

EXHIBIT "A"

**RIVER LAKES
DESIGN GUIDELINES**

These RIVER LAKES Design Guidelines are made effective the ____ day of _____, 2005, pursuant to the Declaration of Covenants, Conditions and Restrictions for RIVER LAKES Residential Development.

I. INTRODUCTION

These Guidelines are assembled to set a standard of quality for RIVER LAKES, yet the intent is to encourage the Owner, the home and landscape designer to use their creativity in order to give this development a sense of diversity within this designated level of design quality. An Architectural Control Committee, ACC, shall be established as set forth in the Covenants and Restrictions for the River Lakes Residential Development. The ACC is flexible and receptive to a wide variety of good design, and encourages early submittal of design concepts at a preliminary stage of development. The ACC shall appoint and commission an "Architectural Representative" (being a registered architect or other qualified design professional as determined by the Architectural Control Committee to act as a liaison during the plan review and approval process.

The primary goal of RIVER LAKES is "Quality Design" which includes not only the actual buildings, but their relationship to the site, adjoining structures, existing amenities, the landscaping scheme with plant material selection and other proposed improvements. As the lots in RIVER LAKES are considered unique, the ACC will not approve "facade architecture", where in only the front elevation is emphasized and the remaining sides do not reflect the same quality of design. Side entry and rear entry garages are encouraged. Garage doors may be visible from the street; however, they cannot be parallel to the street. They cannot be the major architectural

feature of the primary elevation nor the major feature seen when the house is approached from the neighborhood gate. Prominent garage doors must be the "carriage house" type and pre-approved as to design, material and color.

Integrity of design, quality materials, sensitive site planning, landscaping & site amenities, finish textures and colors will be reviewed. Special consideration will be given to the overall relationship of the adjoining developments to the one being reviewed. In the case of corner lots, garages exposed to the street shall be permitted along the side of street.

II. SUBMITTAL PROCEDURES

2.1 Preliminary Submittal

2.1.1 Purpose: The preliminary submittal (which is optional) gives the Architectural Representative and the Architectural Control Committee a chance to comment on the design at an early stage prior to the applicant's commitment to a complete set of contract documents that might have basic problems. Often the problem might not be inherent to the design itself, but its relationship to adjoining developments that might not be known to the applicant. This preliminary submittal will generally assist the later construction approval in expediting a "cleaner" issuance of a Construction Approval Letter. It is advisable for the applicant to telephone the Architectural Representative and discuss this phase of the submittal process.

2.1.2 On-Site Review: Prior to scheduling either this review or the final Construction Approval review, the proposed building footprint shall be accurately staked. The Builder/Owner shall then arrange for a joint on-site review with the Architectural Representative.

2.1.3 Appeal: At this preliminary submittal stage or at the final Construction Approval review, an applicant can appeal the decisions of the Architectural Representative by submitting the problem issue to the full Architectural Control

Committee.

2.1.4 Form: Preliminary submittals shall include the following: Site plan, rough grading plan, floor plan, elevations indicating only the major details, landscape schematic plan with major plant materials identified. These should be submitted in duplicate as one copy will be retained in the project file and the other returned with appropriate markings indicating suggested modifications along with written review comments.

2.2 Construction Documents Approval

2.2.1 Purpose: The Application for Architectural Review, including a site plan and building plan must be submitted and approved in writing before you can begin any site clearing or building on your lot. All fees (\$500.00 architectural review fee and \$1,500.00 construction deposit) must be received with your application.

- Submit the Application for Architectural Review and all required fees directly to *Association Management Solutions (AMS)*. These may be delivered or couriered to the AMS office, 4569 Charlotte Highway Lake Wylie, SC 297110, or mailed to PO Box 38809 Charlotte, NC 28278
- Site and Architectural Plans (2 sets) must be sent with the application. In order to expedite processing. Please note your Lot number on the plans.

Once the Architects review and approve your plans, AMS will send you a letter via mail, e-mail or fax either approving your plan or requesting additional information prior to the final approval. **UNTIL YOU RECEIVE A LETTER STATING THAT EACH OF YOUR PLANS ARE APPROVED, YOU MAY NOT BEGIN CONSTRUCTION.** enforcement?

Additional reviews required beyond these steps such as the optional preliminary submittal, separate review of contingent items, required additional site visits will be considered "non-standard" and will be billed on a time and

materials basis as determined by the Architectural Representative.

2.2.2. Revisions: Conditional approval may be given in the Construction Approval Letter that requires modification, clarification, and re-submittal of several items. Rather than restraining the owner from starting construction, this procedure is implemented for the owner's benefit; responses from the owner are expected within twenty (20) days of the date of issuance of the Construction Approval Letter.

2.2.4 Violations: Any improvement built in violation with the approved construction documents shall be considered a violation, whether or not the change is considered superior to the original proposal. The matter will automatically be transferred from the jurisdiction of the Architectural Control Committee to the disposition of RIVER LAKES Association, Inc. for whatever action it deems necessary, including, but not limited to, the assessment of a fine as provided by the foregoing Association. Changes desired during construction to any exterior element of the project must be submitted to the Architectural Control Committee.

2.2.5 Construction Timing: All building construction must be completed within twelve (12) months of commencement of construction. All landscaping including the sprinkler system must be completed prior to final inspection. Final inspections, including landscaping, shall be requested no later than ninety (90) days from occupancy. Legitimate requests for time extensions based on bad weather will be considered on a case-by-case basis. Otherwise the Architectural Representative, following proper notification and clearance from the ACC, shall proceed with this inspection.

2.2.6.1 Site Plan: The application must be accompanied by a complete site plan at a minimum scale of 1"=20'-0" that accurately indicates the

boundary, required setbacks and easements, existing as well as the proposed topography, and site amenities information. The building footprint shall conform to the specific building envelope set backs provided for each lot in RIVER LAKES. Delineate with a dashed line the proposed staging (storage of materials and equipment) areas. It is preferred that the roof plan indicating ridges, valleys, and overhangs be included on the site plan, however it can be presented on a separate drawing. Appropriate fine grading notes shall be included to contain any surface drainage on site at the side and rear yard property lines. Location of exterior mechanical equipment and method of screening it from view must be documented on site plan and/or landscape plan.

2.2.6.2 Landscape Plan: Within 90 days from the time of Construction Submittal, a complete landscape plan drawn at least to the same scale as the site plan must be submitted. This plan shall reflect comments and directions following the theme established in the optional Preliminary Submittal review. It should indicate proposed sight improvements, plant material species by location, number and size at the time of planting. An automatic underground sprinkling system shall be part of this work. This plan must be approved in writing by the ACC prior to landscaping.

2.2.6.3 Floor Plans: Floor plans shall be submitted at a scale of 1/4"=1'-0". Drawings that are reversed from the site plan footprint shall have an additional set of "reverse prints" of the floor plans and elevations.

2.2.6.4 Elevations: All exterior elevations shall be shown at a minimum scale of 1/8"=1'-0". Include all exterior patios, decks, and utility screens. Indicate type and size of finish materials, location and height of furnace flues, plumbing vents, location and detail of all attic venting. Any flues or vents not documented in the initial application will be reviewed when construction is complete and must meet these

guidelines. Metal roof vent caps are strongly discouraged; ridge, soffit, and dormer vent systems are required. Straight driveways are discouraged; curving layouts will assist in creating an "estate feel" of an expanse of broad rolling sodded areas. Two curb cuts per lot will be allowed for those desiring a circular drive-through.

2.2.6.5 Exterior Finish Material and Colors:

Finish exterior material samples with exact finish colors shall be submitted to the ACC for review and approval along with the proposed building plans and specifications for construction. The Architectural Representative must be informed not only of the proposed body, fascia and trim colors, but those of "factory finished" manufactured windows, garage doors, entry door, gutters and down spouts, flashings, vents, etc. All exterior metal shall be painted or have a factory finish.

2.2.6 Inspections: The Architectural Control Committee has the authority to make on-site inspections following the submission of preliminary or construction submittal documents. At completion of the project, and preferably prior to occupancy, please send your "Request for Final Inspection" form to AMS. Once the ACC representative reviews and approves your construction site, your building deposit refund will be refunded. The Association may utilize your security deposit to repair any damage to road banks, streets, other lots and common open space areas that was caused by your construction.

2.3 Alterations to Existing Improvements

2.3.1 Alteration Submittals: All alterations and modifications must be approved by the Architectural Control Committee. This includes but is not limited to painting and staining, re-roofing, alterations and additions to the site of structures, addition of exterior mechanical equipment and devices, and landscape modifications. These changes shall be made with the "Architectural Committee Form and

Application" with appropriate scaled drawings if applicable. The owner will be notified of this action of the Architectural Committee within twenty (20) days of submission. This alteration approval shall be valid for a period of six months. Repainting or re-staining requests shall be accompanied by paint and stain color chips. Following approval, and upon completion of the project, the Architectural Representative shall be notified for a final inspection.

III. DESIGN AND CONSTRUCTION GUIDELINES

Certain design and construction elements are fundamental to the establishment of RIVER LAKES design level, and will assist the Owner in preparation of plans and proper control of the construction procedure. The Lot Owner is strongly encouraged to commission a registered architect in developing the plans and specifications for each residence. Where "stock plans" are purchased from trade magazines, etc., the Lot Owner is strongly encouraged to consult with a registered architect to "site adapt" the specific plan to the individual lot and to make necessary changes to the stock plans to comply with local building codes and the requirements herein. Only plans prepared for, or specifically adapted for, a particular lot in RIVER LAKES will be considered for review. To achieve a high quality community image, both the overall building appearance and its details should convey a sense of solid, permanent construction. The Architectural Control Committee will discourage facade treatments that are associated with impermanent, hastily built, or obviously inexpensive construction materials or techniques. Major grading alterations are discouraged. Quality design on just the front elevation indicates tacked-on, veneer-type facade treatment and will be discouraged, as a continuity of excellent design will be required for the total building. A residence design that attempts to show a statement of quality on the front elevation but abandons all pretense of design or quality on the other sides and rear will not be approved. Minimum single level house sizes (excluding the garage) shall contain a minimum of 2,400 square feet on the main level. Two story dwellings shall contain a minimum of 3,000 square feet. Variety in roof planes and overall massing of

buildings is encouraged. "Boxy" two-story designs are strongly discouraged. All product submittals are expected to be authentic representations of the original period styles and shall be consistent with that style from all views as reviewed and approved by the ACC. The garage shall not be the major design statement of the house, and as viewed from the street the garage doors shall not be totally visible. Design emphasis shall be on the main body of the house as the focal point. RIVER LAKES encourages curving driveways and landscaping and encourages side or rear entrance garages. Straight driveways are discouraged; curving layouts will assist in creating an "estate feel" of an expanse of broad rolling sodded areas. Two curb cuts per lot will be allowed for those desiring a circular pergolas, drive-through. Exterior amenities such as decks, patio covers, trellises, gazebos, hot tubs, etc. shall be designed and finished as extensions of the original house design theme.

3.1 Construction: Staging areas are required on each site plan to limit the impact of storage of materials and equipment on the surrounding parcels. Building materials and construction vehicles shall be kept completely on the construction site unless prior approval of the ACC is obtained. The owner shall monitor the construction procedure to see that the street is kept free of mud and debris, the trash hauled away from the site. Use of roll-off type trash dumpsters is required. Burning of construction debris on-site is prohibited. In general the project shall be kept in a neat and tidy condition. Periodic water sprinkling may be required for dust control.

3.2 Materials

a.) Wood siding, shingles, brick, stucco and stone are acceptable exterior finishes. Composition wood products are discouraged. Wood shall be high quality finish-grade, stained or painted. All applicants are required to submit a material sample board along with their application showing proposed materials for body, trim, roof and accents. All samples to be actual materials and colors proposed for the project. Minimum size of the sample board is 3' x 3' or nine square feet. All exterior building materials, finishes and colors shall be approved by the ACC. Uncovered or exposed (whether or not

painted) concrete or masonry block shall not be permitted as the exterior finish of any building, structure or wall unless approved by the ACC.

b.) Brick front homes will not be allowed. The structures must have a major material to be used on all sides. Multiple accent materials are acceptable. All brick, stone work and mortar, as to type, size, color and application, must be approved by the ACC. All exterior colors, including the color of all roof shingles, brick, stone, stucco, wood, trim, eaves, railings, doors garage doors and shutters shall be subject to approval.

3.3 Roofs, Gutters & Down spouts: a.) The minimum recommended pitch for all major roof structures is 8/12, or consistent with the architectural style of the dwelling; variances may be granted. The ACC encourages the use of gable and hip roofs to break up the expanses of the major roof planes. Acceptable materials are as follows:

- Architectural Shingles
- Slate
- Cedar Shingles or Shakes
- Standing Seam Metal

The ACC recommends a minimum of 12" overhang. All gutters and downspouts shall be designed as a part of the building structure, and shall blend in color with the surface to which they are attached. Gutters and downspouts not documented in the initial application will be reviewed upon completion of construction.

3.4 Landscaping: The general RIVER LAKES community objectives for landscape development include creation of 1. - Smooth harmonious transitions from home site to home site, 2. - The feeling of spaciousness that comes from extending views beyond each home site, 3. - A rich, diverse landscape that includes a mix of deciduous and evergreen trees, shrubs and groundcovers, flowering trees and shrubs and additional seasonal color from annuals and perennials. Gravel beds in the front yards areas are highly discouraged, though; river stone and boulders are accepted. The basic "theme" in the front yards shall be live landscaping. To expedite approval, it is recommended that the landscape design be prepared by a professional landscape architect or other qualified

design professional. The desired aesthetic for RIVER LAKES is an open spacious landscape with subtle berming that serves as a unifying element to soften and anchor to the earth a variety of homes. There will be an ever-present interest generated by the plant materials throughout the four seasons. This can be achieved by spring flowers and new foliage, summer shade and seasonal color from annuals and perennials, fall foliage and winter forms, persistent fruits and evergreen color. Certain plants and trees are common to this area and have been found to grow well. The landscape designer must review existing adjacent landscape development to ensure smooth transition between home sites. Extensive continuous screening (especially with evergreen materials) should be avoided along side property lines. The total front yard (except the driveways and entry paving) is to be landscaped. Cinder, gravel, and other non-organic material are not allowed as a ground cover. Natural, native bark product ground cover mulches are recommended to hold moisture and add organic matter back to the soil. Depending on the degree to which the mature forest cover is conserved during site development, the ACC can require trees be planted as part of the landscape plan, up to 1 tree per each 2,000 square feet of yard area. When a property owner is required to plant trees, they will be a minimum of 2-1/2" caliper in size measured six inches (6") above the ground plane. All front yards shall be sodded with an initial covering of grass. All landscaping including weed control shall be maintained in a healthy and neat appearance, and irrigated with an automatic underground system. Landscaping that is not healthy or does not survive shall be replaced immediately (or as quickly as is practical based on weather, seasonality, etc.).

3.5 Landscape Related Items: Structured screening augmented by appropriate plant materials is required for utility meters, service yards, trash storage, firewood, bicycles, and other utilitarian items that would detract from a quality development.

3.6 Exterior Mechanical Systems: Exterior mechanical equipment such as air conditioning condensers must be located away from principal views and must be effectively screened by architecturally compatible

structures or live plantings or a combination of the two. When vegetative screens are used, they should be effective from first planting rather than dependant on future growth.

3.7 Accessory Buildings & Elements: Only temporary construction related buildings may be erected prior to construction of the actual house. Garages attached to the residential structure, patio covers, and detached patio covers, shall be constructed of, and roofed with, the same materials and with similar design (roof pitch) and finish colors as the residential structure. Detached garages and ancillary buildings are not permitted. No playhouses, playground equipment, pools, pool slides, diving boards, hot tubs, spas, or similar items shall extend higher than ten (10) feet above the finished graded surface of the Building Lot. All play structures and play houses shall be constructed of naturally finished wood. Play structure canvas roofs shall be an organic color, not brightly colored. Basketball courts, backboards, or portable basketball devices shall be allowed in the back yard or side yard of any Building Lot, provided that they do not promote noise or other nuisance that is offensive or detrimental. No accessory structure shall be allowed further than 45 feet from the rear lot line on view home sites.

3.8 Excavation: All excavation and related earth work must be done in a manner to create a minimum disturbance on the site and surrounding properties. This will include street clean-up, dust abatement (water sprinkling), and on-site rock stock piling. All excess dirt and debris as a result of earthwork must be removed from RIVER LAKES.

3.9 Building Height: Building height limitations may be imposed by the Architectural Control Committee in order to preserve views and to minimize the adverse impact of structures on other properties. All single family homes shall be limited to three stories. The ACC encourages the use of dormers and other varied rooflines to reduce the overall mass of the roof.

3.10 Chimneys: All exterior chimneys shall either match the exterior material of the residence or be of

brick, stucco or stone masonry. The chimney cap shall be screened by a spark arrester appropriate to the design of the house, and indicated on the drawings. In circumstances where a custom designed false cap is desired, it will require approval of the Architectural Committee. All exposed metals shall have a "factory finish" or be painted.

3.11 Exterior Lighting: Decorative lighting may be the "direct" type, such as an exposed bulb in a carriage fixture, but in no case can it exceed 75 watts. Flood lights are allowed as security lighting only. Shielded landscape lighting is encouraged. Decorative post lamps and gas lamps are encouraged. Colored lights or colored light sources shall be prohibited, except on a temporary basis during the Christmas season (November 15th through January 15th).

3.12 Utilities: All connections from trunk lines to individual structures shall be underground. Exposed plumbing and electrical lines are not allowed. Areas impacted by excavated for site utility hookups must be restored to their natural condition.

3.14 Utility Items on the Roof: Roof plumbing vents shall be located on the roof faces other than the street side. Metal attic vents are discouraged; attic venting should be handled by a combination of soffit, dormer, and ridge vents. All flues and vents should be located on the rear roof slope (or otherwise screened from view) and painted or have factory finish chosen to blend in with roof material. Exceptions must be approved by the ACC. These flues shall be shown on all elevation drawings. Satellite saucer communication systems or other antenna shall not be visible from the street, indicate their actual location on the submittal drawings. Wood burning fireplace chimneys shall have spark arrester termination shrouds.

3.15 Exterior Appearance: Exterior materials and colors shall be continuous and consistent on all elevations in order to achieve a uniform and total architectural design rather than a "facade" type treatment. All building elevations shall receive consistent design treatment not favoring one side over the other. Horizontal blank wall areas over twelve feet (12') without a break in plane, window, trim, or

design feature are strongly discouraged; but will be reviewed on an individual basis. All reflective metals such as chimney stacks, flues, flashings, exhaust vents and pipes must be painted or have a "factory finish" to match or blend with surrounding materials. All exterior materials and colors are required to be submitted to the Architectural Committee for review and approval.

3.16 Windows: Consistency in type, style, trim, proportion, and relationship to each other is a key focus of quality design. Window treatment should be approached as a theme that can be repeated with variations rather than regarding each window as a separate requirement of the design and function of the floor plan.

3.17 Fencing: No fence or wall (including densely planted hedges, rows or similar landscape barriers) shall be erected, placed, maintained or altered on any Lot nearer to any roadway fronting such Lot than the front building corner of the House constructed on such Lot (unless otherwise approved by the Architectural Control Committee) and shall not exceed six (6) feet in height. All fences and walls shall be maintained in a structurally sound and attractive manner. No fence or wall shall be erected on any Lot until the Architectural Control Committee has given its prior written approval of the color, size, design, materials and location for such fence or wall. No chain link fences will be permitted

3.18 Mailboxes: Each homeowner is required to install a custom mailbox as provided in the Declaration of Covenants and Restrictions. The mailbox should be purchased from Carolina Mailboxes, Inc. 704-845-0850. Item #_____ at a cost of \$_497.25_. This cost includes installation.

3.19 Parking: A minimum of two enclosed parking places and four exterior parking spaces shall be required for each building lot. The enclosed parking shall be in a garage and the exterior parking shall be on paved areas identified on the applicant's site plan. All recreational vehicle parking (trailer, motor homes, boats, snowmobiles, etc.) shall be inside an enclosed garage structure. A maximum 8-foot tall garage door

is allowed unless it is not visible from the street.

3.20 Driveways and Curb Cuts: Driveways shall be paved with durable materials. "Banding" edge treatments and specialty paving—brick, concrete pavers, stone, stamped and stained concrete—are encouraged, especially at the street. Asphalt is not allowed. No permanent parking will be allowed on the street. Up to two curb cuts are allowed on the principal street frontage to allow for circular drives. Driveways and paving materials must be accurately depicted on site plans submitted for review by the ACC.

3.21 Construction Signage: All advertising signs shall be limited to twelve square feet and shall be subject to Architectural Committee approval as to design and color. No more than one (1) shall be permitted on any Building Lot at any one time and all signs shall be located at least twenty (20) feet back from the front property line. Streamers, flags and other like advertising are expressly prohibited.

3.22 Swimming Pools: No lot can have an above-ground pool. All in-ground swimming pools shall be located in the rear yard no closer than twenty feet from any property line and shall be screened from view by an architecturally compatible wall or fence augmented, if necessary, by live plantings. No walls or fences shall exceed six feet in height. ("Rear yard" is defined as that portion of the lot behind the house and extending from one side boundary to the other.)