

**THE RESERVE
AT
DURANT TRAILS**

HOMEOWNER'S GUIDELINES

Revised 10/18/23

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INTRODUCTION

Welcome to the Reserve at Durant Trails, a premiere townhome community within the Durant Trails subdivision in Raleigh, North Carolina.

There are many wonderful advantages to living in a townhome setting, and we feel sure that some of these were your reasons for choosing to live in the Reserve.

The Reserve Committee has published this “Reserve Homeowner Handbook” for your use. It should be your first reference when you need information on:

Rules & Regulations
Architectural standards
Landscaping
Parking
Proposed Architectural and Landscaping changes
other Aesthetic Considerations

For information not included, please call the management company.

Charleston Management Corporation
812 Salem Woods Drive, Suite #202
Raleigh, NC 27615
919-847-3003
info@charlestonmanagement.com

DURANT TRAILS HOMEOWNERS ASSOCIATION, INC.

The Homeowners Association and the individual homeowners who comprise the Association are dedicated to preserving and improving the beauty and ambiance that makes Durant Trails a great place to live.

There are three legal documents that define our rights and obligations as homeowners, as well as the duties and functions of the Durant Trails Homeowners Association (HOA). Copies of these documents should be provided to you at or prior to closing. Additional copies may be obtained from the property management company.

- Declaration of Covenants, Conditions and Restrictions (herein called "Covenants")
- Homeowners Association Bylaws
- Articles of Incorporation

This Homeowners Handbook is compiled from these documents and from policies that have been established by the vote of the members of the Durant Trails Homeowners Association or by its Board of Directors (BoD). This Handbook is not a substitute for the legal documents. In the event of conflict or error, the legal documents apply.

Cooperation is important to creating and maintaining a healthy community. Each of us must be particularly considerate of our neighbors and amenable to the welfare of the community as a whole. We are a self-governing community that cannot function effectively without your involvement and cooperation in its affairs. Please volunteer your time, energy and opinions!

THE RESERVE AT DURANT TRAILS COMMITTEE

In July 2002, the Durant Trails Board of Directors established the Reserve Committee (hereafter “the Committee”) and charged it with the responsibility of overseeing maintenance, improvement projects, grounds keeping and compliance with architectural standards for the 90 town homes in the Reserve. The Committee, therefore, is empowered by the Board of Directors to maintain, protect and preserve the owners’ investment in this community. The Committee discharges this responsibility by establishing guidelines to preserve the residential nature of the Reserve and implementing a dues structure to provide adequate funding for current expenses and to provide a reserve account for capital improvements.

The Committee consists of seven members elected by the townhome owners. Elections are held at the annual meeting in October. Officers are chosen by the Committee members after the annual election. Subcommittees have the responsibility for various aspects of the Committee’s overall activities.

The Committee meets monthly at the Durant Trails clubhouse. Residents are welcome to attend these meetings by giving advance notice to Teri at Charleston Management. You can find the date and place of the next meeting by calling the management company. The Committee welcomes your input on issues related to your house or the Reserve community in general.

MAINTENANCE RESPONSIBILITY CHART

ITEM	Homeowner	Association
Buried Utilities-Exterior water and sewer lines (up to foundation)		XXX
Catch Basins (Storm water drainage improvements), repair and replacement		XXX
Chimneys (exterior siding, trim and caps) repair and replace		XXX
Concrete Curb and Gutters, partial replacements		XXX
Crawl spaces	XXX	
Damage to landscaping caused by resident, employee or guest, autos, repairs, spills, pets, etc	XXX	
Decks, patios, Screened in porches (cleaning, painting, repairs)	XXX	
Drainage issues related to grading	XXX	
Driveways		XXX
Exterior building surfaces		XXX
Exterior front door staining/painting		XXX
Exterior door/door frame replacement/repair	XXX	
Exterior numbers	XXX	
Exterior light fixtures and bulbs	XXX	
Exterior water faucets and electrical outlets	XXX	
Fencing on any lot (homeowner installed)	XXX	
Fencing divider panels (originally installed by association)		XXX
Fireplace and chimney flue	XXX	
Foundation/structural parts of property	XXX	
Garage doors (maintenance/repair/replace)	XXX	
Garbage/recycling receptacles	XXX	
Gas, water, cable and electricity (including homeowner-caused damages)	XXX	
Glass surfaces	XXX	

Grounds Maintenance (turf, irrigation) in individual yards		XXX
Grounds Maintenance turf and plant fertilization, herbicide		XXX
Grounds - semi annual pruning- all shrubs		XXX
Grounds- Common area landscaping/turf/irrigation		XXX
Grounds/Landscaping/irrigation/fencing (homeowner installed)	XXX	
Grounds- mulch/pinestraw in common areas and individual yards		XXX
Gutter cleaning		XXX
Gutter and downspout replacement and repair		XXX
Heating/Air conditioning units (HVAC) and feeder lines	XXX	
Homeowner-provided additions or modifications	XXX	
Interior/exterior pest control	XXX	
Interior repair caused by leaks	XXX	
Interior structure and surfaces	XXX	
Interior plumbing	XXX	
Irrigation system		XXX
Lawn maintenance (including cutting, edging, seeding, fertilization)		XXX
Lighting - common areas and front porch lights		XXX
Lighting & electrical fixtures for individual units	XXX	
Mailbox repair & replacement		XXX
Masonry		XXX
Pest control Inside/outside home (except for termite)	XXX	
Privacy fencing (as part of original construction)		XXX
Roof repair/Leaks/Replacement		XXX
Screens	XXX	
Sewer clogs (from house to first exterior cleanout)	XXX	

Shutters (repair and replacement)		XXX
Sidewalks		XXX
Storm doors	XXX	
Streets, parking areas, Asphalt crack repair, Patch & seal coat		XXX
Street repaving, Asphalt mill & overlay		XXX
Street and community signs		XXX
(Street) Light poles and Fixtures		XXX
Structural problems	XXX	
Termite inspection/warranty		XXX
Vinyl siding, includes vinyl ceil		XXX
Walkway maintenance		XXX
Water/sewer lines damaged by HOA		XXX
Water/sewer lines up to unit foundation		XXX
Water/sewer lines in Homeowner's unit	XXX	
Weather stripping	XXX	
Window fixtures & door hardware	XXX	
Window frames, glass, encasement and screens (and their operation)	XXX	
Wood retaining wall behind philmont units		XXX

**Annual assessments (homeowners' dues) are established near the end of each calendar year for the subsequent year. The annual assessment is used by the Association to pay for the Associations responsibilities listed in the Maintenance responsibilities chart above. The assessment also pays for the Association's utilities, insurance, taxes, contracts and professional fees. A portion of the assessment is contributed to the capital reserves fund for major repairs and improvements.*

PROPERTY MANAGEMENT

The property management company acts as an agent for day to day contact with the residents and our contractors. They manage routine maintenance and repairs to the common areas and provide other services to the Association and its Board.

COMPLAINTS, SUGGESTIONS, REQUESTS FOR SERVICES AND QUESTIONS SHOULD BE DIRECTED TO THE PROPERTY MANAGEMENT COMPANY **FIRST**.

Our property management company is:

Charleston Management Corporation

812 Salem Woods Drive, Suite #202

Raleigh, NC 27615

919-847-3003

For emergencies, call the number above and follow the prompts

HOMEOWNERS/RESIDENTS

Homeowners as members of the Association have roles and responsibilities that can be met by:

- Electing members to the Association Board and the Reserve Committee
- Paying their Reserve and Association dues on time
- Reporting maintenance issues to Charleston Management

The HOA works best if all homeowners actively participate in assuring the health and welfare of the Durant Trails community. Issues and concerns should be communicated. Suggestions of any kind are particularly welcome. Complaints involving other homeowners should be communicated to the property management company; in writing.

RULES AND REGULATIONS

The Reserve Committee, acting under the authority granted by the Durant Trails Association Board of Directors, has developed rules and regulations for the Reserve, which are set forth in this document. In the event of conflicts between these rules and the Declaration of the Association, the Declaration shall take precedence.

ALTERATIONS

The construction, placement, erection or alteration of any structure, building or improvement, including foundation plant landscaping, on a lot requires approval of the Reserve Architectural Review Subcommittee. Application for Architectural change can be found on the Charleston management website.

The following items will not be approved by the Architectural Review Subcommittee:

- Detached buildings or structures, sheds, clotheslines, dog runs, dog houses, pet waste disposal systems, free standing flagpoles, walks and pathways. Changes to the existing mailboxes or exterior paint and roof colors, Permanent play and sports equipment (swing sets, jungle gyms, forts, basketball goals) and similar structures, improvements, additions or changes.

The following items will be allowed, subject to approval by the Architectural Review Subcommittee:

- Hot tubs, Jacuzzis, Fences, Decks, Attic fans, Awnings over decks and solar tubes.

DUES

Dues are a legal obligation incurred with ownership. Withholding dues is not an acceptable means of complaining to the Board or the Committee.

Dues for the Reserves are payable on the first of each month. Dues not received by the 15th of the month are delinquent and subject to a late fee of \$10.00 for each month of delinquency. If a delinquent account reaches three months in arrears, the owner will be issued a final demand for payment. Continued failure to pay will result in a lien against the property and can lead to foreclosure. The cost of collections, including legal fees and court costs, is borne by the delinquent owner.

If you are unable to make dues payments on time, you should discuss the matter with the property manager and establish a payment schedule to avoid legal action

EASEMENTS

A town home owner has an access easement and right of entry upon the adjacent lots to the extent reasonably necessary to expeditiously perform repair, maintenance or reconstruction of his dwelling. Upon completion of the work, the owner shall restore the adjacent lot(s) to the condition that prevailed prior to commencement of the work.

The Association has an easement right of access to go upon any lot for performance of repairs or maintenance for which it is responsible.

EXTERIOR DECORATION- In keeping with the look of our neighborhood...

- 1 flag, not to exceed 15 square feet, is permitted to be displayed on a pole attached to the garage area of the house.
- 1 flag may be on a post near the mailbox or in the mulch bed, 13"x19" or smaller. Any homeowner who affixes a flag or banner to his/her mailbox or mailbox post shall be responsible for any resulting damage.
- Any furniture in the front of your house must be placed on your front porch.
- Seasonal decorations, including lights.
- A maximum of 1 Statuary, no higher than three feet, is allowed in the front yard.
- Wind chimes, bird feeders and bird houses should be hung from a shepherds hook or plant hanger and blend easily into the landscape. Collectively a maximum of 3.

The above items do not require approval unless a specific complaint has been received.

FIRE PITS

Fire pits are not permitted due to the close proximity of our homes and the potential fire hazard.

FOUR SEASON ROOMS

- Four season rooms are not allowed in the Reserve community.

GARBAGE & RECYCLING

The Reserve trash day is Wednesday, according to the city schedule.

Trash cans, recycle bins, cans or containers (including trash bags) shall be kept in garages or inside an enclosed fence area and should be put out at the curb on pick-up days. After pick-up, receptacles should be removed from the curb the same day. Any trash put out the evening before collection day must be in a closed trash can to prevent animal scavenging.

GUESTS

Homeowners are held responsible by the Association for the conduct of their guests or guests of their families or tenants while using the common areas, pool, tennis courts or playground. In particular, damage or cleanup expenses will be charged to the homeowner. Concerns should be addressed to the property management company.

HOLIDAY DECORATIONS

- Holiday decorations are encouraged and do not require approval of the ARC.
- All such decorations shall be limited to 35 days before and 15 days after the holiday.
- Concerns regarding these decorations shall be addressed to the property management company.

LEASING

Homeowners who lease or rent their property in Durant Trails should use a carefully drawn lease and assure that their tenants are supplied with copies of all the legal documents of the HOA as well as a copy of this Handbook.

While a homeowner can delegate some privileges to a tenant, the homeowner retains all responsibilities to, and membership in, the HOA. The HOA, under the Covenants, holds the homeowner responsible for all the actions of tenants. The homeowner remains responsible for adherence to the Covenants and the

rules and policies of the HOA. You should be certain that your lease and tenant arrangements are consistent with the Covenants and policies of the Homeowners Association.

NOISE

The Reserve follows the City of Raleigh noise ordinance.

PARKING

The Reserve at Durant Trails puts parking and vehicle rules in place to ensure fairness and quiet enjoyment for each of our ninety homeowners, and to raise awareness of the fact that these ninety residents must share only twelve guest parking spaces. We also hope to make our streets as safe as possible for our residents and any emergency vehicles that might enter the streets of The Reserve.

- Each town home is entitled to two (2) parking spaces (garage and driveway).
- The two parking lots located on Philmont Drive, one on the left as you come in from Hiking Trail and the other a little farther down on the right, are for guest parking when the resident's driveway is full.
- Residents may not use the guest parking lot overnight without first notifying Charleston Management company with the following information: Vehicle, make, model, license plate and name and address of unit associated with the vehicle. Without proper notification, violators' vehicles are subject to towing.
- Residents may park their vehicles in the guest parking lots during daylight hours when needed. Any resident having temporary, special parking needs may contact Charleston Management Company with a request, which will be cleared with The Reserve committee member in charge of parking.
- Commercial vehicles, i.e., vehicles with permanent business names and/or equipment, owned or used by Reserve residents are prohibited from parking anywhere in the Reserve, unless making a service call in the Reserve, including the Resident's driveway. Towing will be enforced.
- All other commercial vehicles are prohibited from parking anywhere overnight in the Reserve. Towing will be enforced.

- All vehicles parked in the Reserve (this includes homeowner's driveways) must have valid plates/registration and be in good working order.
 - Owners of any vehicle that does not meet the specifications set out in these rules (such as, but not limited to, a valid license plate and inspection) due to unusual circumstances (for example, vehicles more than 30 years old) must register the vehicle specifically with Charleston Management Company.
 - Double parking in the guest parking lots is not permitted (i.e. one vehicle parked behind another)

Any violation of these rules will result in a violation letter and could result in the vehicle being towed at the owner's expense.

- Vehicles must be parked only on paved areas (garages, driveways or parking lots). The streets in The Reserve are private streets and must be maintained by homeowner dues. Overnight street parking, parking on grass areas and in the traffic circle at the intersection of Philmont Drive and Courage Court are prohibited. When a resident is entertaining, guest parking on both sides of the street is prohibited. Emergency vehicle access must be maintained at all times.
- No mechanical repairs or vehicle fluid changing is allowed in the resident's driveway or the guest parking lots. Any oil or fluids leaking from a vehicle on the driveway or parking lots will be cleaned and/or repaired at the resident's expense.
- Boats, trailers, personal watercraft and recreational vehicles must be stored in the garage with the door substantially closed at all times.
- RV's: up to 12 hour park (in the homeowner's driveway) is allowed for cleaning without approval. Any length of time beyond 12 hours will need to be approved prior to the RV being placed on the property.
- Storage pods and dumpsters are permitted for a limited time with prior approval from Charleston Management.

CONTINUAL/HABITUAL VIOLATION OF THE PARKING RULES WILL RESULT IN VEHICLE BEING TOWED WITHOUT ADDITIONAL WARNING AT OWNERS EXPENSE.

PETS

Each town home unit shall have no more than two animals in permanent residence. All pets in the Reserve must be under their owner's control at all times, and on a leash as required by law. Pets are not allowed to run free, disturb, annoy or otherwise interfere with residents and their guests. Any inconvenience, injury, damage or other unpleasantness caused by any pet shall be the sole responsibility of its owner. Violations of the City of Raleigh's "Leash Law" may be reported to the Humane Officer at the City Police Department (831-6311 or 831-6005). Be prepared to provide evidence of the violation if you file a complaint.

Pet owners must clean up after their animals in compliance with City ordinance #12-3011, Section C. Pet owners must pick up and properly dispose of pet wastes. Pet waste is not to be left anywhere on the grounds of the Reserve, including the homeowner's yard. It not only poses a health hazard and sanitation problem, but it can also interfere with the proper care of our lawns. Lawn care may be suspended on any yard where the owner/resident has not cleaned up properly after his pet.

SIGNS

- A single sign advertising a unit for sale or rent is permitted as long as the size does not exceed six square feet and does not obstruct any sidewalk.
- One political sign may be displayed in the front yard for a period of 45 days prior to an election and up to seven days after an election. Not to exceed 6 Square ft. and 42 inches in height.
- Commercial advertising type signs may not be displayed at any time

SOLICITATION

Durant Trails has a NO solicitation policy. Please do not encourage door-to-door solicitation. You should inform all solicitors of this policy. The homeowner has the right to ask solicitors to leave the area.

USE OF PROPERTY

The townhome or its lot shall not be used in any manner that detracts from or changes the established residential character of the Reserve.

BUSINESS ACTIVITY

- No trade materials or inventories may be stored upon the premises and no trucks or tractors may be stored or on the premises.
- No business activity or trade of any kind whatsoever, which shall include but not be limited to the use of the residence as a doctor's office or professional office of any kind, a fraternity house, a rooming house or a boarding house shall be carried on upon any Lot.

- Please address any complaints of this nature to the property management company.

UTILITY SERVICES

No modifications, alterations or changes are permitted to any exterior utilities on a lot, such as power, plumbing or cable (except for installations provided by public utility providers).

VIOLATIONS

Under North Carolina state law, violation of rules may result in a fine of up to \$100 per day for every day the violation is documented. The Durant Trails Association may also assess fines if you do not attend a hearing on a suspected violation and that violation is subsequently documented on your lot.

Nonpayment of state fines will result in a lien on the property. Notwithstanding any fines that might be levied, the Reserve Committee and the Durant Trails Association retains the right to require the owner to rectify any violation of these rules.

WINDOW COVERINGS

- Window air-conditioner units are not allowed.
- Window fans are discouraged.
- Windows must be covered with appropriate coverings. No sheets, blankets or newspapers are permitted to be used as a window covering except for a period of no longer than 30 days after moving in.

ARCHITECTURAL GUIDELINES INTRODUCTION

These Guidelines embody the spirit/vision of the Reserve at Durant Trails Community and serve as a framework for the architectural integrity and appearance of the community now and into the future. These Guidelines are the primary method for communicating the need for establishing and maintaining the architectural consistency and diversity for the Reserve at Durant Trails Community to the homeowners. They are subject to change per approval of the Reserve Committee.

The current Guidelines have been prepared to assist the homeowners for possible modifications to their existing property; including landscaping, decks/patios, fencing, etc. All ARC applications for exterior change must be submitted directly to the Management Company. The completed application will be accepted and stamped by the property management company as to the date received. Three days after this date will be the first day of the 30 day review and approval period since all applications are forwarded to the Architectural Review Committee “(ARC)”. The application is reviewed and decided upon by the ARC. Turn around for a normal application is within 30 days upon receipt of complete package by the property management company. Additional time may be required if the application is incomplete.

Please read and follow these guidelines because you **MUST** obtain approval **IN WRITING** from the ARC before the start of any exterior change.

Please keep in mind that some additions to your property may require the approval of the City of Raleigh and certain permits may be required by the City. If you have any questions concerning this please contact the City of Raleigh directly.

Copies of the application are available from the property management company or downloaded from our community web site at **Charlestonmanagement.com**

The Architectural Review Committee is aware that there are some violations to these Guidelines that exist. Depending upon the circumstances surrounding each case, the homeowners were either protected by a "Grandfather" clause or granted exceptions by the ARC. As a general rule, exceptions will not be approved by the ARC.

Work commenced prior to the homeowner submitting an ARC request and receiving an ARC approval from Charleston Management, will receive a violation that may eventually result in fines and work may be subject to removal.

ARCHITECTURAL CRITERIA

The ARC evaluates each application on the individual merits of the application and the standards listed below:

- **Validity of Concept:** The basic idea of the exterior change must be sound and appropriate to its surroundings.
- **Landscape and Environment:** The exterior change must not unnecessarily destroy the natural landscape or the achieved man-made environment.
- **The proposed change should relate harmoniously among its surroundings and to existing buildings and terrain that have a visual relationship to the change.**
- **Workmanship:** The quality of work must be equal to or exceed that of any existing structure. Poor practices may cause the owner problems and may be visually objectionable to others. For example, a wooden fence not properly treated and maintained, may in a short period start to decay and become unsightly to the owner and neighboring property owners.

DO NOT PURCHASE MATERIALS OR COMMIT TO ANY CONTRACTOR in anticipation of instant approval by the ARC. Wait until you have received written approval by the ARC prior to purchasing or committing to such work. Please try to plan well in advance to allow time to have your application processed. Although the majority of applications may be handled within a week, during the busy/vacation seasons, processing may take up to thirty (30) days. Remember some design changes require a permit from the City of Raleigh.

ARCHITECTURAL REVIEW COMMITTEE PROCESS

The homeowner communicates the project plans for modifications and / or additions to the ARC by completing an Architectural request form. If questions arise during the preparation of the application, the homeowner should call the property management company.

Applicant submits the application to the ARC, in care of the property management company by mail, fax or email.

A complete application includes sufficient information to describe what you propose to do. Depending upon the project, the application should include plot renderings, site plan, landscaping plan, elevations (front, side and rear), color proposals, alternate/special details and anything else necessary to describe what you intend to do (such as pictures). Professional architects / contractors plans are required for all additions.

Partial applications (including attachments) will not be processed by the ARC. The property management company will inform the homeowner that the package is incomplete. All submitted paperwork will be held by the property management company until the complete application is received.

No project for additions, alterations, landscaping etc. may be started by the owner without formal ARC review and approval. It is the sole responsibility of the owner to ensure compliance with all relevant building practices, codes, permits and licensing requirements.

The ARC will review the Application within thirty (30) days and will respond to you in writing. Should you not hear from the ARC or the property management company please call Charleston Management to follow up. Occasionally things do get lost in the mail and the thirty (30) day review period does not start until the application is received by the property management firm.

The homeowner will be notified by the property management company once the proposed request has been approved by the ARC committee.

When homeowners are notified that their proposed project has been approved, they will receive an electronic confirmation of the approval. The homeowner must notify the property management company upon completion of the approved project. The completed project will be reviewed to verify that the project was done as specified in the letter of approval. All projects should be completed within 90 days, but no later than six (6) months from the date of approval. A new application shall be necessary if the project is not completed within the six (6) month period.

If the application needs to be resubmitted, then either the original application was incomplete or questions arose during the review which could not be answered by the information that was provided. If

the homeowner has questions on what is needed, the ARC should be contacted. Contacts with the ARC should be made through the property management company within 30 days of the notification date. If the homeowner does not resubmit within the 30 day period, the application will be treated as withdrawn by the homeowner.

If the application is disapproved, the homeowner may submit a new application addressing the identified concerns. If the homeowner does not agree with the decision, the ARC should be contacted to discuss a resolution. Contact with the ARC should be made through the property management company.

Final approval is not given until the ARC has reviewed the completed project.

The Durant Trails Reserve committee has the right to levy fines and to withhold recreational and/or membership privileges for modifications made without HOA approval. For some types of unauthorized modifications, the HOA is empowered by the Covenants to make changes at the owner's expense and treat the cost of those changes as an additional assessment on the lot, secured by a lien.

SPECIFIC ARCHITECTURAL GUIDELINES

ARBORS/PERGOLAS (Requires an Architectural request form)

- Arbors/pergolas shall be located to the rear the property, consistent with the scale of the house and be an integral part of the landscape design. They shall not obstruct the view from a neighbor's property.

ATTIC FAN (Requires an Architectural request form)

- Requires an Architectural request form
- Attic fans must not be visible from the front of the unit. ARC request is required before any work is done

AWNINGS (Requires an Architectural request form)

- Awnings may only be installed in the rear of the house.
- Awnings must be consistent with the architectural style and scale of the house. Awning may be fabric or canvas. The color of the fabric must be in keeping with our natural surroundings. Any exposed frames must be painted to match the trim.
- Metal and corrugated fiberglass sheet awnings are not permitted

CABLE TV

Owners who install television cable that requires drilling through the exterior of the town home will be responsible for any resulting damage.

DECKS (Requires an Architectural request form)

- Any Deck shall not extend beyond the sides of the town home and shall not extend beyond twelve (12) feet from the rear of the unit. Interior townhomes must allow for four (4) feet of access on each side of the back of the townhouse.
-
- The ARC recommends that if the space under the deck is higher than four (4) feet, the space should be screened with trellis or plantings where applicable.
- Construction of a new or replacement Deck or Porch requires a permit and inspections from the City of Raleigh. Homeowners may contact the City of Raleigh Inspections Department for assistance. Upon completion of a new Deck or Porch installation, homeowners are to provide a copy of the approved final inspection form to the ARC.

FENCES (Requires an Architectural request form)

In order to be eligible for approval, any fence shall be located in the rear yard of a unit and enclose only the individual owner's lot.

- All fence installations must be reviewed and approved by the ARC prior to installation. A plot plan must be included with the request to portray the location of the proposed fence. Applications for fences must include a separate signed acknowledgement from neighbors if the proposed fence is to tie into their existing fence. This approval must be submitted with the application.
- Front yard fences are not allowed.
- Preferred fencing material is pressure treated lumber. The fence may be painted /stained to match the exterior of the house or left to blend with the natural surroundings but in all cases, both the interior and exterior must be properly maintained and kept in good repair. It must be installed with the finished side facing out.
- Rear yard fencing has a preferred height of five (5) feet but in no case will the height exceed six (6) feet.
- Existing topography, drainage and landscaping shall not be disturbed for the construction of a fence except with review and approval by the ARC. Whenever possible, fences shall not be located so that trees have to be removed.

- Major changes to the topography of your lot could result in flooding or improper drainage into a neighbor's yard. Therefore, such changes are requested to be approved prior to being started. Neither the Committee nor the ARC accepts any liability for any damage caused by such grading action, whether approved the ARC or not.

GARAGE DOORS (Requires ARC request form)

Garage doors are the responsibility of the homeowners. They must be kept clean and in good condition. If a garage door needs replacement, it must be replaced with the same style/configuration and color as the previous door. It must be consistent with the neighborhood. Glass doors and screens on the outside of the garage are not permitted

LANDSCAPE/PLANTINGS (Requires an ARC request form)

The owner of a townhome unit may plant trees or shrubs in the rear yard only. Such modifications shall be deemed to include an express promise by the owner to be responsible for the periodic maintenance and replacement of the same. The Association will not be responsible for any damage to such plantings during normal maintenance operations. If the plantings are removed, it is the owner's responsibility to restore the landscape in a manner acceptable to the Architectural Review Subcommittee.

- **PLANTINGS AROUND MAILBOX:** Annuals and perennials that grow up to 12 inches in height may be planted around the base of the mailboxes, being careful not to damage the irrigation system if it is located near your mailbox. No vines, shrubs or any plants taller than 12 inches will be allowed. House numbers on mailboxes must be visible at all times. Pinestraw, mulch and shrubs must follow the architectural landscaping standard for The Reserve at Durant Trails.
- Residents may maintain portions or the entire rear yard, provided that such maintenance does not hinder the Association in performing its maintenance of the exterior of the unit or other yard spaces. No such maintenance by the owner shall reduce the dues or assessments payable to the Association.
- Residents desiring to modify the original plantings in the front or side yards of their lot must submit their proposed changes to the ARC. Annuals may be interspersed with the original plants or planted around the mailbox without ARC committee approval. The plants may not interfere with the Association's landscaping or other maintenance activities.

- The Association will not be responsible for damage to such plantings during normal maintenance activities. Any homeowner who violates the above guidelines may be required to immediately remove the changes/alterations and restore the landscaping in a manner acceptable to the ARC at his own expense.
- Any plants that impede the landscapers or are in violation of the above standards will be removed at the homeowners expense.
- Any landscaping (bushes, grass etc.) removed may not be replaced with hardscape (rocks, pavers etc.) in the front of the house.
- Replacement trees in the front yard are not allowed.

LIGHTING

The existing light fixtures over the garage, next to the front porch and at the rear of the unit are the responsibility of the homeowner and may be replaced with other styles of light fixtures (including integrated motion detectors) in black metal finish. Fixtures should be no longer than 20 inches high by 9 inches wide by 9 inches deep. The front porch fixture is the responsibility of the Association: the fixture shall be a ceiling flush mounted style in white or black. Any lighting that does not meet these criteria may not be installed without approval of the ARC.

PATIOS (Requires an Architectural request form)

- Patios shall be located at the rear of the house.
- Patios shall be constructed with natural colored concrete, slate, flagstone, brick or wood left to weather naturally. It must be set on a base material such as sand.
- Patios are not to exceed the privacy fence.
- Major changes to the topography of your lot could result in flooding or improper drainage into a neighbor's yard. Therefore, such changes are requested to be approved prior to being started. Neither the Committee nor the ARC accepts any liability for any damage caused by such grading action, whether approved by the ARC or not.
- Must be kept clean and in good condition.

PERMANENT ADDITIONS OR MODIFICATIONS

Homeowners should be aware that they and their successor owners are responsible for maintenance, repair and replacement of any additions or modifications they make to their property. Likewise, the owner is responsible for maintenance and repair of any additions, improvements or alterations made by any previous owner.

SATELLITE DISHES

A satellite dish one meter or less in diameter may be installed on the rear roofline of the townhome without architectural approval. The homeowner shall be responsible for any roof damage that occurs as a result of installation. If a signal cannot be picked up from the rear roofline, the homeowner must provide a letter from their carrier stating such. An application must be submitted to place the dish in a location on the lot where it is as inconspicuous as possible, and landscape screening may be required to shield the view. Under no circumstance may a dish be placed in the common area.

SCREENED IN PORCH/DECK (Requires an Architectural request form)

ACTIONS TO TAKE BEFORE YOU BEGIN THE ARC PROCESS

- Visit City of Raleigh Building permits and Zoning Department or check its website to review building codes and permitting process for a home addition.
- Call the North Carolina Once Call Center at 811 at least 4 business days before beginning to dig. Representatives will mark the location of the utility lines on your property.
- A survey is required
- Obtain all site plans, surveys, architect's/builder's drawings, contour maps, pictures and other pertinent documents. The builder will provide most of these. You must submit an acceptable plat map for your address, on which you accurately mark the placement of the proposed addition. If you do not have a plat map, you must have a professional survey done in order to obtain one.

- Understand what equipment is required. If you must cross another or adjoining homeowner's lot, you are financially responsible for restoring it, as well as any common land or easement area that you have crossed, to the same condition it was before construction, or as close to that condition as is reasonably practical. For your protection, the ARC recommends that your contract with the builder stipulate this in writing.
- It is the homeowner's responsibility to repair and maintain all aspects of the screened-in deck or patio. This includes the drainage system and any adjacent damage or leakage to your townhouse or its roof, as well as any drainage problems at adjacent properties that may have been caused by constructing this addition. If the homeowner does not maintain and make repairs to the addition or any adjacent damage that may have been caused by it, the Homeowners Association (HOA) of the Reserve at Durant Trails reserves the right to make such repairs and bill the homeowner accordingly.

CONSTRUCTION SPECIFICATIONS (screen in porch/decks)

Include these with your ARC application

- Size: The structure must meet city and county setback rules and codes vis a vis size and distance from the end of the unit, fences and property lines.
- Screen color: Grey, green or black
- Soft vinyl windows are allowed (for example, EZ breeze windows)
- Roof color: As close a match to existing shingles as possible
- Trim color: The same color as the deck stain or white. Any siding on the new structure must match the color of existing siding on the townhome.
- Door: White trim and screening in colors cited above.

- Gutter system: A separate gutter system is required for the screened in area, and it will be maintained by the homeowner.
- Chimney: Screened-in deck or patio must NOT be attached to the chimney in any way.
- Warranty: Not less than a 15-year warranty on structural materials
- Type of lumber: If used: Pressure-treated 0.4 cca minimum, southern pine #2 or better for deck flooring or deck 4' x 4" supports.
- Materials: Descriptions of all construction materials to be used, including but not limited to those for footing, roofing, doors, framing, siding, screening, electrical connections, ceiling fans and hose bibs.
- Maintenance access and lot placement: The enclosure cannot extend beyond twelve (12) feet from the back of the townhouse. If the site is an end unit, it must not extend beyond the side of the home and must allow for four (4) feet access on the side of the back which adjoins another townhome.
- Equipment: Describe the type of construction equipment to be used, if any (backhoes, etc.) and the length of time it must remain on your lot during construction.
- Excavating: Patio may have to be dug up and may require 12 inches of excavation for the concrete footing necessary to support a structure, or may have to be overpoured to bring it closer to the existing threshold.
- Decks will be inspected by the builder to determine if additional supports are required.
- Time frame: Not longer than 6 months from the date of ARC approval and the HOA management company's letter of resolution approving the construction. The management company and ARC must be notified at least 48 hours in advance of scheduled inspections of footing, framing, roofing, electrical.

CONSTRUCTION (Screened in porch/deck)

- **Equipment:** Describe the type of construction equipment to be used, if any (backhoes, etc.) and the length of time it must remain on your lot during construction.
- **Excavating:** Patio may have to be dug up and may require 12 inches of excavation for the concrete footing necessary to support a structure, or may have to be overpoured to bring it closer to the existing threshold.
- **Decks** will be inspected by the builder to determine if additional supports are required.
- **Time frame:** Not longer than 6 months from the date of ARC approval and the HOA management company's letter of resolution approving the construction. The management company and ARC must be notified at least 48 hours in advance of scheduled inspections of footing, framing, roofing, electrical and final inspection so that a representative can be present during the inspection.

ARC SUBMISSION PROCEDURES (screened in porch/deck)

- All plans and drawings that are submitted for the permitting process to the City of Raleigh, including contour, front, side and overhead views and elevations must also be submitted to the management company as part of the ARC application. Two copies are required.
- A copy of the plat survey must accompany the ARC request.
- The Reserve ARC Committee has 60 days from the date of application to deny or approve the homeowner's ARC request. If the ARC application is incomplete, the 60 days restarts from the date of the completed ARC application. This time frame is different from other ARC requests because of the complexity involved in reviewing these structures.
- If the submitted ARC request is denied, a letter will be sent by the management company with the reasons and what changes, attachments or inclusions must be

addressed. The denial letter will give the homeowner 30 days from date of denial to resubmit the ARC request. If the deadline is not met, the ARC request process is terminated and a new request would have to be submitted.

- In addition to the ARC request, the applicant must sign a waiver at time of approval agreeing to maintain the screened in porch/patio at his/her own expense. This maintenance will not be covered by the Reserve HOA. If an addition needs repairs and the homeowner does not make them within 30 days, the Reserve HOA reserves the right to make such repairs and bill the homeowner accordingly. The homeowner is also responsible for repairing any exterior damage to the existing home resulting from the construction.

APPLYING FOR CITY OF RALEIGH BUILDING PERMIT (screened in porch)

- No building permit can be applied for before the Reserve ARC has approved the formal ARC request and site plan, building plans and drawings, contour maps, picture and plat survey. At that time, the ARC also must receive the signed waiver in which the homeowner agrees to maintain the structure as described above.
- The management company will notify the homeowner in writing of the ARC's decision.
- The homeowner will have 6 months to complete the project after the ARC request is approved.
- The management company and the ARC each must be notified at least 48 hours in advance of every scheduled inspection.
- If City of Raleigh building specifications, permitting process and inspection guidelines exceed those stated herein, you must follow the more stringent building, permitting and inspection rules.

SKYLIGHTS/SOLAR TUBES (Requires an Architectural request form)

Solar tubes/Skylights must not be visible from the front of the unit. Homeowners are responsible for any damage to the roof.

SOLAR PANELS - (An ARC request required)

Homeowner is responsible to forward ALL detailed plans from the install company with the ARC request for approval. This includes placement options.

HOA will not be responsible for maintenance under, or around solar panel install. If solar panels are installed and the roof needs to be replaced, the homeowner will need to have solar panels removed prior to roof installation and reinstalled after roof replacement. HOA will not be responsible for removing or re-installing panels.

STORM DOORS

A storm door may be installed without approval of the Architectural Review Subcommittee provided it is “maintenance free,” full glass and white aluminum or vinyl. Split (half screen) storm doors are allowed.

WINDOWS/DOORS (Requires an Architectural request form)

All replacement windows and doors require the submission of an ARC request form and must have prior approval from the ARC before any work begins. The windows are to be replaced with a style similar to the original window or door. The ARC is open to consider slight window design differences in the rear french door unit.