwelling for human habitation with or without a permanent continuous weight bearing foundation when connected to the required utilities and includes or may include all or portions of on board plumbing, heating, air conditioning, water, sewage and electrical systems.

H. All dwellings must have solid exterior, weight bearing walls, footers and foundations.

I. The exterior construction of all improvements upon any Residential Lot and all grading, landscaping and seeding shall be complete within one year from commencement of construction.

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If any such construction is not complete within one year of its commencement, the ARC or the Association shall notify the owner of the Residential Lot upon which such incomplete construction is located of the deficiency after which the Owner shall have 90 days to complete the exterior construction, grading, landscaping, and seeding after which the Association shall have the absolute right and first option but not the obligation to repurchase the Residential Lot in question at its original cost subject however to the lien of any then existing deeds of trust, judgments, liens or levies existing upon the property.