

TIMBER ROCK SUBDIVISION

ARCHITECTURAL AND DESIGN STANDARDS AND PROCEDURES

The Declarant, acting by and through the Architectural Review Board (hereinafter "ARB"), for Timber Rock Subdivision hereby publishes design standards pursuant the Declaration of Covenants and Restrictions:

Any improvement within Timber Rock Subdivision shall be planned, constructed and maintained in accordance with the general design and character of these design standards as exemplified by the existing constructed homes in the subdivision. The Design Standards hereby published shall be general in nature and approval of a particular material, practice or design herein shall not be determinative of final approval. Rather, the ARB after reviewing all aspects of the planned dwelling shall make a determination that such dwelling is acceptable, acceptable with modifications, or not acceptable from reference to these standards, to the provision of the Declaration, and to the general plan for construction exemplified by existing structures.

These Design Standards shall not modify the Declaration, but rather shall be read in conjunction with the provisions thereof. In the case of any inconsistency between these Standards and the Declaration, the Declaration shall control. This document is to acquaint the purchaser with the process and in no way contravenes or modifies the declaration.

1. No residence shall be erected, constructed, maintained, used or permitted to remain on any Lot other than one single-family dwelling. Any residence must be approved by the Architectural Review Board (hereinafter "ARB") and follow the guidelines set forth in this declaration. Each residence to be constructed on a Lot shall have a minimum finished heated and cooled area of 1200 square feet for a single level dwelling and 1500 square feet for a multi-level home. Neither value shall include the basement of the house. For the purpose of this clause, a home with an open loft shall be considered a single level home, but the area of the loft may not be included in the minimum square feet. On a multi-level structure, a full walk-out basement can be considered part of the square footage if it is heated space, has a permanent floor (i.e. poured cement, etc.), and has minimum ceiling height of eight (8) feet throughout entire basement square footage; however the basement cannot and will not be considered as the first floor of dwelling. Once construction has begun on said dwelling, all exterior construction must be completed within one (1) year of the commencement of construction.
2. No improvements shall be erected, placed, altered, maintained or permitted to remain on any Lot, nor shall any construction be commenced thereon until plans for such improvements have been approved by action of the ARB in accordance with the provisions herein; provided however, that improvements and alterations completely within the interior of a building may be completed without approval.
3. If damage and/or wear and tear to subdivision roadways is determined by the ARB to be attributed to construction of any improvement, then the property owner for whose benefit the improvement was made will be liable for any costs of repair.
4. The term "Improvements" shall mean and include structures and construction of any kind, whether above or below the land surface, such as, but not limited to, buildings, outbuildings, water lines, sewers, electric and gas distribution facilities.
5. Any Lot owner who commences to build without written permission and stamped plan approval from the ARB is subject to a fine of \$100.00 per day for every calendar day from date of starting construction (i.e. digging footings, clearing Lot to build) until receipt of approval letter from the ARB. The ARB reserves the right to bring legal action against Lot owners who start building without approved plans.
6. Any land disturbance must be stabilized within twenty-four (24) hours, failure of Lot owner or owner's agent to stabilize disturbed area shall result in a fine of \$100.00 per day levied by the ARB or the Association.
7. The actions of the ARB through its approval or disapproval of plans, and other information submitted pursuant hereto, or with respect to any other matter before it, shall be conclusive and binding on all interested parties.
8. All communications and submittals shall be addressed to Timber Rock Subdivision ARB, or to any such address as the ARB shall hereinafter be designated in writing. The ARB shall reply in writing to all plan submittals within thirty (30) days of receipt hereof. The ARB shall have 30 days to approve complete plans that have been submitted by Lot owner(s) or builder.

The following are "Building Standards" as created by the Timber Rock Subdivision ARB:

Building Type:

- Stick built construction only (no mobile, modular or systems built homes) except as specifically modified herein.

Exterior:

- Block, brick, rock/stone foundation. Exposed concrete or block must have stucco applied on or before completion of home.
- Only naturally sided homes are permitted, which generally does not include all brick, stone or log. Vinyl and aluminum siding is not permitted. Any siding to be used must be approved by the ARB. The ARB will consider a combination of materials in accordance with the existing community standard.
- Any new materials that are approved by the North Carolina Homebuilders Association may be considered and may be approved by the ARB in the sole discretion of such Board.
- Exterior of homes must be of earth tone colors.
- Windows/doors must be of sound quality and workmanship and installed properly.
- No satellite dishes over 18 inches in diameter shall be permitted.
- No pre-fabricated, metal or plastic outbuilding will be permitted. Outbuildings must be constructed of similar materials and colors as the home. Exceptions for materials and colors of barns constructed on properties will be at the discretion of the ARB.
- Detached garages are permitted, but must be constructed of the same exterior material as the home.
- Roof-pitch must be a minimum of 6/12. This also applies to outbuildings and detached garages.
- No chain-link, barbed wire or other similar wire fencing allowed. All fencing must be constructed of wood, stone or wrought iron. Any other material used for fencing must be approved by the ARB before installation.

Contractor Responsibilities:

- Contractor must have proof of insurance; to include but not limited to automobile, workman's compensation, and liability insurance of no less than one million dollars.
- Contractor may be required to provide references to ARB prior to plan approval.
- Contractor must provide one (1) portable toilet for each job site within the development. The contractor must present a maintenance agreement, which allows for weekly dumping/cleaning of portable toilet.
- Contractors must have a dumpster on site for each job site. Trash and excess/waste building materials shall be placed in dumpster at the end of each working day.
- The ARB reserves the right to levy fines of \$100 per day against contractors who do not adequately clean building site or do not have a functioning portable toilet.
- Building materials cannot be placed within road rights of way or utility easements.
- Contractor must assume liability for all construction vehicles that enter Timber Rock Subdivision en route to their job site, specifically overweight vehicles that damage road surface and negligence of operators. Concrete truck weight limit is 5 yards per truck.
- Contractor is responsible for actions of any/all subcontractors.
- Contractors/subcontractors are responsible for any cut, break or damage to underground utility caused by their negligence.
- At the discretion of the ARB, contractors may be required to place a bond to insure erosion control, lack of roadway damage or any other aspect of construction.

Lot Owner Responsibilities:

- Present 2 copies of blue line schematic drawings of home to ARB. Colors used on exterior of home must be included and color samples may be required.
- Present all materials requested on attached Architectural Review Checklist to the Timber Rock Subdivision ARB.
- Have permission of ARB before commencement of construction.
- Lot owner is responsible for agents, employees, contractors, subcontractors and assigns.

- If the lot has been improved (built upon), then the owners of the improved lot shall maintain their lot (s) to neatly kept and mowed condition. All stumps, brush piles and debris shall be removed from lot (s) or hidden from sight from the roadways.

Architectural Review Checklist:

Below is a checklist of items needed for house plan approval from the Architectural Review Board (ARB).

Preliminary Approval:

- 2 copies of preliminary site plan disclosing location of all improvements to be placed on lot (one copy will be returned to you and one copy will be kept and placed in your file)
- Contractor/Builders name

Final Approval:

- 2 copies of schematic drawings of home (locating improvements on lot, showing elevations on all four sides, color schemes, building materials, and all site improvements, is recommended) (one copy will be returned to you and one copy will be placed in your file).
- Proof of insurance (builders risk, auto & liability, workmen's compensation)
- List of Subcontractors to be used
- Copy of portable toilet and dumpster contract or receipt of payment
- Copy of signed disclaimer from Contractor
- General description of building materials

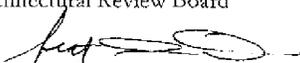
Upon receipt of all the above items, the ARB will respond within 15 days for Preliminary Approval and 30 days after all documents have been received for Final Approval. Copies of your correspondence to the ARB will be kept and placed in your file.

Neither the ARB, nor any member, employee or agent thereof, shall be liable to any owner of a Lot or to anyone submitting plans for approval or to any other interested party by reason of mistake in judgment, negligence, or nonfeasance in connection with the approval, disapproval or failure to approve any such plans or for any other action in connection with its or their duties hereunder. Likewise, anyone who submits plans to the ARB for approval agrees not to bring any action or suit to recover any damages against the Declarant, the ARB, or any partner, member, employee or agent of the Declarant or the ARB.

The ARB may make exceptions to the provisions herein, when, in its sole discretion, such exceptions would not be in conflict with the intended character of the property subject to this Declaration when fully developed and occupied in Accordance with the developer's plans and objectives therefore.

Dated 2-1-14

Timber Rock
Architectural Review Board

By: 
Scott David, Chairman