

LEGENDS AT CHATEAU ELAN HOMEOWNERS ASSOCIATION

RESIDENTIAL DESIGN STANDARDS and GUIDELINES

May 1, 2012

A HANDBOOK FOR
LEGENDS HOMEOWNERS

LEGENDS AT CHATEAU ELAN HOMEOWNERS ASSOCIATION

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INTRODUCTION

To ensure that our community will always be an attractive and desirable place in which to live, architectural standards must be maintained. The standards are generally outlined in the Declaration of Covenants Restrictions and Easements ("DCRE"), a copy of which should be provided to each Homeowner upon the purchase of their property in the Association. The DCRE Bylaws Articles of Incorporation, and the Residential Design Design Standards and Guidelines are collectively referred to herein as "Governing Documents".

Applying architectural standards benefits all residents and all residents share the responsibility to comply with, support, and contribute to the standards. These Residential Design Design Standards and Guidelines ("Standards") are not intended to constrain the pride individual Homeowners have in their property, nor are they meant to unnecessarily restrict creative efforts to enhance the appearance of that property. The purpose of the Standards is to protect each Homeowner's investment and ensure that all members of our community can take pride in living in our community.

These Standards are a guidance document to be used as a supplement to the DCRE, Bylaws, and Articles of incorporation. The purpose of the Guidelines is twofold. First, it presents the Design Standards and Guidelines in an easy to understand format. Second, it provides specific guidance concerning processes and restrictions that may only be generally expressed in the DCRE, Bylaws, and Articles of Incorporation.

It is recommended that every homeowner read the Governing Documents for a full understanding of the rules, processes, and restrictions that apply to our community. If in doubt whether a change is one governed by this standard, the Homeowner must submit an Application prior to commencement of work. As with the other Association documents, this document is intended to be a part of each Homeowner's permanent records.

We look forward to working with residents to keep an attractive community.

Sincerely,

The Legends at Chateau Elan Homeowners Association Board of Directors

PURPOSE OF THE HANDBOOK

The primary purpose of this handbook is to familiarize the homeowners of Legends at Chateau Elan ("Legends") with the objectives, scope and application of design Design Standards and Guidelines which are intended and will be employed to maintain the aesthetic appearance and environmental quality of the Legends community.

The handbook enumerates specific design Design Standards and Guidelines which have been adopted by the Board of Directors of the LEGENDS HOMEOWNERS ASSOCIATION. It also explains the application and review process which must be adhered to by homeowners seeking approval for any exterior modifications or changes to their homes or lots which are subject to approval by the Association.

The design guidelines are applicable to all owners at Legends.

This handbook will serve as a valuable reference source and will assist homeowners in preparing acceptable applications for review by the Association's Architectural Control Committee. All homeowners are encouraged to familiarize themselves with its contents and to retain the handbook for future use.

BASIS FOR AND OBJECTIVES OF PROTECTIVE COVENANTS

The DECLARATION OF COVENANTS RESTRICTIONS AND EASEMENTS for Legends (the "Covenants"), are part of the deed for each home and are binding upon all initial homeowners and their successors in ownership, irrespective of whether or not these owners are familiar with such Covenants. This document is legally binding on all owners and their occupants, tenants and guests in Legends. The Covenants and these Standards put in place procedures that will carry forward and enhance the development philosophy for Legends residents. The legal documents for the LEGENDS HOMEOWNERS ASSOCIATION, (the "Association") contain covenants, including those pertaining to design standards.

The primary purpose of design covenants is to maintain environmental and architectural design standards for the entire community. The promulgation and enforcement of design standards is intended to achieve the following objectives:

- Maintain consistency with the overall design concept for the community
- Promote harmonious architectural and environmental design qualities and features
- Promote and enhance the visual and aesthetic appearance of the community
- Preserve the design integrity and architectural quality of Legends Dwellings
- Prevent the deterioration of neighborhoods which can follow from an unregulated, laissez-faire philosophy of construction maintenance, and property use
- Uphold property values

The enforcement of design standards not only enhances the physical appearance of a community but protects and preserves property values. Homeowners who reside in association communities which enforce design covenants are protected from actions of neighbors which can detract from the physical appearance of the community and, in some cases, diminish property values. In fact, surveys of homeowners living in association communities consistently reveal that this was an important consideration in their decision to purchase a home.

The Covenants grant to the Legends Architectural Control Committee the power to amend the RESIDENTIAL DESIGN STANDARDS and GUIDELINES, which is a practical necessity when a covenant section needs clarification, or as new homebuilding products are marketed and tastes change. Thus, these Legends Standards have been written to make it easier for homeowners to follow and understand:

1. The approval process regarding modifications, and
2. The current General Covenants and Restrictions

The approval process is intended to minimize hardship or undue delays, while preventing additions and modifications to the property that would be costly to correct if done improperly or in violation of the Covenants or these Standards. The ACC's goal in the review process is not to tell the owner that changes cannot be made to the property, but rather to assist in making the changes in a way that conforms to the character of the neighborhood and the natural beauty of the community.

DESIGN AND REVIEW AUTHORITIES

1. The Declaration of Covenants.

The Covenants establish homeowner associations to administer and enforce the Declaration, and committees of homeowners to adopt and enforce building and land use standards. Every improvement or change to property must be approved and comply with the Covenants and applicable Standards adopted under the authority of the Declaration.

2. The Architectural Control Committee.

The committee is authorized by the Declaration to adopt, approve, and enforce standards governing property use and maintenance requirements, and improvements, additions and modifications to property. The ACC reviews applications for modifications, improvement or additions to properties in their community. The Boards and the ACC monitor the neighborhood for compliance with the Declaration and these Standards.

3. The Submission of Plans and Specifications (Article V, Section 5.08) of the Covenants states:

“No Structure shall be commenced, erected, placed, moved onto or permitted to remain on any Lot nor shall any existing Structure upon any Lot be altered in any way which materially changes the exterior appearance of the Structure or Lot, unless plans and specifications therefore shall have been submitted to and approved in writing by the ACC.”

If you have an unusual situation regarding a General Covenants and Restrictions, and the standard is not clearly spelled out in the Legends Standards, contact the ACC Chairman.

IMPORTANT THINGS TO REMEMBER

1. Approval in Advance.

Approval from the ACC is required before an exterior modification is begun.

2. Covenants Protect All Neighbors.

All property and lot owners are subject to the Covenants and have agreed to comply with them. In turn, they rely on their neighbors' promise that they too will comply. Most problems can be resolved and unnecessary complications avoided by a thorough understanding of the Covenants and these Standards. Compliance with the Covenants and these Standards by all the neighbors will permit Legends property owners and residents to enjoy living in an environment with consistently high design and environmental standards. Such standards help maintain an attractive community and sustain property values.

3. Don't Copy Your Neighbors.

When you consider altering or improving your property, do not rely on what your neighbors have done or said regarding their property. It may have been permitted under a prior standard but not under the current standard, may not have been approved, or it may have been disapproved and require modifications.

4. Changes by Previous Neighbors.

Purchasers of a previously occupied property sometimes are surprised and disturbed when they receive notice that the previous owner made an unapproved alteration or addition, and that they are now in violation of the Covenants. Current owners are responsible for any existing violations. Any owners who find themselves in this situation should submit an application for approval of the improvements with an explanation of the circumstances.

ROLE OF THE ARCHITECTURAL CONTROL COMMITTEE

As set forth in the legal documents of the Association, all homeowners at Legends are automatically members of the LEGENDS HOMEOWNERS ASSOCIATION.

The Association is a non-stock corporation which owns and is responsible for the upkeep and maintenance of all common properties within the community.

The Association is also responsible for the administration and enforcement of all covenants which are applicable to property owners, including design standards and restrictions. The Declaration of Covenants, Conditions and Restrictions for the LEGENDS HOMEOWNERS ASSOCIATION provides that responsibility for the enforcement of design standards shall be exercised through an Architectural Control Committee, the members of which shall be appointed by the Board of Directors of the Association.

The Architectural Control Committee is to consist of three or five persons appointed by the Board of Directors. Since the Association's legal documents provide that the declarant may maintain control of the Board of Directors during most of the developments phase of the community, there may initially be overlapping membership for the Board of Directors and the Architectural Control Committee.

The Committee shall be responsible for enforcing relevant portions of the Covenants, By-laws and Standards (collectively, the Governing Documents) with respect to exterior modifications to homes and lots proposed by lot owners for visible exterior additions, alterations or modifications to a home or lot. The review process shall be governed by the Standards promulgated by the Association's Architectural Control Committee.

As part of its responsibilities, the Architectural Control Committee will make recommendations to the Board of Directors with respect to the modification of the Standards initially approved by the Board. The Committee will also be responsible for reviewing possible violations of the Association's Standards.

ALTERATIONS REQUIRING REVIEW AND APPROVAL BY THE ARCHITECTURAL CONTROL COMMITTEE

Any changes, permanent or temporary, to the exterior appearance of a building or lot are presumed to be subject to review and approval by the Architectural Control Committee. The review process is not limited to major additions or alterations, such as adding a room, deck, or patio. It includes such minor items as changes in color and materials. Approval is also required when an existing item is to be removed.

There are certain exceptions to this otherwise inclusive review requirement.

1. Building exteriors may be repainted or restained provided that there is no color change from the original. Similarly, exterior building components may be repaired or replaced so long as there is no change in the type of material and color.
2. Minor landscape improvements will also not require an application. This includes foundation plantings, or single specimen plantings. In general, landscape improvements of a small scale which do not materially alter the appearance of the lot, involve a change in topography or grade and which are not of sufficient scale to constitute a natural structure will be exempt from the design review process.

If there is any doubt as to whether or not a proposed exterior change is exempt from design review, and approval, homeowners must first seek clarification from the Architectural Control Committee before proceeding with the improvement. If a homeowner fails to contact the ACC before proceeding with an architectural change and that change is subject to review by the ACC it shall not be a defense to a subsequent action by the ACC to enforce the Design Guidelines that the homeowner was not aware of or felt the design review process did not apply.

ARCHITECTURAL CHANGE REQUEST REVIEW PROCESS

Application and review procedures which will be used by the Architectural Control Committee are detailed below.

Application Submittal

The Declaration provides that no exterior construction, addition, erection or alteration shall be made upon any Lot or other part of the Community unless and until a completed Modification Review Form has been submitted in writing to and approved by the Architectural Control Committee.

Each Homeowner, as required by the Governing Documents, shall submit an Application for the addition, alteration, or improvement to his/her lot in writing to the Board of Directors (the "BOD") or the Architectural Control Committee (the "ACC"). Covered changes include but are not limited to, building additions, exterior remodeling, exterior color changes, fences, play structures, any recreational improvements, decks, patio structures, lighting, swimming pools, spas and outbuildings.

The Application must be submitted on the approved Modification Review Form (copy attached as Exhibit A). For the purposes of these Standards, the ACC will be presumed to be the reviewing body, although the Board of Directors may also act as such.

Submitting on Time

Applications for plan approval must be submitted 30 days prior to the date the work is to begin. Applications needing to be approved with less than 30 days notice, may or may not be reviewed, but the applicant may contact the Legends ACC Chairman for a faster approval process.

Application

The Application must be complete for consideration by the ACC. Applications must be complete in order to commence the review process. Incomplete applications will be returned to the applicant with a statement of deficiencies which must be remedied in order to be considered for review. Oral requests will not be considered and may not be relied upon by any Homeowner. Multiple requests may be made. Each request must be submitted on a separate Modification Review Form. Unless notified to the contrary, homeowners should mail applications to the following address:

Architectural Control Committee
LEGENDS HOMEOWNERS ASSOCIATION
2095 Hwy. 211 NW, Suite 2-230
Braselton, GA 30517

Supporting Documentation

The application must include a complete and accurate description of the proposed improvement(s). In order to permit evaluation by the Architectural Control Committee, supporting exhibits will frequently be required.

The design standards and the modification review form provide guidance with respect to the supporting documentation required for various types of improvements. Also included is a checklist which, for frequently requested improvements or additions, provides a reference guide for the supporting documentation necessary for submitting a complete application package.

Required information: the following items must be submitted to the ACC with each application for plan approval. Missing information may delay review of an application.

- i. A completed application
- ii. A site plan showing the location and dimensions of the proposed improvement
- iii. Landscape plan as applicable
- iv. Material and/or color samples
- v. Property drawing showing the location of all existing and proposed improvements clearly showing dimensions (not required for painting or re-roofing).
- vi. Architectural drawings or plans / Construction Plans as applicable. The drawings must be to scale and show how the improvement is integrated to the existing home.
- vii. Grading Plan. Depending upon the nature of the modification, the ACC may request a Grading Plan. The application must contain a statement from the owner of the owner's agent certifying that the proposed improvement will not affect existing surface water flows at the lot boundaries.
- viii. If existing flows are being altered at the lot boundary, the application must include a description of the changes in surface water flow that will result from the proposed improvement, and a statement from a licensed civil engineer that the changes in surface water flow will not cause adverse impact on all adjacent properties.
- ix. A Hold Harmless statement is part of the "Modification Approval Form." It is the Duty of the owner and any contractor or consultant employed by the owner to determine that the proposed improvement is structurally, mechanically, and otherwise safe, and that it is designed and constructed in compliance with the Covenants, these Standards, applicable governmental regulations, and sound practices. Neither the Legends Homeowners Association, its ACC, nor any officer, director, employee nor member thereof shall be liable for damages or otherwise because of the approval or non-approval of any improvement, or because of any act or omission in connection with the construction of improvements on any lot. This release of liability must be executed as part of the application.

If a plan requires modification after the application's submission to the ACC, either a new plan must be submitted to the ACC reflecting the desired changes to the original plan, or an addendum to the original plan must be submitted explicitly detailing the differences between the new and original plans.

Time Frame for Completion of the Review

The Architectural Control Committee has Thirty (30) days to review and act (either approve or disapprove and notify the applicant) on a complete Application, beginning on the date the Application is received by the HOA, but will endeavor to act in a more expeditious matter. If an Application is returned to the Homeowner for any reason, the thirty (30) day review period will begin upon the receipt of any revised Application. However, the thirty day review period will only commence upon the receipt of a complete application form, including any required exhibits. It is therefore advisable for homeowners contemplating substantial improvements to first ensure that they are aware of all required supporting documentation prior to submitting a design review application.

Neighbor Notification

The ACC does not require adjoining neighbors to be notified of any improvements to be made by the homeowner, but does encourage it. If such notification has been made to an adjoining neighbor and they approve of the work to be done, please indicate that they are aware of the substance of the Application as it is to be presented to the HOA for approval. Neighbors and other community members are encouraged to provide their candid opinions concerning any proposed architectural changes in writing to the ACC through the HOA. To ensure that any opinion concerning a proposed architectural change is considered by the ACC during the Application review, neighbors should provide their opinions as soon as they are notified of the proposed change. Neighbor agreement to a proposed architectural change request does not guarantee acceptance. Additionally, neighbor objection to a proposed architectural change request does not preclude the ACC from approving the request. The ACC views neighbor and other Homeowner's input as one of many factors for consideration in reviewing architectural change requests.

Voting

A request is approved or denied by majority. Decisions of the ACC generally are based upon the DCRE and these Standards. For unusual circumstances, or for other good cause, and subject to the other Governing Documents, exceptions to the Standards may be made on a case-by-case basis.

Homeowner Notification

The HOA (or other ACC designate) will notify the Homeowner in writing as to the decision on their request. This written reply will consist of a copy of the Application bearing approval or disapproval, along with an explanation of any restrictions or contingencies, or an explanation as to why the request was denied. Notice of approval, conditional approval or disapproval of each of the applications, will be returned to the Owner or applicant in person or by mail.

Reconstruction / Appeals Procedure

The decisions of the ACC are considered final. However, any decision made by the ACC may be reconsidered by the ACC or appealed to the BOD.

The Homeowner may resubmit a request for reconsideration to the ACC on the basis of **new relevant information**, or the Homeowner may appeal the ACC's decision to the BOD in writing within ten (10) days of the date on the notification letter of the ACC's decision. Requests for reconsideration and appeals must be submitted to the BOD. This request should include any new or additional information which might clarify the requested change or demonstrate its acceptability. The Board at its discretion may schedule a hearing. Neighbors and other community members who have registered an objection concerning an Application may be notified of the request for reconsideration and/or invited to the appeal hearing. In accordance with the DCRE, a vote of two-thirds of the BOD is required to overturn or modify an ACC decision (in whole or in part). The Board will respond in writing to an appeal within thirty (30) days from the date of receipt of an appeal.

Approved Architectural Change Requirements

If a request is approved, the Homeowner may immediately begin to implement the change. The change must begin within 30 days of the estimated start date and be completed within 30 days of the estimated completion date. If the project is not begun or completed as specified, the approval is considered lapsed and the Homeowner must reapply for the change.

Approval of any change is not to be construed as approval of the structural integrity of the alteration or addition, nor does it relieve the Homeowner from acquiring the necessary permits and approvals from City, County or State agencies.

No alterations or additions shall be made which damage drainage patterns or cause damaging runoff onto common areas, adjacent lots, or streets. Lot owners are responsible for any draining or runoff damage caused by an architectural change.

Unapproved Changes

Homeowners may receive written notification of a violation if the Homeowner implemented an architectural change prior to obtaining permission from the ACC, or has implemented an architectural change that goes beyond what was approved by the ACC. This letter will state the violation, and, if applicable, provide a date by which the Homeowner must either: (1) bring their property back into compliance (i.e., original condition); or (2) apply for the change. If, after review of the Application the ACC denies the change, the Homeowner must bring the property into compliance in accordance with the Governing Documents, unless the Homeowner requests that the ACC reconsider its decision within ten (10) days on the Application as set forth above. Under this circumstance, a Homeowner can request reconsideration only once per application. Homeowners who have corrected a violation and brought their property into compliance must provide written notification of the correction to the ACC.

Grandfather Clause

There may be some alterations in existence that do not comply with these Standards, but which were previously applied for and approved. They must be maintained as approved. This Grandfather Waiver does not include exterior alterations not approved through the requisite Application process.

No Waiver Clause

There may be some alterations in existence that do not comply with these standards, but with respect to which enforcement action, at least at the present time, is inappropriate in the opinion of the BOD. However in these cases, the BOD reserves the right to take enforcement action in the future should it determine that what was previously viewed as a minor violation is now considered significant. One example might be a planting placed in a location where it does not obstruct sight-lines for traffic on community streets at the time of planting, but does later on as it grows.

Variances

Variations to these Standards may be granted by the Committee when it can be demonstrated that strict compliance would create an undue hardship by depriving the owner of the reasonable utilization of the site, or where unusual circumstances or characteristics which affect the site make strict compliance impractical. No variance will be granted unless the general purposes and intent of the Covenants and Standards are maintained. Any variance granted will only be applicable to the specific site and conditions for which the variance was granted, and will not modify or change any standards as they apply to other sites or conditions.

Inspections

- a. Homeowner Certification. If inspection by a Qualified Inspector is not required by local law, the Owner must, within 30 days of substantial completion of the project, return to the ACC, certification that the project has been complete in accordance with the Covenants, the approval plans and these Standards.
- b. ACC Inspections. The Covenants give the ACC the right, at reasonable hours and upon reasonable notice, to enter the property (not dwelling) and make inspections to determine that the work is carried out in accordance with the Covenants, the approved plans and these Standards. Such inspections are for the sole and exclusive benefit of the ACC.
- c. No other person or entity is entitled to rely on the ACC inspections as any evidence of the safety of the improvements or their compliance with the Covenants, applicable laws, regulations or Standards.

Remedies

In addition to any other remedies provided in the Covenants, the Association has the right, after proper notice to the Owner, to go onto the property where a violation exists, fix or remove the violation, and collect from the Owner, any costs including reasonable attorneys' fees actually incurred.

GENERAL REQUIREMENTS FOR ALL IMPROVEMENTS

1. Access

If construction work requires access through adjacent property (e.g. and open space, reserve, drainage easement, or vacant lot). Written permission from the adjacent property owner and a pre-construction photo of the proposed access route must be included with the plan approval application.

2. Applicant's Lot

All improvements must be located entirely on the applicant's lot.

3. Architectural Compatibility

All improvements must be architecturally compatible. Architectural compatibility is an agreeable relationship in, and in some instances, actual continuity of architectural style, mass, proportions, scale, materials, color and design detail with existing and planned improvements on adjacent properties and in the neighborhood.

4. Building Setback Lines

All improvements (except for driveways and landscaping approved by the ACC) shall comply with applicable building setback requirements under applicable zoning laws.

5. Drainage

Georgia law requires that the Owner ensure that the placement of any improvement or landscaping does not halt or materially impede drainage flowing off of a neighboring tract, and does not redirect the flow or significantly increase the amount of water flowing into a neighboring tract.

6. Impact on Neighbors

All structures must be located so as to minimize impact on neighboring properties.

7. Neighborhood Character

Improvements must be consistent with and not adversely impact the neighborhood's existing character.

ENFORCEMENT PROCEDURES

The covenants of the Association empower the Board of Directors to enforce compliance with the Association's Standards.

It is the sincere hope and expectation of the HOA that members of the community will voluntarily adhere to these Standards as a demonstration of mutual respect for their neighbors and the community as a whole. However, in the event that a Homeowner does not abide by these Standards, the HOA is empowered by the Governing Documents to utilize a variety of methods, including, but not limited to, legal action, to enforce these Standards. If the BOD or ACC believes a Homeowner is in violation of these Standards, the following process generally will be followed to resolve the issue:

1. A violation may be observed and reported to the Architectural Control Committee by a member of the Committee, the Board of Directors, or a homeowner. In the case of homeowners wishing to report a potential violation, a written notification should be transmitted to the Architectural Control Committee.
2. The alleged violation will be confirmed by a site visit by members of the Architectural Control Committee.
3. The Board of Directors will contact the resident in violation by letter advising them of the violation and requesting appropriate action to remedy the violation. Notice will be sent by certified mail where the violation is deemed to involve an immediate emergency or where such violation, if not remedied, will increase or enhance with the passage of time. The Homeowner will be asked to bring the violation into compliance within 10 days of the letter.
4. If the violation continues for ten (10) days after notification and the Homeowner has not demonstrated that the property was already in compliance, brought the property into compliance, nor provided a reasonable explanation for the delay in bringing the property into compliance where such remedy would require more than ten (10) days, the HOA shall provide the Homeowner with a second letter, sent certified mail, with the following information:
 - a. Identification of the violation
 - b. Enforcement options open to the BOD
 - c. Opportunity for a hearing if requested within ten (10) days of the date of the notice. If a hearing has been requested, a hearing date shall be scheduled and notice sent to Owner and any other parties.
 - d. Opportunity to acknowledge violation within ten (10) days of the date of notice and correct the violation within a specified date.

This letter will provide notice that the violation must be remedied within ten (10) days from the date of mailing of the letter (or alternatively, that the resident in violation must submit to the Architectural Control Committee a written plan, including timing, for the abatement of the violation within a reasonable period of time, where such violation cannot be cured within the ten (10) day period).

5. If the violation is not abated within the ten (10) days from the date of mailing of the certified letter (or if progress is not being made to abate such violation in accordance with a plan agreed to by the resident in violation and the Architectural Control Committee) the Board will send the resident in violation a certified mailing informing the resident of the time and place of a formal hearing by the Board. The Board shall (after a hearing as set forth above) review the violation and determine the enforcement options. Enforcement options open to the Board include, but are not limited to:
 - a. Fines and/or liens on property
 - b. Removing or correcting the violation, in which case the Homeowner will be responsible for all costs incurred by the HOA
 - c. Arbitration and legal enforcement
 - d. Suspension of common area privileges and voting rights
6. The above procedures do not preclude the Board from taking accelerated measures in the case of a violation which constitutes an emergency situation; provided that the resident in violation has been properly notified by certified mailing and that the action is consistent with the provisions of the Association's legal documents. Likewise, that Board may establish shorter notification periods for the correction of violations of the Design Guidelines where the homeowner shall not be disadvantaged by a shorter notification period for compliance.

The ACC reserves the right to inspect the exterior of the Homeowner property at a reasonable time and in a reasonable manner for compliance with the Governing Documents. The ACC has the right, upon resolution by the Board, to enter upon the exterior of the Homeowner's property and take steps to remove or abate the violation.

Any costs incurred by the HOA for bringing a property into compliance may be assessed against the owner of the property, and a statement of the amount shall be rendered to the Homeowner. The assessment is due upon receipt. This assessment becomes a lien on the lot until removed by payment. Alternately or simultaneously, the Board may turn the matter over to legal counsel for resolution.

If the court or arbitrator rules in favor of the HOA, the Homeowner is legally obligated to pay the HOA for all legal fees and any additional enforcement-related costs.

7. Work in Progress Violations

If a resident is in the process of building an unapproved structure on his/her property and it is brought to the attention of the Association, the following procedures are to be used:

- a. Construction of unapproved modifications or change is reported and observed.
- b. An immediate request is made to stop construction and to send completed application for submittal to the Board for consideration by the Architectural Control Committee.
- c. If no response is received from owner in reasonable time, the Legends HOA Board of Directors may seek an injunction to stop work or pursue other remedies as judges appropriate by the Board.
- d. A violation continues until the matter is resolved.

The above procedures do not apply to the failure of an owner to maintain a lot in good order and repair and free of debris. All owners must maintain their lots in accordance with the general maintenance standards detailed below. In the event of non-compliance with maintenance standards, the Board of Directors may, after thirty (30) days written notice to the owner (or such shorter notice period as determined by the Board), authorize the Association to enter upon the owner's lot and to perform any required maintenance at the expense of the owner. In the case of persons who fail to mow their lawn or have trash or debris visibly stored on their lot, (other than neatly stored construction materials for an approved improvement of the lot or home) the notice period shall be ten (10) days.

8. Property Maintenance Standards

- a. General Responsibility – Owning a property in Legends includes assuming responsibility for maintaining all existent structures as well as natural landscaping, grass, and the appearance of yards.
- b. Maintenance of Houses and Existent Structures – As houses and structures such as sheds or decks age, their exteriors may become deteriorated in appearance. Houses may have trim boards that are chipped, peeling or rotted. House siding may rot or collect mildew on the boards, and siding, trim or a front door may be badly in need of paint. Screens may hang off doors and windows, and storm doors may be broken and hang from hinges. Decks and sheds may become unsightly and even unsafe as the wood deteriorates with aging, weathering, and or neglect. In all cases, the overall neglected and unkempt appearance of the structures may impact the community as a whole, and could eventually lower property values. Each homeowner must maintain and make necessary repairs to these structures. Driveways, walkways, chimney flues, attic fans, etc. need to be checked regularly. Roofs should be checked on a regular basis, and gutters and downspouts should be cleaned of leaves and debris each year; Aluminum and Vinyl replacements require regular checking to see if the caulking remains watertight.

- c. Maintenance of Landscaping and Natural Areas – All portions of a lot which are not improved by an impervious surface or a structure must be maintained with grass (or other vegetation installed by a builder or approved by the Architectural Control Committee). No bare earth may be exposed on a lot (except for flower beds with appropriate approvals, as required). Any natural or planted areas require regular maintenance also. Homeowners must always take into account erosion, drainage onto neighboring properties, or flooding when they make modifications to their yards. Any dumping of branches, grass clippings, leaves, mulch, or dead plants onto community property is prohibited. All trees and plantings on residential properties must be maintained by the homeowner.

9. Maintenance of Yards

- a. Bags of trash should always be kept in air-tight containers, and should be stored out of sight. Trash can be placed in designated areas to be picked up on pickup days. Yards are not areas for the storage of items, and they should be cleaned of litter, debris and old newspapers on a regular basis.
- b. Construction materials required for the improvement of a home or lot should be neatly stored in as unobstructive a location on the lot as possible when not in use.
- c. All turf areas on a lot must be kept neatly mowed during the growing season. Turf areas and other vegetation should be watered during dry periods, as allowed by local law. Any dead plants, shrubs or trees should be immediately removed. Turf areas should be kept as weed free as possible.
- d. All hedges, trees and shrubs must be neatly trimmed and maintained and their size maintained in proportion to the lot and home through pruning.

MAINTENANCE STANDARDS GUIDE

The following kinds of maintenance problems may be cited for violation; they are not to be viewed as all inclusive.

1. Roof Area:

- shingles missing
- clawing of asphalt shingles and/or extremely bad deterioration
- gutters and downspouts not secured to house – hanging down or missing
- gutters must be maintained and painted
- rusted gutter/downspouts
- leaves and debris visibly hanging out indicating a blockage
- all downspouts removed without ACC approval
- chimney flues rusted and paint chipped and peeling
- skylights rusted, skylights removed and replaced with new material (plywood, plastic, etc.)
- gravel guards
- chipped and peeling paint
- original replaced with unapproved style and material

2. House:

a. House Siding and Trimboards

- siding/trimboards rotted in areas so a hole is created
- siding/trimboards covered with mold and mildew
- siding/trimboards with chipped and peeling paint
- siding/trimboards wood is exposed due to or because of lack of paint
- siding/trimboards are missing
- caulking around windows, doors and baseboards is worn
- loose brick/stone
- deteriorating bricks/stone, or missing brick/stone

b. Windows

- broken or missing panes of glass
- torn screens
- deteriorated window frames
- missing mullions

c. Doors

- broken or missing panes of glass
- torn screens
- loose and not firmly attached doors
- hardware: original replaced with non-conforming style
- original replaced with different areas of door left unpainted
- in need of paint

- d. Shutters
 - broken or missing slats
 - hanging or not securely attached
 - in need of paint
 - original replaced with non-conforming style/size
 - e. Window Guard Rails (Metal or Wood)
 - rotted and deteriorated wood – unsightly and unsafe
 - in need of paint
 - mold and mildew
 - removed without approval
 - structural defects visible to eye
 - missing sections or insecure fastening
3. Pagoda Lights and Exterior Lighting:
- broken, rusted, dented, bent out of shape
 - broken glass
 - missing or burned out light bulbs for extended period of time
 - fixtures themselves in need of paint
4. Steps:
- loose or cracked – unsafe
 - gaps between house base and steps at ground level (created as house settles)
 - in need of painting or staining
5. Walkway:
- loose or cracked stones or cement
 - dangerously angled stones due to ground settling
 - unapproved, unprofessionally done, or unsafely placed timbers, stones, etc.
6. Retaining Walls:
- loose or cracked block, brick or stones
 - precariously angled walls
 - unapproved, unsafely, or unprofessionally constructed walls
7. Out Buildings:
- rotted structures
 - holes in siding
 - in need of stain or paint
 - covered in mold or mildew
 - precariously angled structures

8. Garages:

- siding / trimboards rotted so holes are created
- siding / trimboards covered in mold or mildew
- siding / trimboards with chipped and peeling paint
- siding / trimboards down to bare or exposed wood
- deterioration of caulking around windows, doors and baseboards
- garage doors in need of paint
- garage doors missing panels
- garage doors dented and bent out of shape

9. Attic Vents:

- rusted and in need of paint
- removed and area filled in with unapproved material

10. Fences:

- broken and falling down
- rotted wood
- in need of paint / stain
- missing sections
- replaced but not treated, stained or painted
- posts missing or rotted

PARKING AND GENERAL VEHICULAR DESIGN STANDARDS AND GUIDELINES

Introduction:

These Design Standards and Guidelines have been duly adopted by the ACC to regulate parking and other vehicular matters within the community which are subject to the Covenants and Bylaws of the Association. They have been adopted under the authority of the Association's Covenants (Article VIII, Section 1) which permits the ACC (Design Review Board) to adopt and publish Design Standards and Guidelines. These Design Standards and Guidelines also implement, clarify and define certain portions of the covenants and other restrictions regarding commercial vehicles, trucks, trailer, boats, etc.

The purpose of these rules is to promote the safety and welfare of residents, while preserving and protecting property values within the community. Furthermore, these Design Standards and Guidelines have been adopted with sensitivity towards maximizing efficient utilization of limited community parking.

The following standards and guidelines shall apply to all vehicles meeting the criteria set forth herein without regard to the type or designation of license plates affixed to the vehicle.

No vehicle may be parked overnight on Common property without prior written consent of the Board of Directors and no vehicle shall be parked overnight on any street in the community.

Private dwellings:

Vehicles may be parked only within a garage or on the paved section of a driveway on the property of a private dwelling. RESIDENTS ARE EXPECTED TO USE GARAGES, AND DRIVEWAYS. Converting Garages to storage spaces or other uses will not be permitted.

On-site parking should be as unobtrusive as possible. Side entry garages minimize the visual impact of the area devoted to covered parking. A landscaped buffer between outdoor parking areas and adjacent residences must be provided when appropriate.

Community-owned property:

Vehicles may be parked only on paved sections of community-owned designated parking areas. All vehicles must be parked within curb markings where marking are provided.

Camper and/or Recreational Vehicle:

A vehicular portable unit, mounted on wheels for use on highways and streets, propelled or drawn on its own or other motor power; of such a size and weight as not to require special highway movement permits when drawn by a motorized vehicle (or operated on its own power); primarily designed and constructed to provide temporary living quarters for recreational, camping, or travel use; and/or generally identifiable by the number of configuration of vents and utility hookups, types of windows, luggage and storage capabilities and general visual appearance not associated with a passenger vehicle normally found in residential communities.

No Campers and/or Recreational Vehicles will be permitted on Community roads other than to gain access for garaging on the property of a private dwelling. No camper or recreational vehicle may be stored on community property.

Boats:

Any device, structure or vessel, constructed of any material, designed primarily for use by one or more persons as a flotation device for navigation upon a body of water.

No boats will be permitted on the property of a private dwelling unless garages. No boat will be permitted on community roads other than to gain access for garaging on the property of a private dwelling unit. No boat may be stored on Community property.

Boat Trailer:

A vehicular portable unit, mounted on wheels for use on highways and streets, pulled or towed by a Motor Vehicle; of such a size and weight as not to require special highway movement permits when drawn by a motorized vehicle; and is designed to carry a boat.

No Boat Trailer will be permitted on the property of a private dwelling unless garaged. No Boat Trailer will be permitted on community roads other than to gain access for garaging on the property of a private dwelling unit. No Boat Trailer may be stored on Community property.

Utility Trailers:

A vehicular portable unit, mounted on wheels for use on highways and streets, that is not self-propelled but, pulled or towed by a Motor Vehicle; of such a size and weight as not to require special highway movement permits when drawn by a motorized vehicle; and is designed to carry persons or property.

No Utility Trailers will be permitted on the property of a private dwelling unless garaged. No Utility Trailer will be permitted on community roads other than to gain access for garaging on the property of a private dwelling unit. No Utility Trailer may be stored on Community property.

Vehicle:

Any conveyance, either self-propelled or towed, which may be used for the transportation of persons or property on public or private roads.

Motor Vehicle:

Any self-propelled conveyance that is not operated on rails but runs on tires and may be used for the transportation of persons or property on public roads and which is usually licensed by one of the fifty states.

Commercial Vehicles:

Shall be defined as:

- a. Any vehicle with a sign displayed on any part thereof advertising any kind of business or other venture; or
- b. Any vehicle on which racks, materials, ladders and/or tools attached, or
- c. Any vehicle with a body type normally employed as a business vehicle whether or not a sign is displayed on any part thereof; or
- d. A truck of greater than two and one half (2 ½) ton capacity; or
- e. A van other than one used solely as a family passenger van; or
- f. A bus.
- g. Any solid waste collection vehicle, tractor truck or tractor truck/semi trailer or tractor truck/trailer combination (or any part thereof), dump truck, concrete mixer truck, towing and recovery vehicle,

- box type truck, flat bed truck, or heavy construction equipment, whether located on private property or on a truck, trailer, or semi trailer;
- h. Any trailer, semi trailer, or other vehicle in which food or beverages are stored or sold;
- i. Any trailer or semi trailer used for transporting landscaping or lawn-care equipment whether or not such trailer or semi trailer is attached to another vehicle;
- j. Any taxicab;
- k. Any motor vehicle licensed for use as a common or contract carrier or as a limousine;
- l. Any truck with a registered gross weight, or gross vehicle weight rating of 10,000 or more pounds;
- m. Any other trailer or semi trailer used for commercial purposes;
- n. Any motor vehicle or vehicle not described above, used for commercial purposes, and bearing on its exterior a commercial sign;

No Commercial Vehicles will be permitted on the property of a private dwelling unless garages. No Commercial Vehicles will be permitted on community roads other than to gain access for garaging on the property of a private dwelling unit. No Commercial Vehicles may be stored on Community Property.

Prohibited Vehicles:

No vehicles shall be allowed on any Lot or portion of the Common Area unless they display a valid current license or registration. No Vehicle, Boat, Camper, RV, Boat Trailer, or Utility Trailer displaying commercial signage or trucks over two and one-half (2-1/2) tons shall be allowed on any Lot or portion of the Common Area unless stored in a garage and out of public view.

This restriction shall not apply to any vehicles that the builder may require during construction and sales period. Subject to all relevant enforcement procedures required by law and/or the Governing Documents.

Trucks, vans, commercial vehicles and vehicles with commercial writings on their exteriors shall be allowed temporarily in the Community during normal business hours and at other hours during the event of an emergency for the purpose of serving any Lot or the Common Property.

The Association shall have the right to tow and remove from the Property (at the expense of the Owner of such vehicle) any vehicle in violation of the Declaration, By-laws or any adopted Rules and Regulations.

Other Restrictions:

In order to avoid unsightliness, the following restrictions are also established:

- a. Extensive repairs: No work or dismantling of vehicles, boats or machinery of any type (other than routine maintenance and cleaning) is permitted on community property, or outdoors on the property or a private dwelling.
- b. Unlicensed, Inoperative or Abandoned vehicles: A vehicle shall be considered inoperative or abandoned if it shall remain upon the property for a period in excess of forty-eight (48) hours, unless reasonable cause shall be shown, such as vacation or other valid reason, by the owner

- thereof. Periodic movement of the vehicle for the purpose of circumventing this requirement does not comply with this Standard.
- c. In addition, no unlicensed driver is permitted to operate a vehicle on the community-owned property.
- d. Trailers, recreational vehicles, mobile homes and boats may be stored in a garage providing that such storage does not result in the displaced automobile(s) being parked outside the boundary of the Lot.

DESIGN STANDARDS and GUIDELINES

The Design Design Standards and Guidelines are listed in alphabetical order. The restrictions that are referred to or cause violations most often are: Home & Yard Maintenance, Landscaping, Yard Structures and Play Structures.

The specific Design Standards detailed below have been adopted by the ACC. It is impossible to draft Standards, which will cover all possible exterior changes. The ACC will review, on a case-by-case basis, change requests that are not covered by the Standards. Emphasis will be placed on proper scale, materials and impact on neighboring properties.

Please keep in mind that these Standards are a supplement to the DCRE, and are intended to add clarification to the DCRE. If a restriction speaks for itself as written in the DCRE, it might not be reiterated here.

Homeowners are responsible for obtaining all required governmental permits prior to implementing a change.

Air Conditioning Units (Section 6.03)

1. Window or wall air conditioning units (or fans of any type) which are mounted in, to, or extended from any window are prohibited.
2. All exterior compressor units for central air conditioning units shall be ground mounted in the rear or along the side of a residence, and screened by architectural treatment and/or landscaping.
3. Relocating exterior central air conditioning units and heat pumps will be considered. When installing or relocating a heat pump or air conditioning unit, please take into account adjoining properties so as not to become a nuisance to neighbors. Application and approval are not required to replace a heat pump or air conditioning unit in the original location.

Animals (Section 6.06)

1. Birds, dogs and cats may be kept as pets only and shall not be held or bred for any commercial use. Pets may be kept by Owners in a reasonable number, as determined by the Board, provided that such pet(s) are kept or maintained solely as domestic pets.
2. All pets shall be sheltered inside and no animal shelters shall be permitted outside.
3. No animal shall be allowed to make an unreasonable amount of noise or become a nuisance. At the discretion of the ACC, a referral will be made to the County Animal Control Unit.
4. Pets shall be under leash at all times when walked or exercised in any portion of the Community.
5. No pet shall be permitted to leave its excrement on any portion of the Community, and the Owner of such pet shall immediately remove any excrement.
6. All pets shall be registered, licensed and inoculated as required by law.

Aerials Antenna, Satellite, Antenna, and Coaxial Cable (Section 6.09)

1. No transmission antennae, of any kind, may be erected anywhere in the community without written approval of the ACC.
2. No Direct Broadcast Satellite (DBS) antennae or Multi Channel Multi Point Distribution Service (MMDS) larger than 24 inches in diameter shall be placed, allowed or maintained upon any portion of a Lot.
3. DBS and MMDS antennas measuring 24" or less in diameter and television broadcast service antennas, may only be installed in accordance with Federal Communication Commission (FCC) rules and the rules and regulations of the Association authorized by the FCC. If permits are required by the County or State, for the installation of any of the above devices, a copy of such permit must be provided with the registration, in order for it to be considered complete. Installation of antennas and satellite dishes are subject to the following guidelines.
4. Owners shall strictly comply with all Rules and Regulations when having a satellite antenna or television broadcast service antenna installed or mounted. Every effort should be made to locate the Antenna so that it is not seen from the street, and shall be installed at the rear of the home when feasible, and, if on the ground, installed as close to the home as possible without interrupting transmission. Landscape screening may be required. Any television broadcast service antenna shall be mounted in the attic of the home.
5. Antennae situated entirely within a dwelling unit, and not visible from the exterior, are permitted without the necessity of an approved Application.
6. No overhead utility lines, including lines for cable television, shall be permitted.

Location and Installation

Devices are not to be installed in the front of the lot or on the front façade of a residence so long as another location exists on the lot or residence from which an acceptable quality signal can be received. They are to be located so as to be as visually unobtrusive as possible, without unreasonable increasing the cost of installation, maintenance and use and without precluding the reception of an acceptable quality signal. Whenever possible, the devices should be located in the rear yard, below the height of privacy fencing. If they must be installed at roof level, then they should be situated on the rear side of the roof ridge line, so as to have no, or minimal, visibility from the front of the home.

Any such installation must be done in a professional manner and all cables must be concealed. The installation must conform to the manufacturer's guidelines and any Gwinnett and Barrow County safety, zoning, and other applicable requirements. Please submit the following information for antenna installations:

1. Specific mounting location and details including height above grade.
2. Cut sheet, manufacturer's brochure, or picture of antenna, along with a description of the type of antenna.
3. Location shown on house survey plat.

Color

In order to minimize any adverse visual impact, a device which is affixed to a residence should be painted to match the color of the portion of the house to which it is attached, so long as painting the device will not void the manufacturer's warranty.

Attic Ventilators (Section 6.12)

Attic ventilators and turbines should be mounted on the least visible side of the ridge line so as to minimize their visibility.

Boats / Trailers / Trucks / RVs / Vehicle Repairs (Section 6.15)

Vehicle renovation or repair on any property within the community is prohibited.

Building Setbacks (Section 6.16)

Although each lot shall be reviewed independently, the ACC serves the right to establish setback requirements for specific lots. These requirements are to insure that the community will be pleasing in appearance from views not only from the street but also from the lakes, golf course, adjacent houses and other amenity structures.

The minimum community setbacks are as follows:

1. Interior
 - 85' Front Yard
 - 15' Front Yard
 - 40' Rear Yard
2. Corner
 - 85' Front Yard
 - 15' Adjacent Yard
 - 40' Rear Yard
3. Golf Course
 - 85' Front Yard
 - 15' Side Yard
 - 50' from any improvements (pool, decking, driveway, etc.) Rear Yards
4. Lake Lots
 - 85' Front Yard
 - 15' Side Yard
 - 50' from any improvements (pool, decking, driveway, etc.) Rear Yards

Chimneys / Metal Flues (Section 6.18)

Chimneys for fireplaces installed on the exterior of homes must match both the design and materials of original chimneys on similar houses in the community. With the exception of the short side-exiting exhaust flues used for gas fireplaces (which do not extend past the roofline), all chimneys must be brick, stone, stucco, or similar material, and must match the house exterior walls of any homes.

Clothes Lines (Section 6.21)

Clothes lines or similar apparatus for the exterior drying of clothes are prohibited.

Decks (Section 6.24)

ALL decks must be approved by the Architectural Control Committee. Homeowners are advised to consider the following:

1. All decks or improvements or modifications thereto must be approved in writing by the ACC prior to commencement of construction. Decks and patios may not extend beyond platted building setback lines.
2. Plans and specifications submitted for decks must address any potential drainage problems. Drainage beneath a deck must be provided for prior to construction so that water is not trapped under the deck.
3. Decks must be weather and insect resistant and match the exterior materials of the home.
4. Elevated and ground level decks are an extension of the house which can impact its exterior appearance and may affect the privacy of adjoining homes. Drawings submitted with the application do not need to be professionally done, but they must be to scale and/or show accurate dimensions. Refer to the checklist for other information to be submitted with an application for a deck. Any adverse drainage requirements which might result from the construction of a deck, patio, or screened porch should be considered and remedied. Approval will be denied if the Board of Directors or the Architectural Control Committee believes that adjoining properties are adversely affected by changes in drainage. The use of a partially porous surface or the installations of mulch beds adjacent to a deck, patio, or porch are ways to offset drainage concerns. The following factors will be considered in the review of applications.
5. Decks, patios, and screened porches will be located in rear yards. Side yard locations will generally not be approved, but may be evaluated on their individual merit. The privacy of adjacent homes aesthetics, visibility and other positive/negative features will be considerations in evaluating the location.
6. Decks, patios, and screened porches, particularly elevated decks, should be of a scale which is compatible with the home to which attached, adjacent homes and the environmental surroundings.
7. Wood decks, stairs, rails, deck foundations, framing joists, beams, posts and screened porches should be constructed of high quality pressure-treated wood, cedar, vinyl, Trex or similar synthetic material which remains stable in exterior applications.
8. Decks must be located within lot lines, No deck may intrude in any manner into HOA space. Decks cannot be built in non-construction easements.
9. Stairs should not be placed so they provide direct access to the deck from the front of the home.
10. Landscaping around decks, patios, and screened porches is strongly encouraged to soften corners and views from adjacent lots.
11. Handrails must be installed when required by law. In addition, Homeowners are strongly encouraged to install handrails whenever the deck is twelve inches or more above the adjacent ground.
12. A sample of the stain to be used on the deck flooring, handrails, stairs, benches, etc. must be included with the Application.

Dog House, Kennels & Runs (Section 6.27)

1. Dog houses, kennels, and dog runs are strictly prohibited
2. Non-visible electric fences or invisible buried fencing is allowed.
3. The homeowner of animals that are primarily housed outside and at the rear of the property must construct an approved fence to enclose the pet.
4. No Structure for the care, housing or confinement of any animal shall be constructed, place or altered on any Lot.

Driveways and Driveway Aprons (Section 6.30)

An approved application is required for driveway extension, widening or rerouting.

Exterior Decorative Objects (Section 6.33)

Approval will be required for all exterior decorative objects, whether natural or man-made, which were not part of the original construction design, either as a standard or optional feature. Examples include but are not limited to: bird houses, bird baths, weather vanes, sculptures, fountains, free standing poles of all types, house address numerals, and any items attached/unattached to approved structures.

These will be evaluated in terms of their general appropriateness, size, location, compatibility with architectural and environmental design qualities and visual impact on the neighborhood and the surrounding area. Sculpture, garden statues, bird baths, bird houses and similar items are restricted to rear yard locations and should not be visible from the front yard or a street.

Exterior Painting, Materials, and Colors (section 6.36)

1. An application is required in order to paint/stain or repaint/restain any part of or all of a home – including if it is to match the original color. All exterior color changes must be approved, and samples of the new colors are required when submitting approval to the ACC. This requirement applies to siding, doors, shutters, trim, roofing and other appurtenant structures. If a part or all of the home is being repainted/stained the same colors then the work will be automatically approved once the application is received by the ACC.
2. The compatibility of materials, their colors and textures are important to a residence's character and design quality. The ACC considers the approval of materials, colors, and textures selected for a residence as important as the design features.
3. Color has a major influence on the character and appeal of a residence. The color of a unit also contributes to the general overall appearance of the neighborhood. Because of this importance, it is necessary to consider color selections in a broader perspective than just personal preference.
4. Color selections should be made seeking balance of personal expression and continuity and compatibility with the larger neighborhood and natural landscape.
5. Exterior colors on siding and stucco should be confined to lighter earth tones which are compatible with and subordinate to colors of the natural landscape. Harsh or bold colors which make a residence stand out among a group of residences are inappropriate. The alternatives available within this general criteria provide a substantial range of colors from which to choose.

6. Stucco must be painted or integrally colored.

Fences and Walls (Section 6.39)

General guidelines for the construction and approval of fences are provided below.

1. All fencing must be approved by the ACC in writing prior to commencement of construction.
2. Depending on the location of the fence, Homeowners may be required to add appropriate landscape screening on the outside of the fencing as a condition of approval with the understanding that the required screening will be planted as promptly as weather permits once the fence has been installed, and then maintained for the life of the fence.
3. Walls and Fencing should be considered as an extension of the architecture of the residence, and should be compatible with the total surrounding environment and not block natural views.
4. Stockade, chain-link, barbed-wire, pre-fab wood fencing, vinyl coated fencing or any type of wire fencing is strictly prohibited and will not be approved under any circumstance nor will they be permitted for any use.
5. Walls and fencing are discouraged on the lake and golf course lots, and the ACC may get input from the golf course management when considering approval.
6. The maximum fence height is 6 feet. Should the terrain warrant the need, the height may increase to 8 feet.
7. If fencing is to join up with existing fencing, the fencing must be constructed in the same style. Fencing on shared property lines shall not be "doubled" to create a fence-to-fence situation. If an existing fence is bordering a proposed fence installation, the new fence should simply meet the existing fence, and not construct an additional fence on the same property line.
8. Staking/marking by all utility companies is required prior to construction.
9. The Homeowner shall have the sole responsibility for compliance with all city, county, state or other governing authority code or regulations.
10. Fencing within drainage, sanitary sewer or water line easements must be approved by the county in addition to the ACC. A Homeowner who installs a fence within an easement area does so at their own risk and the HOA assumes no liability.
11. Absent the written agreement of the neighboring property owner, all portions of the fence must be on the owner's property line or lot.
12. Fencing shall be constructed on the property lines, and enclose substantially the entire rear yard. A waiver of this requirement may be granted if the ACC believes that extenuating circumstances exists such as a prohibitive easement, berm area, swale, woodlands, etc.
13. Fencing on the rear or side property lines of certain lots which adjoin a street right-of-way or open space may be restricted by the standards to a single design in the interest of overall architectural street continuity.

14. Lot line fences shall not extend forward of the rear plane of the home, unless special exception is granted.

Firewood (Section 6.42)

1. Firewood stored on a lot shall be kept neatly stacked and shall be located to the rear of the residence and in such a manner as to avoid adverse visual impacts for adjoining properties, and not visible from any street. Screening may be required.
2. Firewood should be stacked in piles which do not exceed eight feet in length and four feet in height for both aesthetic and safety considerations.
3. Firewood may not be stacked in the front of the house, side of the house, or on Common Areas.

Flagpoles (Section 6.45)

1. Permanent, freestanding flagpoles must be approved by the ACC.
2. Temporary flagpole staffs, which do not exceed six feet (6') in length and are attached at an incline to the front wall or pillar of the house, need not have an approved Application.
3. Flags must be properly maintained.
4. Any flag / banner that the ACC finds offensive, crude, or unacceptable will need to be removed immediately.

Garages (Section 6.48)

1. All residences shall have a minimum of two car garages with a closing overhead door of character consistent with the overall design.
2. Front entry garages will be discouraged and only allowed in rare situations approved by the ACC.
3. Conversion of garages to living areas is prohibited without prior approval of the ACC.

Garbage Cans, Woodpiles, Etc. (Section 6.51)

1. All garbage cans, woodpiles and other similar items shall be stored in the garage or screened in the rear of the property so as to be concealed from view of streets and neighboring properties.
2. All rubbish, trash, and garbage shall be regularly removed and shall not be allowed to accumulate.
3. Trash cans and receptacles may be placed outside the dwelling for pickup by the trash service provider not more than twenty-four (24) hours prior to the scheduled pickup, and must be removed not later than twelve (12) hours after pickup.

Greenhouses (Section 6.54)

A greenhouse will be treated as a major alteration to a dwelling unit and subject to the same level of review. Only greenhouses which are attached to the dwelling unit are permitted. Greenhouses must meet the following additional criteria to be approved.

1. The scale and design must be architecturally compatible with the home and surrounding homes.
2. There shall be no adverse visual impacts for adjoining properties. The installation of landscape materials to provide a visual screen is encouraged and may be required as a condition of approval.

Grills and Fireplaces (Section 6.57)

1. An approved Application is required for all permanent grills or fireplaces.
2. Permanent grills or fireplaces, wherever possible, should not be visible from the street.
3. Temporary (moveable) grills must be stored out of direct sight from streets and neighboring residence when not in use.
4. Grills and fireplaces are not permitted in the front of side yards.

Gutters and Downspouts (Section 6.60)

All gutters and downspouts including replacements must conform in color and design to those installed originally. Any addition of new gutters or downspouts, or a change in location of an original gutter or downspout, requires approval. Gutters and downspouts must not be located in such a manner as to adversely affect drainage onto neighboring properties. Black tubing used for additional drainage purposes must be buried underground and directed away from adjacent properties. Splash blocks must be black or green, or unpainted concrete.

Home and Yard Maintenance (Section 6.63)

1. All maintenance of the lot and all structures, parking areas, landscaping and other improvements on the lot, shall be the sole responsibility of the Owner, who shall maintain the Lot in a manner consistent with the community-wide Standards and the Covenants.
2. Such maintenance shall include: removal of litter, trash, refuse and waste, lawn mowing and edging of all sidewalks and curbs on a regular basis, tree and shrub pruning, weeding, edging and watering of landscaped areas, removal of grass clippings, keeping all exterior construction in good repair.
3. All areas of any lot which do not contain a structure should be landscaped with lawn or neatly mulched to a uniformed depth with pine straw, natural wood chips/mulch or other material approved by the ACC. When such mulch has become discolored or where dirt is showing, it must be replaced or replenished.
4. All front yard areas not covered with pavement, approved landscape beds or designed natural areas must be sodded with Zoysia or Bermuda sod, and corner lots require sod on the front and side street yards.
5. Weed infested lawns are a Community problem. The spread of weeds from one homeowners weed filled lawn to another homeowner's relatively weed free lawn is considered an offensive activity under section 3 of the covenants.

Notwithstanding the foregoing, the maintenance required hereunder shall also extend from the boundary of a Lot to the curbing of the right-of-way bordering said Lot. If in the opinion of the ACC, any Owner shall

fail to perform the duties imposed by this Section, the ACC shall give written notice to the Owner to remedy the situation in question, setting forth in reasonable detail the nature of the condition and the specific action or actions needed to be taken to remedy such condition.

Landscaping, Lawn and Yard Structures (Section 6.69)

The landscape design of a lot is integral to the total design of a residence. From the initial planning forward, consideration should be given to the appropriate treatment of the landscape. The landscape plan design concept and texture to the overall residential design. The plan should also enhance the structure and the appropriately address lot characteristics, as well as adjacent properties.

Application and review is not required for the following modifications:

1. Planting of annuals or perennials in existing beds.
2. Installation of new beds less than 4 feet wide around the perimeter of the house foundation (and deck, patio, or fence if present) and perimeter of the rear of the lot, provided that plants installed have a mature height of less than 8 feet.
3. Installation of new beds less than 3 feet wide adjacent to walks from the driveway to the front stoop provided that plants have a mature height of less than 3 feet.
4. Irrigation systems do not require approval but it is the owner's responsibility to make sure the system does not encroach upon any neighboring lot.

Any other landscaping modifications, including but not limited to the following, require application and review by the ACC.

1. Removal of original grass and replacement with some other type of ground cover (this will be considered for limited areas; on steep slopes, for example).
2. Planting of trees and shrubs in the yard. Plants should be selected carefully so that when fully grown they will be appropriate in height and breadth for their location in the yard, and take into consideration views and privacy.
3. An approved Application is required for exterior brickwork, stonework, structures, landscape timbers, etc.
4. An approved Application is required for all decorative water features (example: lily ponds, water gardens, fountains, etc.).
5. Yard structures, if approved, must be in good taste and compatible with and appropriate in scale, color and mass to the architectural character of the dwelling and the neighborhood.
6. Any modification that requires construction (including garden structures such as trellises, gazebos, etc.) or results in a grade change.
7. The ACC reserves the right to reject, at the sole discretion of the ACC, any yard structures such as statuary, arbors, trellises, benches, fountains and similar items.

8. The property owner must ensure that the placement of any improvement or landscaping does not halt or materially impede drainage flowing off of a neighboring tract, and does not redirect the flow or significantly increase the amount of water flowing into a neighboring lot.
9. Seasonal decorations may be displayed for a period not to exceed 6 weeks.
10. No artificial vegetation shall be permitted on the exterior of any property.
11. No tree, hedge, or landscape feature can be placed in a location where it will obstruct traffic sight-lines on community streets, either at the time of planting or as the plants grow. Homeowners are responsible for maintaining any tree, hedge, or landscape feature on their property such that they do NOT obstruct traffic sight-lines on community streets.
12. No planting or structure may interfere with any easement for the installation or maintenance of utilities, or which may unreasonably change, obstruct, or retard the direction or flow of any drainage channel.
13. The planting of bamboo stalks or kudzu will not be approved. These particular plants have the fast-growing roots which can spread onto adjoining properties, and are very difficult to remove once the roots are established.

Lawn Furniture (Section 6.72)

1. All lawn furniture not maintained on a deck or patio must be maintained only within the rear yard or that portion of the lot that is screened from public view.
2. Lawn furniture is not allowed to remain overnight within any front or side yard of any lot or in the common areas.
3. Benches not on a patio or deck or porches are considered lawn ornaments, and must meet the Standards listed under "Lawn Ornaments and Benches".

Lawn Ornaments and Benches (Section 6.75)

1. An approved Application is required for any lawn ornament, statuary, or bench. The Application must include a complete description of size, location on lot, materials, color and design. A drawing or picture should be included.
2. The ornaments shall be No larger than three (3) feet in height and two (2) feet in horizontal length or width.
3. Single-family birdhouses and small feeders (bird and squirrel) in the rear yard are not restricted. However, large birdhouses, bird-hotels, and large decorative feeders are considered lawn ornaments and require an Application.
4. Generally, such features should not be visible from the street or adjoining lots.

Lighting (Section 6.78)

1. Except as may be approved in writing by the ACC, exterior lighting visible from the street shall not be permitted except for: approved lighting as originally installed on a house, street lights in

conformity with an established street-light program for the community, and seasonal decorative lights.

2. An approved Application is not required if replacing an existing light fixture with one similar in size, shape, wattage, color or positioning to the old fixture. All fixtures are to be of similar color and style. An approved Application is required if a change in style, shape, wattage, color, or positioning is desired or if additional light fixtures are to be installed.
3. An approved Application is required for permanent exterior lighting and wiring, including walkway lighting. Permanent walkway lighting must be an inconspicuous size and design. It should not be easily noticed from the curb during daylight. Only low-level lighting will be considered. This restriction does not apply to approved security lights or floodlights.
4. Decorative post lights must be an integral and compatible part of the architecture of the dwelling. Lamppost (including globe) must have a single fixture and be no larger than 7 feet in height.
5. No lighting fixture may create glare or a level of illumination that is offensive or inappropriate when viewed from adjacent property. Lights mounted on building, poles or trees to provide general lot illumination must be mounted in fixtures which shield visibility of the lamp from the street or adjacent property and which direct the illumination upward or downward. All exterior lighting will be installed so as not to shine on adjacent property or public space and the ACC may require relocation or other mitigation if such lighting is deemed to be a nuisance by the ACC. No exterior lighting shall be directed outside of the applicant's property. Proposed additional lighting shall not be approved if it will result in an adverse visual impact to adjoining neighbors due to location, wattage or other features.
6. Gas lights are acceptable for exterior applications if they do not exceed 8' above the natural grade.
7. No colored lights, other than seasonal decoration, are allowed.
8. Seasonal decorative lighting may be displayed for a period not to exceed six (6) weeks. Temporary decorative holiday and festive lighting does not require approval. However, lighting shall be installed no earlier than three (3) weeks prior to use and must be removed within (3) weeks after the holiday or function.
9. Lighting which is part of the original structure may not be altered without prior approval of the Architectural Control Committee. Proposed replacement or additional fixtures must be compatible in style and scale with the applicant's house.
10. Permanent party lights, fluorescent lights used outdoors, and large bug lights are prohibited. This does not prohibit replacement of incandescent light bulbs with unitary fluorescent energy-efficient light bulbs nor is an approved Application required for same.

Mailboxes (Section 6.81)

1. It is the homeowner's responsibility to maintain their mailbox. Any damaged mailboxes should be repaired or replaced immediately with original design, style, size and color.
2. All mailboxes must conform to and be consistent to the overall design of the residence and any changes need approval by the ACC.

Patios (Section 6.84)

1. An approved Application is required for construction of a patio.
2. Patios must be located in rear yards.
3. Any adverse drainage requirements which might result from the construction of a patio should be considered and remedied.
4. The use of a partially porous patio surface or the installations of mulch beds adjacent to the patio are ways to eliminate drainage concerns.

Recreational Equipment (Section 6.87)

1. Play Equipment – Play equipment such as bikes, wagons, skateboards, etc. should not remain overnight within any driveway, front yard, or side yard.
2. No recreational and playground equipment shall be placed or installed on any lot except in a location on the rear of the lot, as approved by the ACC.
3. Basketball goals shall be allowed on the side or backyard only as approved by the ACC but shall be painted to match the house, or have a black pole and standard white backboard. Permanent basketball backboards require an approved Application. Portable backboards must be properly secured, repaired as necessary, and do not require an approved Application.
4. Basketball goals are not permitted to be placed or used in any street of the Community.
5. The installation of free-standing basketball poles with backboards and portable basketball setups are permitted, with ACC approval.
6. Skateboard ramps may not be permanently affixed to the ground and must be stored where not visible from streets or adjacent property when not in use.
7. Trampolines must be in the backyard. Play equipment must be stored properly when not in use.
8. Play structures must be located so that the applicant is the primary viewer.
9. An approved Application is required for permanent play structures such as play sets, swing sets, playhouses, and jungle gyms. Height of any play structure may not exceed 12 feet and are restricted to the rear yard. Exceptions can be made for lots larger than 5 acres on a case-by-case basis.
10. Semi-permanent play equipment which either constitutes a structure or is appurtenant to an existing structure requires approval. Examples include sandboxes, play-houses, swing-sets, etc. The following factors will govern approval of such equipment.
11. All such equipment must be placed in rear yards with the exception of basketball apparatus which may be placed on driveways of lots.

12. The equipment should be generally compatible with the lot size. The design and any visual screening are additional considerations in evaluating whether or not there will be an adverse visual impact.
13. Equipment constructed of wood and left in a natural condition to weather is encouraged. Metal play equipment should be painted solid earth tones (i.e., brown, tan, dark green) to blend with the natural environment.

Recreational Vehicles, Trailers, Boats, and Commercial Vehicles (Section 6.90)

1. The term "vehicle" shall include, without limitation, commercial vehicle, house trailer, mobile home, motor home, recreational vehicle, camper, truck with camper, boat, boat trailer, trailers, trucks, buses, vans and automobiles, golf-carts, ATV's, go-carts or like equipment.
2. Commercial vehicle, house trailer, mobile home, motor home, recreational vehicle, camper, truck with camper top, boat or boat trailer or like equipment may not be stored or habitually parked on any lot, Habitually parked means parked without movement for 24 consecutive hours. Periodic movement of the vehicle for the purpose of circumventing this requirement does not comply with this standard.
3. Notwithstanding the foregoing, any such vehicles or equipment may be stored on a Lot, provided such vehicle or equipment is kept in an enclosed space and is concealed from view by neighboring residences and streets.

Residential Use (Section 6.93)

1. All lots in Legends shall be used exclusively for single-family residential purposes.
2. No business or business activity shall be carried on upon any lot except with written approval of the ACC.
3. However, the Board may permit a Lot to be used for business purposes so long as such business, in the sole discretion of the Board, does not otherwise violation the provisions of the Declaration or By-Laws, does not create a disturbance and does not unduly increase traffic flow or parking congestion.

Retaining Walls (Section 6.96)

1. All retaining walls must be approved by the ACC.
2. All exposed concrete block or poured concrete foundations and site retaining walls must be covered with stone, brick, siding or stucco to complement the other primary materials proposed for a residence.

Roads, Driveways, Sidewalks, Walkways, and Patios (Section 6.99)

1. Driveways, sidewalks, walkways, and patios must be concrete. In some cases, other materials will be considered if architecturally compatible with the existing home.
2. No asphalt paving is permitted.

All patios and walkways or improvements or modifications thereto must be approved in writing by the ACC prior to commencement of construction. Patios and walkways may not extend beyond platted building setback lines except where a walkway extends from the dwelling to the street or drive.

Roof (Section 7.00)

1. Primary residential roofing materials shall be cedar shakes or architectural shingles, in colors and textures which complement the balance of the colors and materials selected for a residence. Generally, very light colored roofs are discouraged.
2. Repetition of similar rooflines on contiguous lots are discouraged. Varying roof pitches adds interest to the neighborhood and will be taken into consideration for approval.

Screened Porch (Section 7.02)

1. An approved Application is required for screened porches.
2. Screened porches and steps must be confined to the rear yard (i.e., the space behind the home between the two planes created by the sides of the house) and may not protrude beyond the side of the home.
3. Wooden portions of screened porches must be stained or sealed, unless such staining or sealing is specifically prohibited by the manufacturer. If other than a clear stain or seal is used, a sample of the color should be included with the Application.
4. Roof shingles must match those on the house.
5. Siding must match the house.
6. Any lattice, sun shields, privacy screens, benches, and other decorative items must be described in the Application and will be reviewed on a case-by-case basis.
7. Screening must be of a non-rusting type.

Security Doors and Windows (Section 7.05)

1. Security doors will only be allowed on rear doors not visible from the street.
2. Security windows will only be allowed on the interior and screened by curtains or blinds so that they are not visible from the outside of the house.

Security Bars (Section 7.05)

In general, the use of security bars or grates on windows and doors will be prohibited. Exceptions may be made where the security apparatus will not be visible from the street and from adjoining properties. Homeowners concerned about the security of their residence are advised to consider alternatives, including alarms and sophisticated lock systems.

Signs and Flags (Section 7.08)

No sign of any kind shall be erected by an Owner or occupant except signs required by legal proceedings.

1. No signs or flags shall be placed in any windows on a Lot.

2. Under no circumstances may any sign be installed on common property, including the entrances to the community, without prior ACC approval.
3. All exterior decorative flags must be no larger than 3' x 5' and do not require ACC approval as long as they are consistent with the community standards.
4. American flags do not need approval if no larger than 4' x 6'.

Skylights (Section 7.11)

Skylights should be located such that they are not visible from the front of the dwelling unit or a street. Consideration will be given to skylight on the front side of the roof ridge line only if constructed flush with the roof.

Solar Panels (Section 7.14)

No solar equipment of any sort shall be placed upon any portion of a Structure or Lot without prior written approval by the ACC.

Solar equipment shall be kept screened by adequate planting or fencing so as to conceal them from view by neighboring residences and streets, and may be maintained in the rear yard of a Lot only.

No solar energy collector panels or attendant hardware or other energy conservation equipment shall be constructed or installed unless they are an integral and harmonious part of the architectural design of a structure, as determined in the sole discretion of the Board or its designee.

Permanent Buildings and Structures (Section 7.17)

1. An approved Application is required for Permanent Buildings and Structures.
2. No detached building or structure for storage shall be permitted on any Lot.
3. Permanent Buildings include, but are not necessarily limited to the following structures: a greenhouse, screened enclosure, cabana or gazebo. All require approval by the ACC in writing before commencement of construction.
4. Permanent Buildings must be located in the rear yard, the applicant must be the primary viewer, and the Building must be screened from view at ground level from adjacent property.
5. Permanent Buildings may not extend beyond the platted building setback lines.
6. The finish materials must be identical to those for the home. The style must be consistent with the home. The color scheme must be the same as for the home.
7. Must be of a size, location, and situated to least impact neighbors and surrounding community.
8. The roof slope and the type of color of roofing material should match the house.

Storm / Screen Doors (Section 7.20)

1. An approved Application is required for storm doors.

2. Storm doors must be rustproof metal or wood with clear glass panels (or fiberglass screening in the summer). They must be attached flush to the original doorjamb. Raw aluminum storm doors will not be considered.
3. Any modifications to the original doorjamb necessary for installation of a storm door must be specified on the change Application.
4. Storm doors must be painted to match the entry door or the trim around the entry door.
 - a. Storm doors on the front of the house must be full view clear glass.
 - b. Storm doors on the rear or side of the house must be of traditional design must be either full view or three quarters view clear glass.

Storm Windows (Section 7.23)

1. An approved Application is required for storm windows.
2. Storm windows must be painted the same color as the window trim.

Swimming Pools, Hot Tubs and Spas (Section 7.26)

1. An approved Application is required for a Swimming Pool, Hot Tub or Spa. The owner is required to obtain all permits from the city, county, and State and provide a copy of the ACC before final approval will be given. The Application shall include the following information:
 - a. A site plan showing the location of the swimming pool, hot tub or spa and its relationship to existing structures, drainage, and property lines. Adequate drainage must be carefully evaluated for site selection approval.
 - b. Dimensions, type and color of proposed materials.
 - c. Proposed screening and landscaping plan.
 - d. Proposed fencing.
2. Swimming pools, hot tubs and spas shall be located only in the rear yard behind the house.
3. Pool areas and equipment should be screened with landscaping to minimize the impact on the adjacent properties and view from the golf course or lakes.
4. Hot tubs and spas shall be of a material that will blend with surrounding structures.
5. Swimming pools, hot tubs and spas must be screened from adjacent properties and sufficiently set back from the property line to avoid disturbances to neighbors when in use.
6. Above ground swimming pools are prohibited.
7. All swimming pools, hot tubs and spas must be provided with a security barrier (fencing) which complies with city, county, and State codes. Application for such fencing must be submitted to the ACC with the application for approval for the pool, hot tub or spa.

8. All pumps, filters and related equipment shall be located or screened so as to be concealed from view of neighboring streets and properties.
9. Exterior hot tubs or spas must be located on the ground level of the rear yard or on rear decks adjacent to the dwelling unit and must receive committee approval. The incorporation of hot tubs as a design feature of a deck or patio is encouraged.
10. The tub or spa must be screened appropriately with either evergreens or privacy fencing or both depending on location. Soft muted colors that blend with the natural surrounds are suggested. Tubs or spas recessed into decks are preferred over free-standing hot tubs. If free-standing, the tub/spa must be enclosed on all sides with natural wood. Visibility and location will be considered along with the impact on adjacent properties for all approvals.
11. Portable children's wading pools in rear yards are allowed and do not require an approved Application.

Tennis Courts (Section 7.29)

1. Tennis courts, while permitted, are restricted to the rear yard.
2. The fencing, netting, landscaping and location of the tennis court must be approved by the ACC.
3. A landscape buffer must be provided to minimize the impact on adjacent lots.

Tree Removal (Section 7.32)

No live tree with a diameter of ten (10) inches or more (measured from a point two (2) feet above ground level), shall be removed from any Lot unless such removal is in conformity with approved landscaping plans and specifications submitted or unless such removal is required due to disease.

Utility Meters and Equipment (Section 7.35)

1. Meters should be located in the rear or side yard, but not visible from the street, lakes, or golf course.
2. Meters shall be accessible at all times to meter readers and may not be located in fenced areas which are not accessible to utility companies.
3. All equipment such as HVAC units, pool pumps, and utility meters need to be screened sufficiently to inhibit their view from streets, adjacent lots, lakes, and golf courses.

Walkways (Section 7.38)

Approval is required for a change in an existing walkway or the construction of a new walkway. Materials to be used should be compatible with existing materials in the community (e.g., flagstone, brick, or poured concrete). Long stretches of poured concrete should be avoided, and walkways of wood decking will generally not be approved.

Water Features (Section 7.41)

An approved Application is required for all decorative water features (example: lily ponds, water gardens, fountains, etc.).

Windows (Section 7.44)

ACC approval is required to add new windows in walls. Windows must match the existing house windows. The size of the window trim and frame must match that of the other windows as closely as possible. All trim details must be duplicated. The color of the window frame and trim must also match the existing windows.

No windows shall be covered by unsightly coverings, including but not limited to paper, foil or sheets.

Window Flower Boxes (Section 7.47)

An approved Application is required for window boxes.

Miscellaneous (Section 7.50)

1. Minimum square footage of a residence is calculated on the heated footage and does not include garages, unfinished basements, porches or terraces.
 - One story residence is 3,000 square feet
 - Two story residence is 3,500 square feet
2. All sheet metal including roof caps, flashing, vents and chimney caps must be painted to blend with the roof color. Copper is exempted.
3. Trim colors should complement the primary color of the unit whether that be paint color on siding or a finish material such as stone or brick. Trim colors should not be bold. Rather, they should be a distinctive yet subtle complement to the unit's primary color.

Modification of Guidelines

The Design Guidelines may be modified from time to time by the ACC as it deems necessary to promote the health, safety and welfare of the owners and residents of the Association.

Severability of the Standards and Guidelines

Invalidation of any one (or part of one) of the Guidelines by judgement, court decree or order, a determination by any public agency or otherwise shall in no way affect any other provisions, which shall remain in full force and effect.