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ARCHITECTURAL, LANDSCAPE AND LAKE BUFFER GUIDELINES

INTRODUCTION

These Architectural, Landscape and Lake Buffer Guidelines (the "Guidelines") have been prepared by the Architectural Control Committee (the "ACC") for the residential community known as JOSLIN POINTE ("JOSLIN POINTE"). The Guidelines are contemplated in and are promulgated pursuant to that certain Declaration of Covenants, Conditions and Restrictions for JOSLIN POINTE (the "Declaration"). The Guidelines consist of four components: Architectural and Design Guidelines, Landscape Guidelines, Lake Buffer Guidelines and Construction Rules, as set forth below. All defined terms used in the Guidelines, as indicated by the initial capitalization thereof, shall have the same meaning ascribed to such terms in the Declaration, unless otherwise specifically defined herein.

The Guidelines shall be employed in conjunction with the Declaration. If there is an express conflict between the terms of the Declaration and the terms of the Guidelines, the terms of the Declaration shall control and prevail; provided, however, the mere fact that the terms of the Guidelines may be more restrictive than the terms of the Declaration, or vice versa, shall not be construed as an express conflict, and in such case the most restrictive provision shall control and prevail. Of course, in the event governmental or quasi-governmental rules, regulations or requirements that are applicable to JOSLIN POINTE are more restrictive or more stringent than the terms of the Declaration and/or the terms of the Guidelines, the applicable governmental or quasi-governmental rules, regulations or requirements shall control and prevail.

DESIGN PHILOSOPHY

The Guidelines have been developed to implement the design philosophy of JOSLIN POINTE, namely, to blend structures, Lake Wylie (the "Lake"), and residents' lifestyles into a harmonious and aesthetically pleasing residential community which places a strong emphasis on the preservation and enhancement of the natural beauty of JOSLIN POINTE. The Guidelines are intended to provide direction to Lot Owners and builders in the planning, design, and construction of residences and related Improvements on Lots. It is not the purpose of the Guidelines to create look-alike residences and other Improvements or to suggest that all residences employ the same colors, styles, and materials. Rather, the primary emphasis of JOSLIN POINTE is on quality of design and compatibility among all Improvements, without unduly restricting the ability of Lot Owners to exercise individuality in their choice or design of a residence and related Improvements. No residence, structure, or other Improvement should stand apart in its siting, design, or construction so as to detract from the overall environment or appearance of JOSLIN POINTE. The ACC will be open to and encourage creativity, innovative use of materials and design and unique (if appropriate) methods of construction as long as the final result is consistent

by action or failure to act, to waive or grant any variances relating to any mandatory requirements specified in the Declaration or any Additional Declaration for the Phase in which the Lot is located, and EXCEPT FURTHER, that the ACC shall not be deemed to have waived any of the requirements set forth in Article VIII, Section 8, Section 9 or Section 10 of the Declaration or any corresponding provisions in the Guidelines. If final Building Plans and Specifications or other submittals are not sufficiently complete or are otherwise inadequate, the ACC may reject them as being inadequate or may approve or disapprove part, conditionally or unconditionally, and reject or approve the balance. The ACC is authorized to request the submission of samples of proposed construction materials.

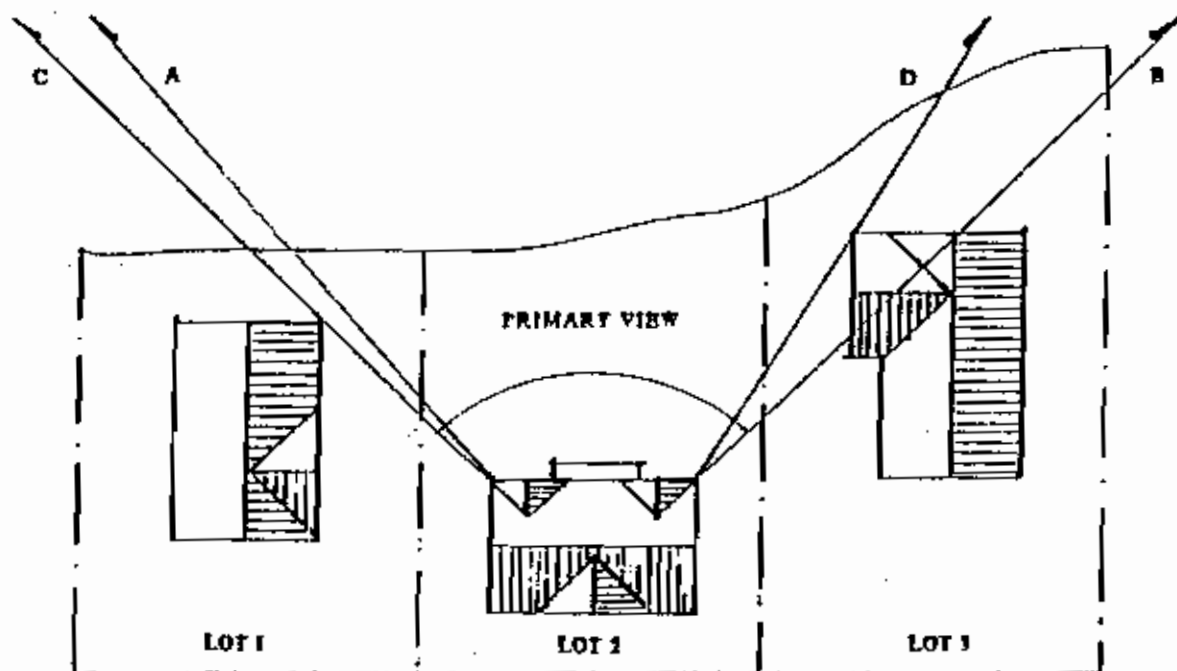
2. SITE PLANNING

2.1 Site Analysis and Siting Considerations

The siting of a house is a critical and important design decision. The site plan concept developed for each Lot Owner (as part of the Plans and Specifications for such Owner's Lot) should reflect functional needs but also should be sensitive to the unique characteristics of the Lot as well as the unique characteristics of the surrounding neighborhood.

The ACC shall consider each Lot independently but shall give consideration to the impact of each individual Lot (and the Improvements proposed to be constructed thereon) on adjacent Lots and view corridors. Care must be taken to locate each structure, when and where possible, so as not to infringe upon adjacent Lots and structures constructed or to be constructed thereon, view corridors and natural amenities of the area. Consideration in this regard must be given to the following:

- 1) Topography of the Lot and other Lots in the vicinity
- 2) Distant and intimate views from the Lot
- 3) Distant and Intimate views of the Lot from other Lots and from the Lake
- 4) Existing vegetation type and quality
- 5) Existing water and drainage patterns
- 6) Driveway access



PRIMARY VIEW DIAGRAM

FIGURE 2.1

ensure that JOSLIN POINTE community will be pleasing in appearance from views not only from the Roadways but also from the Lake. The Building Envelope for each Lot defines the front, side, and rear yard setbacks. The intent of the ACC in imposing the Building Envelope is to allow for harmonious alignment of the Improvements on Lots to help assure appropriate views of and from the residences located on the Lots.

Within the Building Envelope, the residence and all other Improvements shall be located and tailored to the specific features of the particular Lot. All Improvements shall be located so as to minimize disruption or disturbance to the existing natural setting, including mature trees, drainage ways, and views. As part of the review and approval of Plans and Specifications, the ACC may require that the location and orientation of the house and other Improvements within the Building Envelope be modified. No building on any Lot (including any stoops or porches, patios, terraces, decks, etc.) and no recreational Improvement on any Lot shall be erected or permitted to remain outside of the Building Envelope for that particular Lot. Provided, however, and notwithstanding the foregoing to the contrary, docks, piers (including any gazebos proposed to be attached thereto) and boatslips are exempt from this Building Envelope restriction, provided they are approved by the ACC in accordance with the applicable provisions herein.

As set forth in the Declaration, the ACC shall have the right, in its sole discretion, to make exceptions to any Building Envelope to recognize any special topography, vegetation, Lot shape or dimension, or other site-related condition.

2.3 Easements

Landscape Improvements (as defined in the Landscape Guidelines) and the building of driveways or fencing within utility easements are permissible (unless otherwise prohibited by a recorded easement instrument). Provided, however, if in the future there is a need to disturb or remove such Landscape Improvements, driveways or fencing to access such utilities, such removal and any necessary repair and restoration shall be the responsibility of the Owner of the Lot.

2.4 Erosion and Sediment Controls

The design and development concepts of JOSLIN POINTE community call for the utilization and enhancement of the existing natural environment. The ACC is particularly conscious of the erosion and sediment disturbances that can occur during any clearing, grading or construction activity on a Lot. To help minimize erosion and sediment disturbances, as part of the final Building Plans and Specifications, an erosion control plan (using erosion control measures such as slit fences, hay bales, diversion swales, stone filter dams, etc. as required) must be designed in accordance with Schedule C attached hereto

2.5 Drainage

Drainage considerations for individual Lots play an important part in the ecological balance of the community. Generally, each Lot should be graded such that all water draining from such Lot does not drain onto any adjoining Lots. Water runoff for each individual Lot must be handled by adequately sloping all areas so that runoff can be directed to the natural drainage areas or storm drainage facilities. Water runoff and control is the responsibility of each Lot Owner relative to such Owner's Lot. The water runoff shall be handled in such a manner as not to adversely affect any neighboring Lots or the Lake. Particular care must be taken on Lots fronting the Lake and other amenity areas.

Building Plans and Specifications for any Lot shall include a conceptual drainage plan for such Lot.

3. ARCHITECTURAL DESIGN

3.1 Architectural Style

The intent of the Architectural and Design Guidelines is to encourage the excellent design of a community of individual residences which, when viewed together, produce an outstanding total community environment. The JOSLIN POINTE subdivision theme is a French Country Village and Owners are encouraged to use nice combinations of this design.

The residential architecture at JOSLIN POINTE should work in harmony with the natural features of the surrounding terrain. The designs employed shall be compatible with French Country architectural styling in terms of make, shape, profile, scale, and proportion.

3.2 Quality Design Features

The homes in JOSLIN POINTE should reflect the individuality of their owners while adhering to the principles of fine architecture. The following considerations are among those to be addressed when developing the architectural design for Improvements to be constructed on a Lot:

- 3.2.1 The residence shall be located on the Lot with minimum disruption to the Lake, natural topography, vegetation, and unique site features.
- 3.2.2 There shall be a consistency in the site planning, architecture, and Landscape Improvements.

- 3.2.3 Sensitive interpretation of the architectural style is encouraged within the constraints of budget and site.
- 3.2.4 A consistent scale shall be used throughout the design of the residence and other Improvements, with each element designed in proportion to the other design elements.
- 3.2.5 The various building materials shall allow for a pleasing and harmonious exterior appearance for the residence and other Improvements. Building materials shall be used logically.
- 3.2.6 Appropriate colors shall be used, and colors shall be used with restraint.
- 3.2.7 Bay windows shall be carried down to grade or visual support of cantilevered conditions must be expressed. When bay windows are stacked in a two-story configuration, the blank panel between all facets shall be accented.
- 3.2.8 Masonry or stucco used as a veneer material on the facade of a residence shall continue around the front corners of such residence to a logical point of termination.
- 3.2.9 The main roof shall have a minimum slope of eight (8) vertical to twelve (12) horizontal. Shed roof forms are discouraged.
- 3.2.10 Gutters and downspouts shall be used at all eave lines, unless deemed inappropriate. All exterior downpipes (except copper downpipes) shall be painted to blend with the color of the exterior of the residence.
- 3.2.11 All roof structures, such as attic vents, plumbing vents, etc. shall be treated or painted to blend with the roof shingles, except that flashing applied to vertical surfaces may be painted to blend with the vertical materials where more appropriate.
- 3.2.12 All exterior utility service connections must be provided in unobtrusive and inconspicuous locations. All electric meters and main fuse boxes must be positioned away from view. This may be accomplished by providing an enclosed recess in the side of the dwelling or through approved Landscape Improvements and/or screening.
- 3.2.13 Exposed electrical equipment, stubouts, conduit, drain lines, pipes and vents must be painted to match the color of the home. Exterior disconnects

for air conditioning equipment, etc. shall be mounted at the lowest point allowed by applicable building codes.

3.2.14 Gas meters must be adequately screened with Landscape Improvements to conceal equipment from view.

4. DESIGN CRITERIA

4.1 Dwelling Types

Each Lot may contain only one detached single-family private dwelling and one private garage for not less than two (2) vehicles and only such other accessory structures as are approved in advance in writing by the ACC. Provided, however, PAR ASSOCIATES, LLC shall be entitled to use Lots owned by it from time to time for the construction and operation of construction offices and sales/marketing offices (and related uses) for JOSLIN POINTE.

4.2 Dwelling Size

The square footage requirements set forth below are for enclosed heated floor area and are exclusive of the areas in heated or unheated basements, vaulted ceiling areas and attics, unheated porches of any type, attached or detached garages, porte-cocheres and unheated storage areas, decks and patios.

Any dwelling erected upon any Lot shall contain not less than the following heated floor areas:

A. Waterfront Lots

	<u>Minimum Total Heated Area</u>	<u>Minimum Ground Floor Heated Area</u>
1 story	2,500	2,500
1-1/2 story, bi-level, tri-level and others	3,000	2,000 main floor for bi-level; upper two floors for tri-level
2 story, 2-1/2 story	3,000	2,500

B. Off Water Lots

	<u>Minimum Total Heated Area</u>	<u>Minimum Ground Floor Heated Area</u>
1 story	2,000	2,000
1- 1/2 story, bi-level, tri-level and others	2,400	1,400 main floor for bi-level; upper two floors for tri-level
2 story, 2-1/2 story	2,200	1,400

Notwithstanding the foregoing requirements, the ACC shall have the right (but not the obligation), because of restrictive topography, lot dimensions or unusual site related conditions or other reasons, to allow variances from such minimum square footage requirements of up to twenty percent (20%) of such minimum square footage requirements by granting a specific written variance. Further, there will be a maximum heated square footage allowed of 6,000 square feet for any one dwelling. Larger homes will require ACC written approval.

4.3 Maximum Dwelling Height

No dwelling erected upon a Lot shall contain more than two and one-half (2-1/2) stories above ground level; provided, however, the ACC shall have the right (but not the obligation), because of steep topography, unique Lot configuration or similar reasons, to allow dwelling heights greater than two and one-half (2-1/2) stories on rear and side elevations.

4.4 Ceilings

Interior ceiling heights in dwellings constructed on Lots are recommended to be a minimum of nine (9) feet on the first (i.e., street grade) floor and a minimum of eight (8) feet on all other floors.

4.5 Garages

Every house shall have an enclosed garage for not less than two (2) vehicles. The placement of garages and driveways has a great effect on the overall aesthetics of the street scene and on the architectural appeal of each specific residence. A street scene with emphasis on residences instead of garages and driveways is more visually interesting. For that reason, certain garage placements on a Lot are discouraged.

In cases where a front entry attached garage must be used, recessing the garage from the remainder of the residence diminishes the adverse impact of the front entry garage on the street scene and keeps the residence from appearing to be composed of almost entirely the garage. Therefore, in cases where Lot size does not allow a side entry garage, a minimum thirty-six (36) inch offset of the front entry garage from the major facade of the house is required, and a greater recess distance [up to a maximum of ten (10) feet] is encouraged. A porte-cochere that does not extend past the major building façade, and is constructed of the same building materials as part of the house, is allowed.

Garage doors are required for all garages, and the garage doors must be paneled and/or detailed to provide appropriate scale. Single bay garage doors are preferred over double width garage doors. Front entry garages must use single paneled doors. Carports shall not be allowed.

4.6 Exterior Materials and Colors

Exterior materials shall be brick, stucco, stone, cedar shake or horizontal siding. Architectural features such as quoin-corners are encouraged. Horizontal siding must be fully back-supported to maintain a straight and even outer surface and must be fully and properly finished. Natural weathering of exterior wood materials is not desired. Homes constructed on Waterfront Lots shall use the same or similar exterior materials on all sides of the structure.

4.7 Roofs

Roofs and roof pitches shall be in proportion to the overall size and shape of the house. Except as specifically approved otherwise in writing by the ACC, the minimum roof slope for the main house structure shall be eight (8) vertical to twelve (12) horizontal. Acceptable roofing materials are (i) wood shingles, (ii) wood shakes, (iii) natural or man-made slate, (iv) tile or (v) minimum twenty-five (25) year warranty, variegated (not solid) color, architectural (sculpted) style, composition (fiberglass) shingles. All specific roof materials to be used must be approved in writing by the ACC as part of the final Building Plans and Specifications prior to commencement of construction.

4.8 Windows and Shutters; Doors

Windows shall generally be the same type and style all around the house. Thermal pane windows are preferred, and exterior storm windows generally will not be permitted. Wood windows are preferred; however, vinyl windows will be considered, provided the style and profile are visually similar to wood windows. Shutters are encouraged and shall fit the proportion and shape of the windows. All windows and doors are encouraged to have caps of soldier course brick jack arches, wood caps or other approved decorative treatment.

4.9 Chimneys

Chimneys shall be full foundation based and constructed of brick, stone, stucco or other material approved in writing in advance by the ACC. Chimneys shall have a design and location, and shall be constructed of a material that is appropriate to the house (provided that fireplaces not located on exterior walls may be constructed of an alternative material if approved in advance in writing by the ACC). Exposed metal flues and wood chases shall not be used. Chimney cap covers are required for prefabricated metal flues. Direct vent fireplaces are discouraged if the location is a side elevation; and direct vent fireplaces shall be allowed only on the rear side of a residence constructed on an Off Water Lot (unless otherwise approved in writing by the ACC) and shall not be permitted on a front elevation or on any elevation that is visible from the Roadway(s).

4.10 HVAC Equipment

No air conditioning or heating equipment or apparatus shall be installed on the ground in front of, or attached to any front wall of, any residence on a Lot. Additionally, air conditioning and heating equipment and apparatus shall be screened from view from streets by Landscape Improvements, as more particularly provided in the Landscape Guidelines herein.

4.11 Attachments: Satellite Dishes and Antennae

No permanent attachment of any kind or character whatsoever (including, but not limited to, television and radio antennae, solar energy-related systems, satellite or microwave dishes or similar improvements) shall be attached to the roof or exterior walls of any building on any Lot or otherwise placed or maintained on any Lot, unless such attachments or devices are approved in advance in writing by the ACC. Notwithstanding the above to the contrary, one satellite or microwave dish may be installed on each Lot, except that one (1) dish or disc not exceeding one (1) meter in diameter or diagonal measurement for receiving direct broadcast satellite service ("DBS") or multi-point distribution services ("MDS") may be erected and maintained on each Lot. No roof-mounted antenna, dishes or discs shall be permitted on any Lot if adequate broadcast reception can be obtained without mounting such equipment on the roof of the house; provided, however, that if such roof-mounted equipment is required, no antenna or related structures may be mounted on masts exceeding twelve (12) feet in height above the highest roof line ridge of the house. Any dish, disc or antenna (with associated mast) shall be reasonably camouflaged and screened from view from Lake Wylie, the Roadways, and shall not be located in the area between the street right-of-way line and the minimum building setback lines applicable to the Lot. The location and screening of the satellite or microwave dish [which, as stated, shall be one (1) meter or less in diameter] must be approved in writing by the ACC prior to installation.

4.12 Mail and Newspaper Boxes

All mailboxes and newspaper boxes must be of the standard color, size and design as shown on Schedule F.

4.13 Pools, Therapy Pools and Spas

The size, shape and setting of pools (including standard swimming pools, therapy pools and spas) must be carefully designed to be compatible with the surrounding natural and man-made environment. In locating swimming pools, therapy pools and spas, the following shall be considered:

- 4.13.1 Indoor/Outdoor relationship;
- 4.13.2 Setbacks imposed by the applicable Building Envelope;
- 4.13.3 Views both to and from the pool area;
- 4.13.4 Terrain (grading and excavation); and
- 4.13.5 Fencing and privacy screening.

Except as provided herein, pools, decks and related equipment will not be allowed outside of the Building Envelope area. Pool and pool equipment enclosures must be architecturally consistent and harmonious with the residence and other structures on the Lot in terms of their placement, mass and detail. Pools, decks and related equipment and pool and pool equipment enclosures shall be screened or treated so as to avoid distracting noise and views.

4.14 Exterior Lighting

Exterior lighting (which must be approved by the ACC as part of the Building Plans and Specifications) must be limited to areas within the Building Envelope (unless otherwise approved in writing by the ACC), must not result in excessive glare and must not interfere with the privacy of nearby dwellings, all as determined by the ACC in its sole discretion.

4.15 Docks, Piers, Boatslips and Seawalls

Subject to approval by Duke Power Company, the Owner of each Waterfront Lot will be permitted to construct and install one pier within the Pier Zone for such Waterfront Lot, provided that, in the sole and absolute discretion of the ACC, the Waterfront Lot is

not located in an area where the narrowness of a cove precludes construction of a pier. The location of the Pier Zone for each Waterfront Lot is identified and described in the Declaration. The pier, dock, boatslip(s) and boat(s) for each Waterfront Lot shall be located entirely within the Pier Zone. No Owner shall have the right to construct more than one pier in front of a single Waterfront Lot.

The design, color, dimensions and materials of piers (including any gazebos proposed to be attached thereto), docks, boatslips and seawalls must be approved in advance in writing by the ACC. The design, color, dimensions and materials of all piers (including gazebos), docks and boatslips should be substantially similar to the standards set forth in Schedule E attached hereto. Piers (including gazebos), docks, boatslips and seawalls must be constructed of new materials.

Generally, any waterfront improvement should have a low profile and open design to minimize obstruction of neighbor's views. Enclosed roof-covered piers will be allowed, but must have ACC written approval.

Piers, docks, boatslips and seawalls should be located and constructed so as to minimize grading and clearing of vegetation at or near waterfront areas. The use of rip-rap, bulk-heading or other shoreline stabilization methods or materials may not be initiated without approval by Duke Power Company and the ACC. The point of access of a pier, dock or boatslip and any site disturbance or clearing associated with its placement or construction must be submitted to the ACC for written approval along with the final Building Plans and Specifications.

It is the Owner's responsibility to obtain any permits or approvals required in connection with any pier, dock, boatslip or seawall and any access thereto.

Lots 20 and 21, 22 and 23 must share one dock and pier each. This dock and pier must be located on the adjoining lot lines of these Lots.

4.16 Play Equipment

Unless part of a Common Area, swing sets and similar outdoor play structures and equipment must be located where they will have a minimum impact on adjacent Lots. Such play equipment shall be located in the middle third of the Lot.

4.17 Fence and Walls

The location, materials, size and design of all fences and walls must be approved in advance in writing by the ACC prior to installation. Chain link or welded wire fencing will not be permitted, except as same may be installed within the Common Areas by the

Declarant or the Owners Association. Once an approved fence or wall has been erected on a side Lot boundary line which is a common boundary line with another Lot, that approved fence or wall design and material(s) will be the only approved fence or wall design and material(s) that may be erected on that common Lot line. No double fencing will be allowed on side or rear Lot lines.

No fence or wall (including for this purpose densely planted hedges, rows or similar landscape barriers) shall be erected, placed or maintained on any Lot nearer to any Roadway Fronting such Lot than the building corner of the main dwelling constructed on such Lot (unless otherwise approved in advance in writing by the ACC). No fence or wall shall be erected, placed or maintained on a Lot in a location that will substantially obstruct views of the Lake. Fences and walls shall not exceed six (6) feet in height.

4.18 Remodeling and Additions

A Lot Owner desiring to remodel existing Improvements and/or to construct additions to existing Improvements is required to follow the Guidelines to the same extent as if such remodeling or addition were new construction. All criteria governing site location, grading and excavating, erosion control, structures, roofs, landscape and aesthetics will apply to remodeling and additions to the same extent as to new construction. Possible future Improvements or additions that will be of particular concern to the ACC are skylights and solar collectors, recreational features, lighting, antennas and satellite television. An approval from the ACC is required for remodeling and additions just as it is for new construction.

As set forth in the Declaration, the Board (i.e., the Board of Directors of the Owners Association) may hereafter create and establish an Architectural Changes Committee (the "Changes Committee") to review and approve Building Plans and Specifications for all renovations, changes and additions to existing Improvements on Lots. In the event the Board acts to create and establish the Changes Committee, with regard to renovations, changes and additions to existing Improvements on Lots, the Changes Committee shall have all rights and powers that are reserved to the ACC in the Guidelines.

5. MISCELLANEOUS MATTERS

5.1 Diligent Construction

All Improvements to be constructed on a Lot must be completed within one (1) year following commencement of construction (i.e., commencement of grading) of the first of such Improvements, unless a longer time is approved in writing by the ACC.

5.2 Notices

Each notice, document or submittal (collectively, "notice") required or permitted to be given under the Guidelines must be given in compliance with the requirements of this section.

- 5.2.1 Each notice shall be in writing.
- 5.2.2 Any notice to be given to the ACC shall be deemed to have been duly served and to be effective only when a receipt acknowledging such delivery (such as a registered mail, overnight express service or hand delivery receipt) is signed by a member or authorized representative of the ACC. The address of the ACC for delivery of notices hereunder shall be as follows:

Joslin Pointe Architectural Committee
PAR Associates, LLC
P.O. Box 4452
Rock Hill, S.C. 29732

- 5.2.3 Any notice to be given to an Owner (or an Owner's builder, as the case may be) shall be deemed to be duly served when picked up by the Owner (or the Owner's builder, as the case may be) at the ACC's office, when delivered to the Owner's address (or the Owner's builder's address, as the case may be) by regular U.S. Mail Service (such delivery being presumed to have occurred on the second (2nd) day following the deposit of such notice by the ACC in the U.S. Mail), or when sent by facsimile to the Owner's facsimile number (or the Owner's builder's facsimile number, as the case may be) (such notice being presumed to have been duly served on the same day is sent by the ACC). The address of an Owner (and facsimile number, if applicable) shall be as set forth in the Owner's submittal of preliminary Building Plans and Specifications, or, if different, then as set forth in the Owner's submittal of final Building Plans and Specifications.
- 5.2.4 Either the ACC or an Owner may change its address (or facsimile number, as the case may be) for notices hereunder by written notice to the other party designating the new address (or facsimile number, as the case may be), such written notice of the changed address (or facsimile number, as the case may be) to be given to the other party in accordance with this Section 5.2.
- 5.2.5 As a notice of exemption, Lot # 9 is surrounded on three sides by water and has a unique shape; thus, it is impossible to adhere to the Restrictive