

THIS INSTRUMENT PREPARED BY
AND RECORD AND RETURN TO:
JOHN G. METCALF, ESQ.
HUTSON COMPANIES
111 NATURE WALK PKWY, UNIT 104
ST. AUGUSTINE, FL 32092

**FIRST AMENDMENT TO DECLARATION OF
COVENANTS AND RESTRICTIONS FOR SILVERLEAF VILLAGE**

THIS FIRST AMENDMENT TO DECLARATION OF COVENANTS AND RESTRICTIONS FOR SILVERLEAF VILLAGE (“First Amendment”) is made effective *May 4*, 2020, by **LAND PLANNERS DEVELOPMENT II, INC.**, a Florida corporation (the “**Declarant**”).

RECITALS:

A. The Declarant has previously executed and recorded the Declaration of Covenants and Restrictions for Silverleaf Village in Official Records Book 4838, page 168 of the public records of St. Johns County, Florida (the “**Declaration**”).

B. The Declarant desires to amend the Declaration as more particularly described below and this First Amendment is made pursuant to the reserved rights of the Declarant set forth in Section 9.2(a) and Section 12.7 of the Declaration. The amendment to the Declaration effected hereby does not materially and adversely affect the value of any Lot or other building parcel located within the Property.

NOW THEREFORE, the Declarant hereby amends the Declaration as follows:

1. The Declarant confirms that the above stated recitals are true and correct. All capitalized terms contained in this First Amendment shall have the same meanings as such terms are defined in the Declaration.

2. The Design Guidelines attached as Exhibit E to the Declaration are hereby replaced by the amended Design Guidelines designated as Exhibit E and attached to this First Amendment.

3. Section 5.3 of the Declaration is hereby amended in its entirety as follows:

5.3 Calculation and Collection of Assessments. Annual assessments shall be established by the Board of Directors based upon an annual budget. Each Owner’s pro rata share of the total annual assessment or any special assessment shall be based upon an equal amount per Lot. The assessment obligations of each Owner other than the Declarant shall commence upon the recordation of this Declaration in the current public records of St. Johns County, Florida. Annual assessments shall be collectable in advance on a periodic basis established by the Board of Directors from time to time, which periodic basis shall not be less frequent than annually. Special assessments shall be collectable in advance in the manner established by the Board of Directors at the time such special assessments are authorized.

4. Except as specifically amended hereby, all of the terms and provisions of the Declaration shall remain in full force and effect as originally executed.

IN WITNESS WHEREOF, the Declarant has caused this First Amendment to be executed on the day and year first above written.

Signed, sealed and delivered
in the presence of the following witnesses:

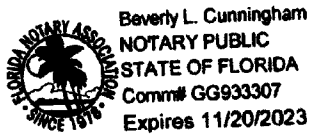
LAND PLANNERS DEVELOPMENT II,
INC, a Florida corporation

John G. Metcalf
Name Printed: John G. Metcalf
Beverly L. Cunningham
Name Printed: BEVERLY L. CUNNINGHAM

By: Gary F. Hannon
Name Printed: Gary F. Hannon
Title: Vice-President

STATE OF FLORIDA }
COUNTY OF ST JOHN'S }

I hereby certify that by means of physical presence or online notarization, the foregoing instrument was acknowledged before me this 4th day of MAY, 2020, by GARY F. HANNON, the VICE PRESIDENT of LAND PLANNERS DEVELOPMENT II, INC, a Florida corporation, on behalf of the corporation and on behalf of the company.



Beverly L. Cunningham
(Print Name) BEVERLY L. CUNNINGHAM
NOTARY PUBLIC, State of Florida
Commission # GG933307
My Commission Expires: 11/20/2023
Personally Known
or Produced I.D.
[check one of the above]
Type of Identification Produced

Exhibit E

ARCHITECTURAL DESIGN GUIDELINES

FOR

SILVERLEAF VILLAGE

(Single Family Homes)

Revised May 4th, 2020

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INTRODUCTION

This document is intended to serve as architectural guidelines for Silverleaf Village, a single-family subdivision located in St. Johns County, Florida (the “Community”). It contains the necessary information to guide homebuilders and homeowners through the preparation of design requirements for houses to be constructed within the subdivision. This document is prepared specifically for this community and it is recommended that it be reviewed thoroughly before any plans are prepared and presented for review.

All plans shall be reviewed by White’s Ford Timber, LLC (the “Master Declarant”) and by Land Planners Development II, Inc. (the “Declarant”). The Master Declarant and the Declarant are herein together referred to as the “Review Parties”. Plans submitted for review should be addressed to:

Architectural Review – Silverleaf Village
Attn: John G. Metcalf
111 Nature Walk Parkway, Suite 104
St. Augustine, Florida 32092

and

Architectural Review – Silverleaf Village
Attn: David W. Hutson
111 Nature Walk Parkway, Suite 104
St. Augustine, Florida 32092

Section 1. TITLE AND SCOPE

1.1 Title. This compilation of guidelines shall be known as the Architectural Design Guidelines, hereinafter referred to as “Guidelines” for the Community.

1.2 Purpose. The purpose of these Guidelines is to provide certain minimum standards, provisions and requirements for appropriate and acceptable design and minimum required criteria for homebuilders and homeowners implementing new construction within the Community.

1.3 Scope.

1.3.1 All new structures erected within the Community shall conform to the requirements of these Guidelines.

1.3.2 Additions, alterations, repairs or any other type of change to any structures that affect the exterior appearance shall conform to the requirements of these Guidelines.

1.3.3 Items to be reviewed will include any improvement or structure of any kind, including without limitation, any building, dwelling, fence, wall, sign, site paving, grading, sewer, drain, disposal system, decorative lighting schemes, painting or alteration of a dwelling (including doors, windows, roof), installation of solar panels or other devices, construction of fountains, swimming pools, screened enclosures, jacuzzis, construction of privacy fences, additions of awnings, shelters, gates, flower boxes, shelves and statues.

1.3.4 These Guidelines are for the purpose of outlining the requirements for residences located in the Community as well as to assist homebuilders and homeowners in the design of such residences. The evaluation of each submittal relates to matters of judgment and taste in certain instances which cannot be reduced to a simple list of measurable criteria. It is possible that a submission may meet all guidelines and criteria and still not receive approval, if in the judgment of the Review Parties the overall aesthetic impact is of the proposed improvements is not acceptable. The approval of an application for any proposed improvement shall not be construed as creating any obligation on the part of the Review Parties to approve applications involving similar designs for proposed improvements pertaining to different lots. The role of the Review Parties is to ensure that the overall quality level of the Community is maintained at the highest level possible while still allowing for each owner's individual taste in design, colors and materials.

Section 2. PROCESSING

2.1 Process for Construction

2.1.1 Homebuilders or homeowners shall examine the enclosed material for items required for review of submitted plans and specifications.

2.1.2 Plans are to be submitted along with submission fee (refer to **Exhibit A** as it may be amended from time to time, for fee schedule) to the Review Parties. In cases of prototype models, a blanket approval from the Master Declarant may be obtained for particular models to be used in the Community. In cases of custom homes, or individual modifications, individual submittals will be required.

2.1.3 The Review Parties shall release the plans submitted by the homebuilder or the homeowner for building permit after full plan review and approval by the Review Parties is accomplished.

Note: Approval of homebuilder or homeowner plans and specifications by the Review Parties does not release the homebuilder or the homeowner from fully complying with all applicable codes and requirements. The review process described in these Design Guidelines is strictly for compliance with the design parameters as described in the Design Guidelines and all applicable covenants and restrictions.

2.1.4 All revisions to the plans and specifications must be sent to the Review Parties for approval in accordance with the requirements listed in Section 2.1. Should deviations from approved final plans become apparent during or after construction, without having been approved previously, such non-conforming construction shall be subject to removal at homebuilder's or homeowner's expense, and at the discretion of the Review Parties.

2.1.5 Two (2) weeks time should be allowed for processing and plan review.

2.1.6 The homebuilder or homeowner may commence construction upon written approval of the construction plans by the Review Parties (which may be delivered via e-mail) and receipt of all required permits from the County and all other authorities having jurisdiction over the project.

2.2 Plans Submittal Requirement

2.2.1 The homebuilder or homeowner shall submit comprehensive construction plans and specifications, which shall include, but not be limited to, the items listed:

2.2.1.1 Architectural construction plans:

- a. Site plan: Showing the location of the house with all property lines, adjacent roads, drives or alleys, easements, setbacks and restrictions lines, drives, walks, roof plan, pools, fences, walls, patios, etc.
- b. Floor plans at 1/8" or 1/4" scale with dimensions.
- c. Elevations with finish notations at 1/8" or 1/4" scale with dimensions:
 - i. Showing all exterior materials noting colors and textures. Color samples shall be submitted for all proposed colors
 - ii. Note type, size and material of all openings.

- iii. Roof pitch, type and quality of roof covering material.
- iv. Doors, windows, fences, mechanical equipment.
- d. Typical wall section.

2.2.1.2 Landscaping and irrigation plans:

Showing location, quantity, sizes and species of all plants, trees, shrubs and ground cover proposed as well as the irrigation coverage. (See Section 4.1). Show driveways, sidewalks, patios, and existing trees of 6" in diameter and above at a point one foot (1') above ground level. (See Section 4.2).

2.2.1.3 Specifications:

Provide information on type and quality of all exterior materials.

2.2.1.4 Square footage (first and second floors):

- a. Air-conditioned space (living area)
- b. Other

Section 3. SITE

3.1 Zoning

Existing zoning requirements will be considered as per the St. Johns County, Florida (the "County") zoning and PUD ordinances.

3.2 Site Conditions

3.2.1 All lots in the Community have curb and gutter at the front or side of the lots. This paving and drainage design shall not be altered in any way.

3.2.2 Homebuilders and homeowners shall refer to site development drawings for any relevant requirements for these areas.

3.3 Parking

3.3.1 No parking will be permitted on areas where the Community's drainage flow may be interrupted.

3.3.2 Additional driveways for parking purposes are subject to review and approval.

3.4 Setback Requirements

3.4.1 Dwelling unit setback requirements:

- Front – 20 feet
- Side – 5 feet
- Rear – 10 feet

- Side yard on street side of corner lot - 10 feet

3.4.2 The foregoing setback requirements, if more restrictive than the applicable zoning requirements, may be waived by a written instrument executed by the Review Parties. The Review Parties cannot waive St. Johns County zoning requirements. Homebuilders and homeowners are under a legal obligation to comply with applicable County requirements even if a waiver is issued by the Review Parties.

3.5 Height Requirements

The maximum height for all homes shall be 35 feet.

Section 4. LANDSCAPING

4.1 Landscape Requirements

4.1.1 All landscaping shall be in accordance with the requirements of the Development of Regional Impact Order enacted by the County under Resolution No. 2019-165, as amended (the "DRI"), Planned Unit Development Ordinance Number 2019-33, as enacted by the County, as the same may be amended (the "PUD") and the County's landscape ordinances. Nothing herein shall be construed to be less than nor to reduce such requirements.

4.1.2 All front and side elevations facing the street require landscaping as outlined in this section 4.1.

4.1.3 Landscape plans submitted shall not be at a smaller scale than 1" = 20'-0". All trees, shrubs, screen material, berms, paving patterns, groundcover areas and any other elements necessary to convey the design intent shall be shown. Plans submitted for approval shall have botanical and common names, height, container size, spread and quantities of all plant material. Plant distances, in the case of hedge material and groundcovers, and spot elevations where earthwork is part of the design intent, will also be required.

4.1.4 Walks shall be constructed of four-inch (4") concrete. Patterns or alternate paving surfaces may be used if they are in keeping with the materials of the structure. These materials must be submitted and are subject to review and approval. However, asphalt pavement shall not be permitted.

4.1.5 Any plant material, trees or sod which dies or becomes unsightly after installation will be replaced by the homeowner with approved plants within 2 weeks or any notification by either of the Review Parties.

4.1.6 Equipment Screening: All air-conditioning units, well pumps, pool equipment, etc. shall be screened with landscape or other screening approved by the Review Parties.

4.2 Landscape Intent

The Review Parties consider landscaping to be a critical design element for the community and for the individual homes within the community. Landscape design should be integrated into the design of the home from its inception. The use and preservation of native and natural landscape materials is strongly encouraged. Landscaping plans should strive to have as strong an impact as possible at the time of installation. New planting compositions should employ simple plant massing and a limited palette of plant types in order to build unity and cohesiveness in the design.

4.3 Preservation of Existing Trees

4.3.1. Preservation and enhancement of any lot areas retaining native vegetation is strongly encouraged. During the initial home construction, no trees measuring twelve inches (12") or more in diameter at a point one foot (1') above ground level may be removed without written approval of the Review Parties, unless it is located within ten feet (10') of the dwelling unit. After the initial home construction, no trees measuring six inches (6") or more in diameter at a point one foot (1') above ground level may be removed without written approval of the Review Parties, unless it is located within ten feet (10') of the dwelling unit.

4.4 Trees

4.4.1 Trees shall be planted as required by the applicable St. Johns County landscape code and the PUD requirements.

4.5 Plant Material

4.5.1 Plant material shall be Florida No. 1 grade or better.

4.5.2 Yards shall be completely sodded with St. Augustine sod unless an alternative type of grass is specifically approved by the Review Parties.

4.5.3 Groundcovers other than sod shall be planted and mulched in such a manner to present a finished appearance within three months after planting.

4.5.4 Hedge shrubs shall be a minimum three gallon (3 gal.) plant, be of a minimum height of twenty-four inches (24") immediately after planting and shall be planted at a distance of a minimum of eighteen inches (18") on center and a maximum of twenty-four inches (24") on center and conditional that the hedge shrubs are capable of growing to close all gaps within the first year after planting. Accent shrubs shall be a minimum seven-gallon (7 gal.) plant, be a minimum height of forty-eight inches (48") immediately after planting and shall be installed as a contiguous design element to accent the hedge shrub material. Groundcovers shall be a minimum one-gallon (1 gal.) plant and shall be planted at a distance of a maximum of twelve inches (12") on center.

4.5.5 Synthetic material in the form of plants is not permitted, unless approved on an exception basis.

4.5.6 Shade trees shall be species with a mature spread of twelve feet (12') minimum and having a trunk which can be maintained in a clean condition with at least three (3') feet of clear trunk.

4.5.7 Shade trees shall be a minimum of eight (8') feet in height when planted. Trunk caliper shall be minimum of two (2) inches.

4.5.8 A minimum of one (1) shade tree as outlined in this document, or the minimum required by the County, whichever is greater, shall be provided by the homebuilder. Additionally, the street side elevation on side yards of corner lots require two (2) additional shade trees to be planted. The number of hedge shrubs shall be determined by the extent of the exterior elevation(s) fronting a street(s). All front lot elevations require landscaping. For landscaping purposes, the extent of front and side yard elevations is defined as the continuous lineal footage of the exterior walls (including the lineal footage of side walls on "bump-outs" or "L-shaped" designs that are not visible) from the outside front corners on the respective elevation, minus the lineal footage of not more than a two-car garage door opening. In addition, the street side elevation of side yards on corner lots shall require landscaping. The lineal dimensions of the elevation(s), minus the lineal footage of not more than a two-car garage opening, divided by two feet (2') (the maximum distance between plants) will yield the minimum number of hedge shrubs. The hedge shrubs may be planted in clusters or in a hedge-like fashion. The minimum number of accent shrubs per elevation is four (4). Accent shrubs may be used as a finial to a hedge, the center element in a cluster of shrubs, or side elements to bring focus to an entry. The minimum amount of required accent shrubs should not be planted separately, freestanding from other plant material. The number of ground covers will be determined by the extent of the exterior elevation(s) fronting a street(s). The lineal dimensions of the elevation(s), minus the lineal footage of not more than a two-car garage door opening, divided by one foot (1') (the maximum distance between plants) will yield the minimum number of ground cover plants. The minimum amount of ground cover plants may be used to frame hedge shrubs or clustered in focal areas around accent shrubs.

4.6 Irrigation

4.6.1 Plant material in all yards shall be 100% irrigated. The irrigation system shall comply with the applicable utility company's rules and all rules of any governmental agency having jurisdiction. The irrigation system shall be designed with "smart" technology to conserve water. Provisions shall be made for the removal of rust or stain if it is present in the water supply. In the event of rust or stain in the water supply, chemical filtration shall be incorporated in the irrigation system. If staining occurs after the homebuilder has sold the lot, the homeowner shall be responsible for the removal of the stains and the providing of appropriate filters to the system.

4.6.2 Pop-up sprinklers or low pressure staked heads shall be used in all irrigated areas.

4.6.3 Each tree planted subject to the landscape requirements shall have a bubbler nozzle installed as part of the irrigation system.

4.7 Landscape Lighting

Lighting is to be low wattage and when used, should be used on accent entrances and special features. Overall high levels of light are not desired. Intensity should be no greater than required for pedestrian safety, other than on accent landscape. The scale of this lighting should be at pedestrian level. Exterior lighting must be shielded from adjacent properties. Colored lighting is discouraged and shall be subject to the Review Parties' approval.

4.8 Recommended Landscape Material

4.8.1 The following criteria should be considered when selecting plants for use within the Community:

- Native species and evergreens.
- Relatively resistant to insects and diseases.
- Cold hardy material.
- Adaptability to existing soil conditions.
- Long life expectancy.
- Florida Friendly

4.8.2 The selection of plant material for development within the project should be given careful consideration. Attention should be given to year round appearance, maintenance requirements and cold resistance. A list of generally acceptable plants is herein provided. This list is not intended to be complete and is to be used as a guide only. Those listed may be considered to have reasonable maintenance requirements. Plant material has many variables, therefore it is necessary that all plans be reviewed and approved by the Review Parties to ensure that satisfactory plants have been selected for each location.

4.9 Plant List

Particular attention should be paid to the individual soil conditions and soil preparation to provide adequate drainage for all planted vegetation.

4.9.1 GROUND COVERS

<u>Botanical Name</u>	<u>Common Name</u>
Ilex Cornuta Rotunda	Dwarf Holly
Juniperus spp.	Various Juniper Ground Covers
Liriope Muscari	Lily Turf
Ophiopogon japonicus	Mondo Grass
Arachis glabrate	Perennial Peanut
Trachelospermum asiaticum	Small Leaf Jasmine

4.9.2 SHRUBS (Hedge and accent)

<u>Botanical Name</u>	<u>Common Name</u>
Raphiolepis Indica	Indian Hawthorne
Cocculus Laurifolius	Snailseed
Ilex Burfordii	Burford Holly
Ilex Vomitoria	Yaupon Holly
Juniperus spp.	Various Juniper Shrubs
Mahonia Bealei	Leatherleaf Mahonia
Nandina Domestica	Heavenly Bamboo
Nerium Oleander	Oleander
Pittosporum spp.	Various Pittosporum
Viburnum odoratissimum	Sweet Viburnum
Viburnum suspensum	Sandankwa Viburnum
Crataegus sp.	Dwarf Tudeau Hawthorne
Ilex crenata ‘Compacta’	Compacta Holly
Ilex cornuta “Carissa”	Carissa Holly
Ilex crenata “Helleri”	Helleri Holly
Rhododendron indicum	Azalea
Ternstroemia gymnanthera	Cleyera
Buxus macrophylla	Japanese Boxwood
Ilex x ‘Oak Leaf’	Oak Leaf Holly
Gardenia jasminoides	August Beauty Gardenia

4.9.3 SHADE TREES

<u>Botanical Name</u>	<u>Common Name</u>
Quercus Virginiana	Live Oak
Quercus Laurifolia	Laurel Oak

4.10 Florida Friendly Landscaping

Nothing contained in these Guidelines shall be construed to prevent any homeowner from installing or maintaining “Florida Friendly” landscaping in accordance with Section 373.185, Florida Statutes, (2009).

Section 5 **STRUCTURES**

5.1 **Introduction**

5.1.1 The following design guidelines pertain to specific items of a structure that give the character and the overall impression of the house and which must be constant for the design continuity of all the homes within the Community.

5.1.2 Homes shall be erected of frame or steel construction or concrete block (CBS). All block and framing must be covered as specified in Section 5.3.

5.1.3 The range of square footage contained within a living unit excluding garages, patios, porches or other unheated, unairconditioned areas shall be as follows:

- 43 foot wide lots (approx.) – 1,450 square feet to 2,300 square feet
- 53 foot wide lots (approx.) – 1,800 square feet to 3,000 square feet
- 63 foot wide lots (approx.) – 2,000 square feet and up

The Review Parties, in their sole discretion, may grant up to a 20% variance to this requirement.

5.2 Roof and Roofing

5.2.1 Roof structures shall be constructed out of conventional frames or wood trusses. Minimum roof overhang shall be sixteen inches (16").

5.2.2 Finish materials for pitched roofs must be consistent throughout the Community. Wood shakes, gravel or barrel tile roofs are not permitted. Other materials not specifically mentioned are subject to review and approval by the Review Parties. Shingles may be used as long as they are specified to be fiberglass or asphalt architectural dimensional roofing shingles and fungus resistant (FRS). The only shingle colors that shall be permitted within the Community are Owens Corning Oakridge Style in the colors of Driftwood, Estate Grey or Onyx Black. Metal accent roofs (only) shall be allowed and all such roofs shall be only silver in color.

5.2.3 Mansard roofs and Gambrel roofs, characterized by steep lower slope and flatter upper portion, shall not be permitted.

5.2.4 Roof top mechanical equipment must be so located to reduce or eliminate its visibility from street, sidewalk of adjacent properties.

5.2.5 Gutters and down spouts may be exposed only if painted properly to match the color of fascia, wall or column.

5.2.6 All exposed roof vents, valleys, flashings, eave drip, and pipes extending through the roof shall be painted the same color as the roof.

5.2.7 Roof pitches for 1 story homes shall be shall be 6:12 or higher. Roof pitches for 2 story homes shall be 4:12 or higher. Lower roof pitches will be considered by the Review Parties on an individual basis for minor components of the main roof (i.e., dormers, porches, bay windows, etc., if compatible with a particular style.) No flat roofs shall be permitted.

5.3 Exterior Walls

5.3.1 The following requirements apply to all exterior walls and all kinds of facade applications for all structures. All elements of all elevations shall complete a total and continuous design.

5.3.2 All materials must be in compliance with the Florida Building Code.

5.3.3 Exterior wall finishes will be consistent in color schemes, texture, compositions and character throughout the Community. All exterior finishes will be subject to review and approval by the Review Parties. Exposed concrete block walls, walls with any other type of exposed modular concrete units, and walls with metal finishes are not permitted.

5.3.4 All exterior walls shall be constructed with lap siding, although accent stone, stucco or brick may be permitted. All exterior siding will be finished, painted, stained or otherwise protected from the elements of nature. The Reviewing Parties may permit stucco exteriors on a case by case basis.

5.3.5 It is recommended that the homes on corner lots should have the garage located on the side property line farthest from the street.

5.3.6 Where monolithic slab construction is proposed for foundations, a sufficient footing shall be incorporated into the slab construction so that any exterior walls requiring brick or stucco finish can be constructed with stucco or the first row of brick starting below finish grade. In other words, the brick or stucco wall section should have the same appearance as if the foundation slab was constructed with a stem wall design.

5.4 Exterior Wall Colors

5.4.1 Homebuilders may offer color schemes previously approved by the Review Parties.

5.4.2 When finish materials for the exterior of the structures require painting, the color selection shall be based on compatible colors throughout the Community. Paint colors are subject to review and approval by the Review Parties.

5.4.3 Proposed paint/color schemes and color samples shall be submitted to the Review Parties and color coordinated with the elevation for approval. Pre-selected color schemes for prototype models may receive blanket approvals.

5.4.4 The following colors are prohibited within the Community: red, bright yellow, bright green, pink, purple and similar loud colors.

5.5 Garages and Driveways

5.5.1 All homes shall have a minimum of two (2) car garages.

5.5.2 All driveways shall be constructed with pavers. The pavers shall be either the Belgaurd "Napoli" pattern or the Tremron "Sierra" pattern.

5.5.3 No metal or fiberglass covered carports will be permitted throughout this subdivision.

5.6 Doors

5.6.1 Screen doors shall be compatible with the design and color of the home.

5.6.2 Entrance doors shall be compatible with the house design and made of solid wood, fiberglass or metal insulated type. Glass inserts may be included.

5.6.3 Garage doors shall be compatible with entrance doors and may include glass panes.

5.7 Screened Enclosures

5.7.1 No screened enclosure shall be permitted on the front of the house. Patio or pool screened enclosures shall be permitted subject to review and approval by the Review Parties. If the proposed enclosure comes with a roof, then it shall be consistent with the main house roof (i.e., use same color and type of roof shingle). If the roof of the proposed structure is made of metal then it is recommended that the metal match the color of the roof of the house.

5.8 Awnings

Awnings shall be permitted only at the discretion of the Review Parties.

5.9 Detached Structures

Any freestanding structure contemplated for a property such as, but not limited to, a pavilion, gazebo, platform, playhouse, storage room, cabana, etc. must be submitted for approval with the required drawings and information. Aluminum or metal storage sheds are not permitted. Approval will be granted only upon the merit of the structure and desirability for the neighborhood.

5.10 Fencing

5.10.1 The only types of fencing allowed on lots within the Community are privacy fencing and aluminum fencing as described and defined in this section 5.10. Privacy fencing shall be six feet (6') high and comprised of solid vinyl or PVC material that is five feet (5') high with vinyl or PVC lattice that is one foot (1') high. The color of all vinyl or PVC fencing shall be white. Aluminum fencing shall be four feet (4') high with vertical members no closer than four inches (4") apart and with two (2) horizontal members, one near the top and one near the bottom of the fencing. All aluminum fencing shall be black in color.

5.10.2 Privacy fencing shall not be allowed on corner lots, lakefront lots, or facing the front of any lot.

5.10.3 No fencing shall be allowed closer to the front of the house than the mid-point of the sidewall plane of the house. The portion of the fence from the house to the side lot line shall be aluminum. Where a privacy fence joins the aluminum fence the privacy fence panel joining the aluminum fence shall slope down to the height of the aluminum fence. Structural side and support post shall face the inside of the lot.

5.10.4 No fences are allowed in front yards except the Review Parties may allow builders to fence front yards of model homes. Front yard fencing of model homes shall be aluminum and must be removed when the home is no longer used as a model home.

5.10.5 Swimming pools must be enclosed by a fence or other barrier meeting all applicable legal requirements. The specific design of each pool enclosure shall be subject to review by the Review Parties. As a condition to approval, the applicable swimming pool contractor shall demonstrate that it is properly licensed and shall certify that the proposed pool enclosure fully complies all applicable legal requirements.

5.10.6 The Review Parties may allow fencing of corner lots with aluminum fencing after review of specific lot configurations and site plans. Any fencing allowed on corner lots must be screened from view by Ligustrum, Wax Myrtle or other similar approved landscaping.

5.11 Recreation Structures

All recreation structures (including without limitation, basketball backboards) shall be located at the rear of the dwelling, or on the inside portion of a corner lot within the setback lines. No platform, doghouse, playhouse or structure of a similar kind or nature (except basketball backboards) shall be constructed on any part of the lot located in front of the rear line of a residence constructed hereon and shall be constructed so as not to not adversely affect the adjacent lots or the use thereof. Any such structure must have prior approval of the Review Parties and without limiting any other criteria for approval, the Review Parties shall review the height of such structures to assure the privacy of neighboring homeowners.

5.12 Air Conditioners

No window or wall air conditioning units will be permitted. All air conditioner compressors shall be screened from view, insulated by a fence, wall or shrubbery so as to minimize noise.

5.13 Fireplaces and Chimneys

All proposed chimneys shall be submitted to the Review Parties for review and approval. A detail of the chimney top should be shown.

5.14 Swimming Pools

Any swimming pool to be constructed on any lot shall be subject to the review and approval of the Review Parties.

5.15 Well Limitations

5.15.1 Excavation of wells for the purpose of irrigation of lots may be permitted, if and only if reuse water is not available at the lot. Any wells shall be subject to all applicable statutes, ordinances and rules, and provided that in connection with the excavation and installation of a well, each owner shall agree as follows:

5.15.1.1. The homeowner shall obtain, at the owner's sole cost and expense, all permits necessary and convenient for the installation of such well.

5.15.1.2. The homeowner shall assume all liability arising from the installation and operation of the well, including without limitation, contamination of the potable water source, any discoloration of improvements, erosion of soil conditions or flooding. The homeowner shall undertake to correct and repair any resulting damage including discoloration of buildings, driveways and sidewalks and to inhibit further damage immediately upon discovery of such injury or damage.

5.15.1.3 Any well shall be used only for irrigation. If reuse water is available at any lot, no well shall be allowed on that lot.

5.16 Satellite Dishes and Antennae

Satellite dishes and antennae may be permitted subject to review and approval of the Review Parties in accordance with all applicable FCC regulations. Subject to FCC regulations, satellite dishes shall be installed in the rear or side of the home out of view from the street.

5.17 Cable Television, Telephone And Alarm Systems

Each new house constructed in the Community must be pre-wired in accordance with the specifications attached and made a part hereof as **Exhibit B**.

5.18 Electric Meter Box and Conduits

Electric meter boxes and conduits shall be painted to match the color of the exterior wall finish.

5.19 Mailboxes

Group or cluster mailboxes are required through the Community. No individual mailboxes shall be permitted.

5.20 For Sale Signs

5.20.1 Prior to commencing any new construction, all Builders shall submit for approval a marketing sign plan which shall include without limitation "Now Selling", "Banners", "Model Home" and "For Sale" signs.

5.20.2 All Builders must obtain prior written permission from the Review Parties prior to displaying any prices on any signs.

5.20.3 "For Sale" or "For Rent" signs used for resales or renting existing homes shall substantially conform to the drawing attached as **Exhibit C**.

5.20.4 No "For Sale" or "For Rent" signs shall be displayed in any windows of any completed residences or other structures.

5.21 Waivers

The architectural design criteria set forth herein are intended as guidelines to which adherence shall be required by each homebuilder and homeowner; provided, however, the Master Declarant shall have the express authority to waive any requirement set forth herein if, in its opinion, it deems such waiver is in the best interest of the community and the deviation requested is compatible with the character of the community.

Section 6 MAINTENANCE

6.1 Maintenance During Construction

6.1.1 During construction, all debris shall be placed in a single location on the construction site. The debris shall be contained by some type of barrier (e.g. wire fencing) to assist in keeping the debris from being scattered.

6.1.2 After construction, no debris or trash of any kind shall remain on any lot, or on sidewalks or streets contiguous thereto, and no excess building material, storage shed or trash shall remain on such a lot, sidewalk or street. It is the duty of the homebuilder or his agent, or the homeowner, to remove or cause to be removed any and all of the above debris within seventy-two (72) hours of notification by either of the Review Parties. Failure to comply with the request will cause removal of the debris by action of the either of the Review Parties and all related costs plus an administrative fee will be charged to the homebuilder or the homeowner.

Exhibit A

Fee Schedule for Master Declarant

New Construction

- Complete plans – new house plan, site plan, landscape plan and exterior colors N/A
- Pre-approved house plan with site plan, landscape plan and exterior colors N/A
- Landscape plan and exterior colors submitted after original submittal N/A
- Resubmittals N/A
- Miscellaneous approvals for pools, screen enclosures, fencing, etc. on new construction N/A

Miscellaneous Approvals:

Any improvement, addition, alteration, or structure of any kind including, but not limited to, any building, fence, wall, painting, alteration of dwelling (including doors, windows, roof), installation of solar panels, swimming pool, screen enclosure, Jacuzzi, and addition of awnings and landscape improvement.

Miscellaneous submittals must be accompanied by a check payable to Hutson Companies, LLC in the amount of \$150.

SUBMITTAL FEES ARE SUBJECT TO CHANGE WITHOUT NECESSITY OF AMENDMENT TO THE GUIDELINES

Exhibit B

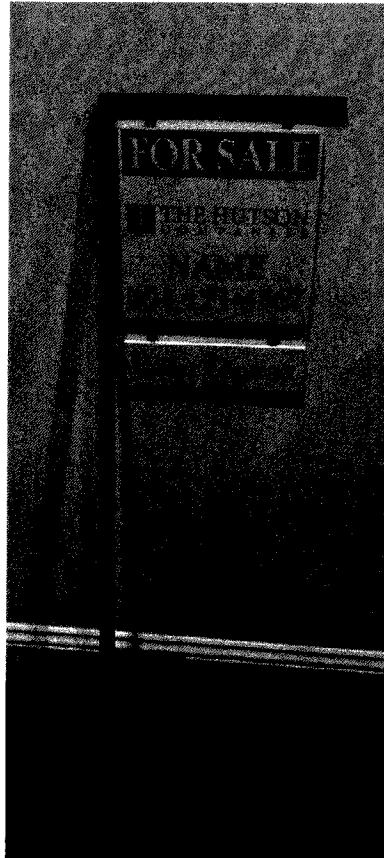
Pre-wiring Specifications

Inside Wire between the service demarcation points and the Central Wiring Panel (CWP) inside each Home and between the CWP and each outlet for the Services must consist of at least one UL Listed CAT-5e UTP 4-pair homerun cable. Inside Wire within each Home shall be installed in a star configuration from the CWP to each outlet and the Services outlets in each Home must meet the following minimum specifications:

- (a) At least four (4) outlets for the Services
- (b) Services outlets must be equipped with RJ45 ports, and
- (c) Outlets must be within 3' of a standard, duplex 110V AC Non-switched, Grounded outlet

Additional Requirements for FTTP Served Properties. HSIA/AEVS will be provided via fiber to the premises ("FTTP") technology, to each Home, which will be equipped with an optical network terminal ("ONT") and will require AC power for the ONT from an uninterruptable power supply that AT&T will mount in a controlled environment (32° - 113° F) inside the Home, and within a maximum of 100' from the ONT. Owner will provide a minimum of one UL Listed 16 gauge stranded copper 1-pair cable, between the ONT and a standard duplex 110V AC non-switched, grounded outlet in a controlled environment (32° - 113° F) and no farther than 100' from the ONT.

Exhibit C
For Sale Signs



Sign stands shall be made of aluminium or rod iron and shall have dimensions of approximately 48" by 14".

For Sale signs shall have dimensions of approximately 12" by 12".

The "For Sale" lettering shall be cream or beige in color with a forest green background. All other lettering shall be forest green with a cream or beige background.