

**NORTH SHORE @
HURRICANE LAKE
ARCHITECTURAL CONTROL DESIGN GUIDELINE
November 5, 2012**

PURPOSE OF THIS DOCUMENT

These design guidelines have been created to describe the design criteria and approval process for residential construction in North Shore @ Hurricane Lake. It is intended for use by owners, architects, builders and contractors to assist in the design and construction of improvements and to describe the systematic review process for all proposed construction.

1.0 GENERAL GUIDELINES

1.1 Statement of Theme/Philosophy for Hurricane Lake Estates. When the designers began planning development of the Hurricane Lake Estates property, they realized the inherent beauty of this development should be preserved to make this new community a very special place. The development derives its beauty from its lake and mature hardwood and pine forest.

The challenge to the development team was to develop a unique planned community which would preserve to the greatest extent possible the natural environment of the area. To that end, many innovative land planning and engineering techniques were employed at Hurricane Lake Estates. The street system in Hurricane Lake Estates was designed around trees and other natural features resulting in reduced grading requirements and increased preservation of existing vegetation.

Some of the grandest homes in and around the lake will be designed and built by architects and master builders on the estate-sized lots. It is the goal of the Developer, the POA, builders and the residents of Hurricane Lake Estates to preserve the character created for this special community.

1.2 Community Goals and Objectives. The Architectural Control Committee's goal is to encourage appropriate architectural design which blends with the surroundings of Hurricane Lake Estates and is sensitive to environmental factors. New construction should reinforce this community's identity and should contribute to the beauty and harmony of the community. The highest quality in design, materials and workmanship should be evident in all construction in Hurricane Lake Estates.

To preserve the values and character of Hurricane Lake Estates, design guidelines have been established. The design objectives described in the guidelines will support the community goal of maintaining a unique and environmentally sensitive community. Generally, the guidelines require that building be unobtrusive in form and color and complementary to their natural setting. This philosophy will support the creation of a homogeneous community in a natural setting free from discordant architectural styles and obtrusive colors. The guidelines require that each building be treated not as an individual architectural entity, arbitrarily placed on its lot, but rather as a carefully planned addition to the community setting. To preserve the overall character of the community, the architectural controls for Hurricane Lake Estates extend beyond the building walls to include the entire site.

1.3 Amendments. From time to time, amendments to the design guidelines may be deemed necessary by the Hurricane Lake Estates Architectural Control Committee. Such amendments, if approved by the Board of the POA, will not affect covenanted standards for lots previously recorded. Suggestions and recommendations for amendments from all sources are welcome, and each suggestion will be given appropriate consideration by the Architectural Control Committee. The Property Owners' Association documents describe the procedure for adopting amendments.

2.0 ARCHITECTURAL CONTROL COMMITTEE

2.1 Purpose. The purpose of the Hurricane Lake Estates Architectural Control Committee is to review and approve plans for new construction and additions. Committee approval of plans is based on aesthetic consideration and compatibility with the environment and the community.

2.2 Members. The Architectural Control Committee consists of at least three but not more than five members appointed pursuant to the provisions of the Bill of Assurance of Hurricane Lake Estates filed in the Office of the Circuit Clerk of Saline County, Arkansas, and any and all amendments thereto.

Members eligible for appointment to the Committee may include members of the development team, homeowners and builders.

The initial Members are appointed by the Developer and will serve a term of one year and may succeed themselves.

2.3 Committee Meetings. The Architectural Control Committee holds regular meetings twice monthly on the second and fourth Wednesdays at 12:00 noon at the office of the Property Owners Association. Such meetings may be cancelled or rescheduled by the Property Owners Association Board of Directors.

Should the time and place of the regularly scheduled meetings change, all current prospective home builders with applications pending will be notified accordingly by telephone or in writing as soon as possible before the regular meeting date.

2.4 Fees. An application fee will be assessed for all residential applications and a fee will be assessed for all commercial applications. Fees must be paid to the Hurricane Lake Estates Property Owners' Association with the submission of the application and plans. The amount of the fee (s) will be expressed in the application.

3.0 REVIEW PROCEDURES

3.1 Preliminary Conference. Prior to formal submission of plans to the Architectural Control Committee, it is strongly recommended that prospective homebuilders or general contractors request a preliminary conference with a member or members of the Committee. Such conferences, which may be arranged by contacting any committee member, will provide prospective homebuilders an opportunity to present their project concepts and objectives and receive comments from the Architectural Control Committee prior to pursuing final design.

3.2 Plan Submission and Approval. Two complete sets of construction plans shall be submitted along with the applications, a compliance/security deposit agreement, and proof of financial responsibility for approval of residential and commercial construction (Appendix A). Applicants' plans, application, and specifications must be delivered to the POA office by 4:00 PM Thursday before the next scheduled Architectural Control Committee Wednesday meeting. The plans and application will be reviewed at the next regular meeting of the Committee. If these documents are approved, the applicant will receive written notification of the approval along with one set of plans. One set of approved plans will be retained in the files of the Architectural Control Committee. If the applicant's plans are not approved, written notice indicating the reason for denial will be given. If an application is denied, the applicant may request a meeting with a member or members of the Architectural Control Committee to discuss design changes that may lead to Committee approval. During the active development period all applicants will be notified of the Committee's action no later than two working days after the Committee meeting date. All applications and plans approved by the Architectural Control Committee are valid for 12 months. Failure to begin construction with the 12 month period will void approval and require the applicant to apply for approval of plan as if no such prior approval had been granted.

3.3 Plan Requirements. All plans submitted to the Architectural Control Committee for review must include the following information:

1. Site Plan (scale 1" = 30' or larger) showing:
Existing and finish contour grades, finish floor grade, location of all improvements, structures, walks, driveways, parking areas, fences, walls, utility connections and, if applicable, the grinder tank location.
2. Foundation Plan (scale 1/4" = 1').
3. Floor Plan (scale 1/4" = 1').
4. Exterior Elevation of all sides showing materials, grades, wall height, and roof pitch.
5. Wall Sections, showing materials, and ceiling heights.
6. Landscaping

3.4 Changes During Construction. If changes to an approved plan become necessary during construction, a request indicating the change or changes shall be submitted to the Architectural Control Committee. The review process for changes will be the same as that for initial plan approvals. The applicant will be notified of the Committee's decision within two working days after the Committee meeting date.

Minor changes may be approved by the chairperson of the Architectural Control Committee rather than a meeting of the full Committee. The Chairperson shall determine if a change is minor and shall notify the applicant of the approval or disapproval of the change within five working days after meeting with the applicant.

4.0 ENFORCEMENT

4.1 Authority of the Architectural Control Committee. The Architectural Control Committee is authorized by the Bill of Assurance to approve or disapprove all plans for new construction, remodeling or additions in Hurricane Lake Estates. The Committee reserves the right to disapprove a plan for purely aesthetic reasons.

4.2 Enforcement Procedures. The design guidelines and covenants are administered to accommodate individual tastes and to encourage design flexibility. However, in the event of construction which, in the opinion of the Architectural Control Committee, abuses the standards or covenants, the Committee will recommend legal enforcement. The Architectural Control Committee shall have the right to enforce, by any legal means, all restrictions, conditions, reservations and requirements imposed by the provisions of these architectural guidelines. the Bill of Assurance and or the Compliance/Security Deposit Agreement.

5.0 UNIQUE COMMUNITY ELEMENTS

5.1 Designated Green Areas. Designated green areas are recorded on the final subdivision plats and are to be controlled and maintained by the Hurricane Lake Estates Property Owners' Association. The lot owner may not alter or construct in these designated green areas. Requests to landscape or otherwise modify a designated green area should be submitted in writing to the Architectural Control Committee.

5.2 Hiking Trails. Hiking trails when and if they should become available will be within designated green areas. The primary purpose of these trails will be for pedestrian traffic. All motorized traffic is prohibited except for POA maintenance vehicles.

5.3 Lake. The POA and its members have been granted a non-exclusive easement by the Developer to use and enjoy Hurricane Lake subject to such regulations and restrictions imposed by the Board and the Architectural Control Committee. Motorized boat speed will be determined by the POA Board of Directors. Private docks are allowed only as approved and permitted by the Architectural Control Committee. Sea walls likewise must be approved and permitted by the Architectural Control Committee. No swimming is allowed except in designated areas. No jet skis are allowed. No irrigation from the lake is permitted by individual site owners. The Property Owners' Association reserves the right to irrigate common areas from the lake. The Architectural Control Committee is empowered to adopt such further regulations and restrictions as it deems necessary for the use of the lake.

6.0 GENERAL REQUIREMENTS

6.1 Construction Traffic. During the active development period, a construction road may be provided to accommodate construction traffic through the individual neighborhoods of Hurricane Lake Estates. After the active development period, the Architectural Control Committee will determine the most satisfactory routing for construction traffic.

6.2 Temporary Facilities. During construction, portable toilets are required. Temporary offices, storage sheds, portable toilets, trailers, parking areas, access roads, fences, etc. must be

located as inconspicuously as possible on the lots during construction. Temporary construction facilities shall be removed promptly when they are no longer required.

6.3 Maintenance. Each owner, builder and/or occupant of a site shall maintain buildings, improvements, landscaping and grounds in a safe, clean, orderly condition, free of any accumulation of rubbish, trash or litter. Waste containment is required on all sites during construction. Construction debris must be cleaned up at the end of each day to prevent any such debris from being blown on to adjoining property. During the construction process, if the owner, builder and/or occupant of a site under construction fails to maintain the site in a clean and orderly fashion consistent with these Architectural Control Design guidelines and the Bill of Assurance, after one (1) written warning notice from the Property Owners' Association to the owner, builder and/or occupant, the POA may, but is not obligated to, enter the site and bring the site into conformity with the maintenance obligations. The cost incurred by the POA plus an administration fee per occurrence shall be assessed against the owner and such special assessment consistent with the Bill of Assurance shall impose a lien against the property and the POA shall have all additional rights as created by the Bill of Assurance including, but not limited to, the rights conferred in Section 9 of the Bill of Assurance regarding Maintenance Assessments and Liens, Section 12 of such Bill of Assurance regarding Maintenance and Section 17 of such Bill of Assurance regarding the Creation of Obligations for Assessments. The amount of the administrative fee will be determined by the POA Board of Directors.

6.4 Erosion and Sedimentation Control. Prior to grading on any lot, the necessary sedimentation and erosion control measures shall be in place. Silt fence is required around all graded areas on the down slope side of the lot. Sedimentation and erosion control shall be implemented and maintained throughout the construction period. Lots which have lake and watercourse frontage will be closely monitored for proper erosion control as a result of owner's failure to do so, the cost incurred by the POA plus an administration fee per occurrence shall be assessed against the owner.

6.5 Utilities. No permanent water, sewer, gas, electric, telephone, cable TV or other service line shall be constructed, placed or maintained within the Hurricane Lake Estates community unless it is placed in underground conduits or cables and buried or otherwise concealed. No facility for alternative sources of energy (solar, wind, biomass, or other) or TV or other signal reception device (antenna, dish) shall be erected or maintained without the consent of the Architectural Control Committee.

6.6 Signs. The sign system for the entrance, amenity areas and streetscape in Hurricane Lake Estates has been carefully coordinated. The Developer has designed a sign system that allows for safe, efficient movement throughout the community without interfering with the natural beauty of the site. **Therefore, no signs may be erected on any lot or common area that deviate from the below sign requirements,** without approval of the Architectural Control Committee. All commercial development must submit a signage design for approval. This restriction includes lot number signs, real estate signs and builder/contractor identification signs.

A. "For Sale" Signs. Only one (1) sign per lot or house shall be permitted. All signs may be two sided, must be applied to its own post, placed either perpendicular or parallel to the road and on the lot not within the street right-of-way. No sign may be higher

than 42 inches above the ground. Surface area of sign shall be no greater than 865 square inches with no dimension greater than 36 inches. Sign colors shall be of normal hue and non-reflective. All “for sale” signs must be removed immediately upon the closing of the sale. The foregoing notwithstanding, the Architectural Control Committee reserves the right to reject any sign it deems inappropriate or offensive.

B. Builder/Contractor/Architect/Designer Signs.

(i) One sign identifying the builder/general contractor is permitted during the course of construction. The sign must be single-sided and may include the builder’s logo, company name and phone number and be of his own design and choice of colors, although earth tone colors are preferred. Architect/designer identification may be incorporated into this sign but may not be a separate sign attached to the builder sign. Builder signs must be no larger than 1200 square inches, must be applied to its own post or posts and must be placed parallel to the road on the lot and not within the street right-of-way. Builder signs may be placed only after the project has received Architectural Control Committee approval.

(ii) Only those subcontractors who are required under state law shall display one sign during the course of their work. Subcontractor’s signs shall include the subcontractors name, address, phone number and license number and shall meet those requirements as established by the Arkansas Department of Health or other state regulatory agency. The sign shall not exceed 325 square inches and shall be removed as soon as the work requirements are fulfilled by the subcontractor.

(iii) All signs must be removed as soon as the home is sold or occupied, whichever first occurs. Builder/architect information boxes are permitted with placement approval by the Architectural Control Committee.

C. General Signage Information. Subcontractor (except those required under state law), lender and supplier signs are prohibited. No signs shall be displayed in the windows of homes or be nailed to trees. No directional signs may be used except in connection with an open house permit. Open house signs or sandwich boards are permitted during the course of the open house but must be removed at dusk at the conclusion of the open house and whenever the house is not “manned.” Open house tours shall be restricted to no more than three (3) days per week. Open house signs do not need to comply with the “for sale” sign restrictions but there shall be no more than two (2) directional signs per house. All signs must appear to be professionally produced. Any signs which in the sole judgment of the Architectural Control Committee are deemed to be non-conforming will be removed and held by the Architectural Control Committee for 14 days, after which time they will be destroyed. Signs must be placed parallel to and facing the street providing access to the property. Signs may not be illuminated with artificial light. Plastic or cardboard store-bought or handmade “for sale” signs are not permitted.

All signs must be removed upon the earlier of the sale of the property and/or upon completion of the construction project or at the direction of the Architectural Control Committee.

“Private property”, “no trespassing”, “for rent”, “for lease”, “garage sale”, “yard sale” and similar type signs are not permitted.

D. Political Signs. Political signs no larger than 300 square inches are permitted and may be placed on the property 30 days prior to any election. These signs must be removed the day following the election. If not removed, they may be removed by the Property Owners' Association. Only one sign per candidate or issue per lot.

Political signs of a non-election nature are prohibited.

E. Hurricane Lake Estates Property Owners Association general information signage is exempt from all above signage restrictions.

6.7 Mailboxes. All mail and newspaper vaults must meet Architectural Control Committee approval and be constructed from the same type of material as the residence.

6.8 Trash Collection. The Benton Sanitation Department will not pick up trash containers at each residence. Private trash removal/pickup is therefore necessary. Placement of trash receptacles on the streets for collection is required.

6.9 Satellite Dish. An 18” or smaller satellite dish is approved with the requirements that: 1) it be installed 25’ back from front elevation with side application; 2) installed in rear of home anywhere; or 3) on roof installations limited to the rear of the home behind the ridge line. All installations must not be visible from front street/or both streets if corner lot. The Architectural Control Committee will consider exceptions only when these restrictions prohibit reception.

7.0 SPECIFIC LOT REQUIREMENTS

7.1 Clearing and Grading. To preserve the natural beauty of Hurricane Lake Estates, excessive clearing and grading shall not be performed on any lot. Deep cuts and excessive fill areas are discouraged. Debris from clearing and grubbing operations shall be removed promptly from the site. On-site burning in clearing and grubbing operations is prohibited. Grading should be accomplished in a manner which will prevent ponding or soil erosion on the site or on adjacent property.

7.2 Tree Preservation. To maintain the natural beauty of Hurricane Lake Estates, existing vegetation must be preserved as much as possible. During construction, trees which are preserved shall be protected to the greatest extent practical from damage. Barricades or fencing are strongly recommended to prevent root compaction. Placement of dirt stockpiles or construction materials under the tree canopy is discouraged. Trees which do become damaged during building construction should be treated as soon as possible. As part of the building permit process, a signed Compliance/Security Deposit (tree) agreement must be submitted. This agreement will outline the hardwood tree requirements.

7.3 Landscaping. In keeping with the Hurricane Lake Estates development goal to preserve the natural character of the area, all installed plant materials and other landscape elements should

harmonize with the existing natural setting. Maintenance of lots in their natural state, with lawn areas developed in and around existing vegetation is encouraged. A landscape plan must be submitted with the initial application for construction plan approval with location, size and quantity of plant material. The landscaping must be completed within 6 months from completion of the residence.

7.4 Exterior Accessory Structures. All exterior accessory structures such as fences, decks, arbors and lights must be approved by the Architectural Control Committee. For new construction, these structures must be shown on the applicant's construction plans. For additions or renovations, applications and plans shall be submitted to the Architectural Control Committee according to the same process used for new construction approval.

In general, front yard structures such as fences, pergolas, gazebos and the like are prohibited. Fencing will be reviewed on a case-by-case basis and shall be allowed only where a specific functional or aesthetic purpose is achieved. Woven metal or chain link fencing is prohibited. Fences shall not extend into the front yard of any house. Fence height must be appropriate for the fence type and should maintain a reasonable scale to the house. All residential fencing must be constructed at or behind the front building line. No fencing will be permitted along view corridors. Wrought iron fencing on lots will be considered on a case-by-case basis. Fencing and any other accessory structures shall comply with local and State codes.

Care has been taken in creating Hurricane Lake Estates to separate the subdivision from adjoining property not part of Hurricane Lake Estates. If at the time of purchase a lot has a boundary fence as constructed by the Developer, it is the owner's responsibility to maintain the fence in good and customary fashion. If the owner and/or occupant of the property fails to maintain the fence in a good and customary fashion consistent with these Architectural Control Design Guidelines and the Bill of Assurance, after one (1) written warning notice from the Property Owners' Association to the owner, builder and/or occupant, the POA may, but is not obligated to, enter the site and bring the site into conformity with the maintenance obligations. The cost incurred by the POA plus an administration fee per occurrence shall be assessed against the owner and such special assessment consistent with the Bill of Assurance shall impose a lien against the property and the POA shall have all additional rights as created by the Bill of Assurance including, but not limited to, the rights conferred in Section 9 of the Bill of Assurance regarding Maintenance Assessments and Liens, Section 12 of such Bill of Assurance regarding Maintenance and Section 17 of such Bill of Assurance regarding the Creation of Obligations for Assessments.

If such lot does not contain a boundary fence, the owner of such lot shall build such boundary fence in a comparable and compatible fashion with the existing fences and subject to Architectural Control Design Committee approval, such fence not to be less than six feet (6') high and such fence shall be constructed the earlier of twelve (12) months from the purchase of the lot or the conclusion of construction of improvements on the property. Should the POA be required to install a fence as a result of owner's failure to do so, the cost incurred by the POA plus an administration fee shall be assessed against the owner. This paragraph does not apply to property owners in Quail Valley Phases 1, 2, 3 or 4, but are encouraged to voluntarily comply.

7.5 Driveways. To reinforce the quality of Hurricane Lake Estates, the use of paving stones, patterned concrete, and brick paving in driveways is encouraged. All driveways must be diamond

blade saw cut at street curb. Driveway placement, design and paving material are subject to the approval of the Architectural Control Committee. No driveway shall be any closer than two (2) feet of the side lot line, including that area within the right-of-way.

7.6 Parking. No vehicle or trailer of any kind or character may be parked overnight on the streets or within the thoroughfares of the residential areas of Hurricane Lake Estates.

No fence, wall, hedge, shrub, exterior light or grade which may obstruct vehicular sight distance shall be permitted at any driveway where it connects to the street.

Screening of electric transformers and irrigation RPZ backflows is required. Yard ornaments must be approved by Architectural Control Committee. Berming of front yards must be approved.

8.0 RESIDENTIAL BUILDING REQUIREMENTS

8.1 Minimum Square Footage Requirements. The minimum square footage requirements for residential construction in each phase shall be established by the Bill of Assurance as filed with the Saline County Clerk of Saline County, Arkansas.

8.2 Colors and Textures. In keeping with the Hurricane Lake Estates' community image as a neighborhood of compatible architectural styles, materials and colors which blend harmoniously with the natural setting shall be required. Obtrusive or inappropriate colors and textures which would draw attention to specific buildings or structures shall not be allowed. Information regarding colors and textures for all construction is required on the application submitted to the Architectural Control Committee. The Committee shall determine the appropriateness of colors and textures for all construction.

8.3 Exterior Building Materials. Exterior veneer of brick, stone or an Architectural Control Committee approved stucco product is required on 100%, of the building veneer below the first story ceiling and gable ends on the front and side elevations, however the Architectural Control Committee will consider some other products (such as Hardy Plank, Cedar Shake, vinyl products) to conform with the Craftmans Style on a case by case basis. Wood or high quality vinyl siding is allowed for soffit/facia, and freezeboard. The Architectural Control Committee may approve the use of wood or high quality vinyl siding for use on the rear of a residence where the same is not visible from a street or an adjoining Hurricane Lake Estates residence.

8.4 Roofs. No flat roofs shall be allowed without specific permission from the Architectural Control Committee. Roofs shall be finished with materials harmonious with the surroundings and of a muted color. Manufacturer's "weatherwood" shingles are preferred shingles if using composition shingles. Dimensional or textured shingles are the minimum standard for roof finishes. All ridge vents and plumbing vent penetrations through the roof shall be painted or otherwise consistently colored with the finished color of the roof.

8.5 Construction Hours. Construction work is prohibited on Sundays and between 8:00 p.m. and 7:00 a.m. Monday through Saturday, unless prior approval by the Architectural Control Committee is granted.

8.6 Miscellaneous. Damage to and restoration of the streetlights and other common amenities are the responsibility of the owner during construction. Construction radios and noises must be kept so as not to interfere with the quiet enjoyment of nearby residents.

9.0 BUILDING REQUIREMENTS –

Height:	Maximum 2 Stories	
Roof Pitch:	10"/12" Minimum	
Windows:	Wood, Wood Clad or High Quality Vinyl Required;	
Chimney and Fireplace Finish:	Brick, Stone or Dryvit Required	
Setbacks:	Refer to Bill of Assurance	
Minimum Square Feet:	Minimum One	Minimum Two Story
	To One Half Story	
All Lots	2,000 sq feet	2,300 sq ft with minimum of
	1,300 on 1st Floor	

First Story Plate Line: 9' minimum ceiling height