

5/25/2019
ARCHITECTURAL COMMITTEE
GUIDELINES
VILLAGE AT FAIR OAKS

AUTHORITY

The reasons we all moved to the Village at Fair Oaks include its appearance and the caretaking of the grounds and residences. ARTICLE VI of the Covenants, entitled Architectural Control, Inspection and Use Restrictions, recognizes these reasons, and sets out the requirements for both new residential construction and exterior work or activity on or to an existing residence and/or the Limited Common Area (front, back and side yards). This ARTICLE provides certain restrictions in the manner in which a resident may use the Limited Common Area and requires prior review and approval of new residential construction and any exterior work or activity on or to an existing residence and the Limited Common Area. While new construction will continue to be reviewed and approved by Fair Oaks Associates, L.L.C., the Declarant, in the person of Brant Godfrey, any exterior work or activity on or to an existing residence and the Limited Common Area will require prior review and approval the Architectural Committee and confirmation by the Board of Directors.

PROCEDURE

1. A homeowner must receive prior written approval from the Architectural Committee and Board confirmation for any changes or additions to the exterior of the residence or the Limited Common Area around the residence.

2. A change includes any change to the color of the exterior of the residence, any structural change to the residence, including, but not limited to, adding a room or deck; redesigning a porch or deck; adding/or changing a patio, outdoor fireplace, etc. (changes or additions should be consistent with the design of the house); adding/changing fencing or a wall or other structure in the Limited Common Area; changing landscaping (adding flower or plant beds, trees, etc.); changing driveways or walkways; changing front door or garage door, adding dish or other antennas; any signs; etc. Note that no recreational or play equipment may be installed in the Limited Common Area, except that the Committee will review a request to install recreational or play equipment for a limited time not to exceed 48 hours for a special event, e.g., grandchild's birthday. Any damage to limited common area (such as trees, shrubs, or drainage) will be brought back to original status within 30 days following the architectural

change or addition. Please be aware that the Covenants at ARTICLE VI, Section 3, (BB) governs the removal of trees on the Limited Common Area.

3. If a resident intends to make such change or addition, the resident will first submit a written description of the change or addition with sufficient details including drawings and specifications and proposed schedule to the Architectural Committee.

4. Within one week of the submittal, the Architectural Committee will perform an initial review of the submittal and contact the resident if the Architectural Committee has any questions or requires any additional information.

5. The resident will respond to the questions and/or provide any further information to the Architectural Committee. Once the Architectural Committee has received answers to its questions and received all the additional information requested, it will perform a detailed review of the proposed change or addition.

6. One week after starting the review, the Architectural Committee will provide a written report to the Board including identifying the resident, summarizing the change or addition, advising whether the Architectural Committee's approves or disapproves the change or addition and the reasons for its decision.

7. The Board will review the report within one week after receiving it and will render a decision or indicate that it needs more information or possibly a meeting with the Architectural Committee.

8. Once the Board reaches a decision, it will provide a written document indicating that decision and send it to the resident. The written decision will be provided within 30 days of the Architectural Committee's receiving an adequate plan of the change or addition.

9. If the Board denies the change or addition, the resident has the right to meet with the Board and request that the Board reconsider its decision.

10. Even if a resident is not ready to begin an architectural change/addition, it would be to their advantage to submit their plan/request early and have their approval in place.

VIOLATIONS AND PENALTIES

While the Board does not anticipate any violations to this Guideline and, therefore, the need for any penalties, the following is provided to fully advise the residence of the importance of following these guidelines and the consequences for not doing so. The violations may include one of the following:

1. Violating use restrictions.
2. Implementing a change, addition, or deletion without approval of a properly completed submittal.
3. Deviation or non-compliance with an approved submittal.

It is the obligation of the Board to enforce the Covenants of the Village Association in a fair and consistent manner. When a violation of the Covenants or By-Laws occurs, the desired result is always the voluntary correction of the violation by the homeowner. The Architectural Committee will notify homeowners when violations or suspected violations are found. All reported complaints and violations are investigated by the Architectural Committee. If a violation is discovered the homeowner is notified in writing by the Architectural Committee and asked to correct the problem. A letter of non-compliance will be sent to the homeowner explaining the nature of the violation and the specific action or actions required by the homeowner to bring the property into compliance and eliminate the violation. Homeowners will be given a deadline to bring the property into compliance. After all attempts to resolve a violation have been exhausted, including the opportunity for a hearing, at homeowner's request, the Board will select the appropriate remedy and notify the homeowner of such action. The remedy will generally include a fine.

The procedures for violations and the assessment of fines are as follows:

First letter of non-compliance or violation

1. Informs homeowner of violation and how to correct or eliminate.
2. No fine assessed.
3. The letter shall give the homeowner fifteen (15) days to correct the violation, submit a plan to remedy the violation, or request a hearing with the Board.
4. Time sensitive violations (such as garbage, debris on Limited Common Area, trailers parked on Limited Common Area, clothes lines, storage tanks, signs, etc.) will receive seven (7) days to correct.
5. The homeowner is responsible for communicating directly with the Architectural Committee any delay regarding violation compliance. Additional time may be allowed if justified.

Second letter of non-compliance or violation

1. Informs homeowner of their continued non-compliance of violation.

2. A fine of fifty (\$50.00) dollars will be assessed for continued noncompliance of violation.
3. Homeowner informed that subsequent letters of non-compliance or violation that are of a continuing nature could be assessed fines not to exceed one hundred (\$100.00) dollars.
4. The letter shall give the homeowner fifteen (15) days to correct the violation, submit a plan to remedy the violation, or request a hearing with the Board to appeal the notice of violation. The Board decision is final.
5. Time sensitive violations (such as garbage, debris on Limited Common Area, trailers parked on Limited Common Area, clothes lines, storage tanks, signs, etc.) will receive seven (7) days to correct.
6. The homeowner is responsible for communicating directly with the Architectural Committee any delay regarding violation compliance. Additional time may be allowed if justified.

Third and subsequent letter of non-compliance or violation

1. Homeowner assessed a fine of one hundred (\$100.00) dollars for continued non-compliance.
2. The letter shall give the homeowner fifteen (15) days to correct the violation, submit a plan to remedy the violation, or request a hearing with the Board to appeal the notice of violation. The Board decision is final.
3. Time sensitive violations (such as garbage, debris on Limited Common Area, trailers parked on Limited Common Area, clothes lines, storage tanks, signs, etc.) will receive seven (7) days to correct.
4. The homeowner is responsible for communicating directly with the Architectural Committee any delay regarding violation compliance. Additional time may be allowed if justified.

Late fees and interest charges

1. Fine assessments are due thirty (30) days from date of letter
2. Fines not paid within thirty (30) days will be charged a \$20.00 late fee and interest from the due date as allowed by law.

If after exhausting all the procedures as set out, the homeowner has not corrected the violation, the Board may take any action available to it under the Covenants, By-Laws, and Chapter 47F, North Carolina Planned Community Act, including filing a lien against the homeowner's residence.