

DURANT TRAILS HOMEOWNERS ASSOCIATION
HANDBOOK
and
ARCHITECTURAL GUIDELINES

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INTRODUCTION

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. This Durant Trails Homeowners Handbook is our attempt to provide homeowners with a single source for most of the information you will need. Please read it and keep it in a convenient place for reference.

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 by your closing Attorney and/or the previous owner of your home. 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. 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. This Handbook contains many of the policies and practices that we have found to be effective in preserving the friendly and attractive neighborhood of Durant Trails.

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!

HOMEOWNERS ASSOCIATION

Durant Trails Homeowners Association, Inc.

The Durant Trails HOA consists of all Lot owners in Durant Trails. Its purpose, as explained in the Covenants, is to manage the community property and affairs of the Durant Trails subdivision. Generally, the business of the Association is conducted on behalf by its Board of Directors. Annual and special meetings are held to conduct business that requires participation of the full membership or to inform the membership of important events or activities.

The Association is the owner of the Common Area land. This includes the pool, tennis courts, playground, entrances, and all land that is not owned by individual homeowners. The Association is responsible for maintaining and managing the Common Area facilities. It also has the responsibility to set and collect assessments and to conduct certain other business as provided in the Covenants.

Board of Directors

The Board of Directors of the HOA consists of nine homeowners who serve three-year terms. These members are in a three-year staggered term structure, with three members being newly elected each year ensuring continuity from year to year. Elections are held at the annual homeowner meeting and Board members take office upon election. The powers and duties of the Board are explained in the Bylaws. They include managing the affairs of the HOA, receiving and dispensing of money, adopting and enforcing the rules and regulations of the HOA, maintaining the Common Areas and managing contractual relationships.

Board meetings are held on the 3rd Tuesday of each month at 6pm at the clubhouse. Residents are invited to attend and bring any item to the attention of the Board. Each Board meeting includes time for an "open forum" discussion of issues or concerns by any homeowner. As a courtesy, the Board of Directors asks that significant topics of discussion be communicated in advance to the property management company if possible, so they may be placed on the agenda. Contact the property management company or a Board member for the time and date of meetings or check the Durant Trails website at www.duranttrails.org.

Property Management Company

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, request for services and questions should be directed to the property management company first.

Charleston Management
812 Salem Woods Drive, Suite 101
Raleigh, NC 27615
info@charlestonmanagement.com

Annual Assessments

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 maintenance for the Common Areas (entrances, pool, tennis courts, playground, lights etc.). This assessment also pays for the Association's utilities, insurance, taxes, contracts, and professional fees. A portion of the assessment is contributed to capital reserves for major repairs and improvements.

The annual assessment is secured by a continuing lien against the property of each homeowner. Homeowners with delinquent assessments do not have voting rights in the Association and can lose the right to use the recreational facilities. The Board is required by the Covenants and Bylaws to bring suit or foreclose the lien to collect unpaid assessments.

Insurance

The Association maintains hazard and liability insurance covering the Common Area. The Association does not provide any coverage for individual homeowners.

Homeowner Meetings

An annual meeting of homeowners is held each year (historically in April) to receive the annual report of the Board of Directors, elect Board members and vote on any other questions that require a vote of the general membership. Special meetings may be called from time-to-time to present information of interest to homeowners or vote on pressing matters.

Notice of the time and place of any meeting is made by its publication on the website and in a mailing to each homeowner.

Correspondence

The HOA periodically distributes information via email and social media that relates to Association business and community social activities. Examples are notices of upcoming events such as pool opening or closing, meetings, social activities, interest group news, and homeowner meetings.

Interest Groups/Clubs/Activities

Special interest groups are a social tradition in Durant Trails. The HOA will sponsor several seasonal activities each year as well as sponsor several clubs. Homeowners are encouraged to participate and to volunteer when needed.

Issues, Concerns and Suggestions

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 via email to duranttrailsboard@gmail.com or Charleston Management info@charlestonmanagement.com.

All residents have the right and the responsibility to bring to the attention of the Board of Directors and/ or the ARC any apparent violation of any provision of these guidelines. Complaints, especially complaints involving other homeowners, should be communicated to the property management company, preferably in writing.

ARCHITECTURAL REVIEW AUTHORITY

The Architectural Review Committee (ARC) is authorized by the Durant Trails Homeowners Association Inc.'s Board of Directors to fulfill a requirement in the Association's Declaration of Covenants and Restrictions. If you do not have a copy of the Declaration, please request one from the property management company or review it on the Durant Trails website, www.duranttrails.org. The purpose of the ARC is to work with homeowners as they propose changes and improvements to their property. The intent is to encourage homeowners to preserve and enhance the architectural integrity and appearance of the community.

Mission Statement

The Durant Trails Community brings together many of the best loved elements found in classic neighborhoods. A wide range of architecturally diverse homes and other amenities such as walking trails, green spaces, playground, pool and tennis courts are just a few.

The mission is simply to preserve and enhance the character and appearance of our community.

ARCHITECTURAL GUIDELINES INTRODUCTION

These Guidelines embody the spirit/vision of the 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 Durant Trails Community to the homeowners. They are subject to change per approval of the Board of Directors.

Please retain this copy as part of the permanent papers to refer to now and in the future. These Guidelines should also be made available to prospective buyers or renters of your home.

The current Guidelines have been prepared to assist the homeowners for possible modifications to their existing property; including landscaping, additions, fencing, play equipment, etc. The application form (Approval for Exterior Design Change) is available for homeowners to use. The 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 (Approval for Exterior Design) are forwarded to the Architectural Review Committee (ARC). The application is reviewed and decided upon by the ARC at regularly scheduled meetings. 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 information not originally requested from the homeowner.

Please read and follow these guidelines because you MUST obtain approval IN WRITING from the ARC before the start of any exterior change. This written approval is also required by the City of Raleigh before any permits will be issued.

Please keep in mind that many 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, please contact the City of Raleigh directly.

Because the ARC is made up of part-time volunteers, we need up to 30 days to act on an application, so do not commit labor or materials until you have received approval.

Copies of the application are available from the property management company or downloaded from our community website at www.duranttrails.org.

It is important to note that there are existing violations of these Guidelines and Restrictive Covenants in Durant Trails. The Board of Directors and Architectural Review Committee are aware of these. Dependent upon the circumstances surrounding each case, the homeowners were either protected by a "Grandfather" clause or granted exceptions by the Board of Directors. As a rule, exceptions will not be approved by the ARC, but will come before the Board of Directors for consideration. All expenses undertaken to comply with these guidelines will be incurred by the homeowner.

Your cooperation and adherence to these Guidelines will not only be appreciated but will also be in the best interest of our community.

ARCHITECTURAL REVIEW COMMITTEE PROCESS

The homeowner communicates the project plans for construction, modifications and / or additions to the ARC by completing an Application for Architectural Change. 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 completed application should include sufficient information to describe what you propose to do. Depending upon the project, the application should include plot renderings, site plan, landscaping plan, floor plans, elevations (front, side and rear), color proposals, alternate/special details (e.g., handrails, columns, etc.) and anything else necessary to describe what you intend to do (such as pictures). Professional architect /contractor 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 completed 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 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 ARC will review the proposal and determine if the proposal is 1) approved, 2) approved with conditions, 3) needs to be resubmitted or 4) disapproved.

The ARC records its action and notification to the applicant by placing copies of the executed application and/or letters in the ARC's archives. Duplicate copies of all records will be forwarded to the Board of Directors or the property management company at their request.

If the application is approved with conditions, the project can commence as approved. If the homeowner does not agree with the decision, the homeowner should contact the ARC to discuss a resolution. Contacts with the ARC should be made through the property management company. If the homeowner decides to appeal the decision, the appeal.

must be submitted in writing within 30 days of the notification date and sent to the Board of Directors via the property management company.

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 not approved, 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. If the homeowner decides to appeal the decision, it must be submitted in writing within 30 days of the notification date and sent to the Board of Directors via the property management company.

Neighbors may comment and present views about the requested improvements in their area. Signatures must be obtained from all property owners having common Lot lines with the applicant and all property owners who would normally view the improvement from their property. The signatures indicate that they have been notified by the homeowner of the proposed improvement but do not indicate that each neighbor necessarily agrees with what is proposed. If the neighbor has concerns that cannot be resolved with the applicant, they are encouraged to work with the ARC to determine if it is possible to alleviate these concerns.

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

Property owners are cautioned that if buildings and other property improvements infringe of easements, buffers, or access to rights-of-way, they are subject to removal.

Failure to follow ARC Guidelines and/or comply with the approved plan may result in a request to remove/correct out-of-compliance modifications/constructions. Refer to the Compliance/Enforcement section of The Declaration of Covenants, which is incorporated into the homeowner's property deed.

REVIEW 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.

Relationship of Structures and Adjoining Properties: The proposed change should relate harmoniously among its surroundings and to existing buildings and terrain that have a visual relationship to the change.

Protection of Neighbors: The interest of neighboring owners and renters should be protected by making provisions for such matters as surface water drainage, sound and sight buffers, preservation of views, light and air and other aspects of design which may have substantial effects on neighboring property. For example: fences may obstruct views, breezes, or access to neighboring property; dog pens may cause undesirable noise, odors or infringe drastically on views of neighboring property. The ARC must consider the various and appropriate criteria and exercise discretion in determining which of these criteria will be governed in each specific application.

Design Compatibility: The proposed change must be compatible with the design characteristics of the applicant's home and the general neighborhood setting. Compatibility is defined as harmony in style, scale, materials, color, and construction details.

- a. Scale: The three-dimensional size of the proposed change must relate to satisfactorily to adjacent structures and their surroundings.
- b. Materials: Continuity is established by the use of the same or compatible materials as used in the existing home. Siding materials and shingles must match existing structure.
- c. Color: Color may be used to soften or intensify visual impact.

Workmanship: The quality of work must be equal to or exceed that of any existing structure.

Timing: A property change may be built or installed by the owners or by a contractor. However, projects that remain uncompleted for a long period of time are visually objectionable and can be a nuisance and safety hazard for neighbors and the community. All applications must contain maximum time period from start to completion of the project. If the proposed time period is considered unreasonable, the ARC may not approve the application. As a rule of thumb, minor editions should be able to be completed within seven (7) days, whereas more labor-intensive additions may take up to thirty (30) days.

DO NOT PURCHASE MATERIALS OR COMMIT TO ANY CONTRACTOR 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 most 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 GUIDELINES

This section provides guidelines regarding exterior architectural situations in the Durant Trails community. Generally accepted methods for achieving the required objectives and standards are indicated. In addition, things not permitted in our community are included. Following the guidelines do not guarantee automatic approval of an Architectural Application.

In general, any structure needs to have an application submitted. The Durant Trails Board of Directors and the ARC could not envision everything that could be put on a home or in a backyard.

Unless specifically indicated otherwise, an application should be submitted.

Changes Which Do Not Require Approval

1. Flower boxes, planting of flowers and shrubs around trees.
2. Bedding borders, if constructed of common landscaping borders and are not to exceed eight (8) inches in height.
3. Vegetable gardening in backyards, providing the plants do not exceed allowed fence heights or grow through to neighbor's yard.
4. Mailboxes and mailbox posts.
5. Outside seasonal decorations displayed up to three (3) weeks before or after the holiday season.
6. Play equipment/structures (including toys) and swings located in the backyard.
7. Replacement of entrance door of same color. (Color changes must be approved)
8. White or Black storm doors. (All other colors must be approved)
9. Gutters in materials and colors consistent with the color of the house.
10. Removal of dead trees only.
11. Flag staff that is attached to the front of the house.

Unauthorized Modifications

The Durant Trails HOA 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.

Prohibited Changes

Some modifications will not be approved. The following are prohibited by the Covenants or by HOA policy:

- Clotheslines
- Flag poles (in-ground installation) in the front yard
- Chain link (allowed for dog enclosures only), shadowbox, split rail or horse farm type horizontal railing fences
- Pools, above ground
- Violations of setback lines

SPECIFIC ARCHITECTURAL GUIDELINES

Arbors / Pergolas

Arbors/pergolas shall be located at the rear or side of the property, consistent with the scale of the house and should be an integral part of the landscape design. They shall not obstruct the view from a neighbor's property. They can be stained, painted, or left natural. If painted, they must match the trim or dominant color of the house.

Awnings

1. 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 compatible with the existing house colors. Any exposed frames must be painted to match the trim or dominant color of the house. Metal and corrugated fiber glass sheet awnings are not permitted.
2. Awnings may be installed in the rear of the house.
3. Awnings over front entrance doors must of a decorative nature and conform to the other ARC guidelines regarding fabric etc. The homeowner is advised to submit an application to the ARC prior to purchasing or installing a front door awning.

Boats, Parking and Storing

Boats should be parked or stored with the appropriate fitted boat cover on a concrete pad built on the side of the garage or house. They should be situated far enough back so as to ensure minimal visibility from the street. They may not be parked or stored in the street or on the grass.

Decks

1. 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.
2. Construction of a new 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. Any deck or porch with a height above grade of 30 inches must have a guard rail in accordance with North Carolina Residential Building Code 016.1 and stairways must have a handrail in accordance with NCRBC 315.2.

Detached Structures

1. All detached garages and buildings must be consistent with the overall design and color scheme of the house. Detailing must be consistent with the design, materials, and colors of the house.
2. Flat roofs are not permitted.
3. All detached structures are reviewed on a case-by-case basis.

Dog Pens and Dog Houses

1. Dog houses should be painted or stained and roofed to match the exterior of your home. Dog pens are to be made of either vinyl coated (brown or green) chain link

or pressure treated wood such that the animal can see out. If plain chain link is used it must be painted to blend with the natural surroundings (brown or green). The height of a chain link fence cannot exceed six (6) feet and a wooden fence cannot exceed four feet (4'). The maximum square footage of a pen is 75 square feet with a maximum length of 12 feet. The pen must be constructed on all four sides.

2. The doghouse and/or pen should be located in the backyard and must be positioned at least five (5) feet from a neighbor's property line. The area surrounding the pen should be landscaped so that drainage is not a problem. They must be properly maintained, kept in good repair and free of materials that may create unpleasant odors.
3. Landscaping and/or fencing may be required to visually soften the appearance of the structure.

Driveways and Walkways

1. Driveways and vehicle parking pads must be paved with a hard surface material such as concrete, exposed aggregate in concrete, concrete pavers, or brick pavers. Any type of pad other than naturally colored concrete must be reviewed and approved by the ARC on a case-by-case basis. The aggregate base, thickness, reinforcement etc. shall comply with good construction practices. Close attention must be paid to driveway, garage, etc. placement, setbacks and encroachment onto buffer areas, Association owned common property and neighboring Lots. A plot plan must be included with the application clearly identifying the proposed locations with distances to property lines clearly shown.
2. Asphalt driveways are discouraged. Concrete paint is prohibited.
3. Concrete pads adjacent to existing driveways that are to be utilized for parking purposes are subject to both the City of Raleigh building codes and ARC approval.
4. Walkways must be a minimum of 36" in width.
5. Where the grade and length allow, steps in the walkway to street are encouraged. Stringers, brick pavers detailing, textured concrete etc. are encouraged on all walkway steps.
6. Walkways shall be constructed of poured-in-place concrete, brick pavers, concrete pavers, or stone. Patterns or alternate paving surfaces may be used if they are in keeping with the materials of the principal structure and design detailing. Any material other than naturally colored concrete shall be reviewed and approved by the ARC on a case-by-case basis.

Flagpoles

1. In-ground flagpoles are not permitted in front yards but can be erected in back or side yards.
2. Flags may be displayed from a flagpole that is attached to the front of the house.

Fences

1. All fence installations must be reviewed 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. Fences may not be placed in easements without written approval from the City of Raleigh. This approval must be submitted with the application.
2. Front yard fences are not allowed. Corner or minor decorative fencing treatments

in the front of the property may be permitted depending on individual circumstances.

3. Fences will be allowed in rear yards but must not proceed further forward than the rear corners of the house. Exceptions may be made to tie into an existing, neighboring side yard fence. As these exceptions will be reviewed on a case-by- case basis, you must include a diagram of the neighbor's fence location. Fences are not permitted to extend to the front yard.
4. Preferred fencing material is pressure treated lumber or wrought iron. Vinyl fences are *not* permitted. 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 must be properly maintained and kept in good repair. It must be installed with the finished side facing out.
5. Rear yard fencing height shall not exceed six (6) feet. To maintain their open style, no privacy fences are allowed, and all fences must have a minimum of one (1) inch spacing between pickets. (Note: yards with a pool installation are required to have a six-foot fence). No stockade or shadowbox fences will be approved. If a homeowner builds a fence outside these guidelines, they could be mandated to modify or even completely redo the fence to meet the required standards at their own expense.
6. Existing topography, drainage and landscaping shall not be disturbed for the construction of a fence except with review and approval of the ARC. Whenever possible, fences shall not be located so that trees have to be removed.
7. The City of Raleigh policy discourages building fences over or on easements. Should the City need access, the homeowner is responsible for the removal of or damage to the fence even if it has been approved by the ARC.
8. Chain link, shadow box, split rail or horse-farm type horizontal railing fences are not permitted.
9. Chain link fencing is allowed only for dog enclosures.

Garage Doors

Garage doors shall be painted to match the trim or dominant color of the house. The garage color must be specified on the application.

Grading

Major changes to the topography of your Lot could result in flooding or improper drainage into a neighbor's yard. Therefore, such changes should be approved. Neither the Board of Directors nor the ARC accepts any liability for any damage caused by such grading action, whether approved the ARC or not.

Greenhouses

1. Greenhouse or screened type enclosures are only permitted in the backyard and will be approved on a case-by-case basis.
2. Exterior attached or detached enclosures which obstruct the view of significant or natural areas are not permitted.

Landscaping: Plants and Gardens

1. ARC approval is not required for most plantings or landscaping treatments that are biodegradable. However, if any plantings in hedge or row form are being considered for the front or side yards that will act as a "fence", an application for

such an addition must be submitted to the ARC for approval.

2. Vegetable gardens must be planted in the rear of the house.
3. Before starting any digging, please identify and locate all wires and/or cables that could get cut so as not to electrocute yourself or interrupt any services to your house or your neighbor's house.
4. Encroachment permits are required from the City of Raleigh for irrigation systems located in the public right-of-way.
5. Any landscaping (bushes, grass etc.) removed may not be replaced with hardscape (rock, pavers etc.) in the front of the house.

Lighting

1. Post lights are acceptable. Posts shall be black or painted to match or compliment colors on the house. Size and fixture shape shall be consistent with or compliment house style.
2. Outside lighting shall be low intensity, and when used, shall be used to accent entrances and special features. Intensity shall be no greater than required for pedestrian safety. In all cases, lighting must be compatible with the general tone and design of the neighborhood.
3. Exterior lighting should be white (not colored) and shielded so as not to affect neighboring properties.

Paint

1. All house and trim painting (even if repainting the original colors) must be reviewed and approved by the ARC. At least 6 sample color chips (minimum two-inch square in size) or a 10 x 8 sample of each requested paint color for all colors to be used must be submitted with application. If the resulting paint color is not the color expected or is questionable, it should be at the discretion or decision of the Architectural Review Committee to accept or reject paint colors even after they have been applied.
2. Changing gutter or downspout color must be approved.
3. Houses adjacent to each other may be painted in colors of the same tone (relative lightness or darkness of a color) e.g.: beige next to brown, dark green next to pale green. They may not be painted the same color e.g., white next to white, medium blue next to medium blue.
4. The ARC recommends a Williamsburg palette. Color charts are available at the property management company which can be used as a reference guide.
5. Door colors must be approved by the ARC after submission of ARC request. If colors are not approved, you must resubmit a request with another choice.
6. If ARC request is not submitted and approved before paint colors are changed homeowner will be subject to fines.

Patios

1. Patios shall be located at the rear of the house.
2. Patios shall be constructed with natural colored concrete, pavers, slate, flagstone, brick, or wood left to weather naturally. It must be set on a base material such as sand.

Pools

1. In-ground swimming pools are permitted and must be reviewed on a case-by- case basis prior to the beginning construction. It is the homeowner's

responsibility to ensure that the pool complies with all local, state etc. safety codes and requirements.

2. Above ground pools are not permitted.
3. Pool enclosure, for children's safety or other reasons, will be reviewed by the ARC on a case-by-case basis.
4. Applications for pool installation must include a separate signed acknowledgement from neighbors whose property is adjacent to the applicant.
5. The property must be fenced with a six (6) foot fence. The fence must be installed at the time of the pool construction.

Porches & Porticos

1. New porch additions and modifications to existing porches shall be in keeping with the originally approved (or modified) house style and colors. Additions and modifications must be approved by the ARC.
2. Construction of a new 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.
3. Any deck or porch with a height above grade of 30 inches must have a guard rail in accordance with North Carolina Residential Building Code 016.1 and stairways must have a handrail in accordance with NCRBC 315.2
4. The lower portion of all porches must be enclosed. Lattice, if used, should be wood or vinyl and, if colored, complement the house colors. Lattice must be framed between structural members and may be held off the ground up to approximately six (6) inches to prevent discoloring from contact with the soil. Lattice is not necessary where the finished floor level is less than four (4) feet above the finished grade and additional landscape screening is provided for a solid screen to provide a visual barrier below the deck. Evergreen shrubs and/or lattice must be used for porches over four (4) feet above grade.
5. All rear porches visible from a street on corner Lots must be finished to match front porch detailing (handrails, horizontal lattice etc.) and colors.
6. Closed-in rear porches are acceptable.

Retaining Walls

1. Retaining walls shall be as unobtrusive as possible and built to the minimum height needed to serve their function and satisfy local code requirements. Application for construction of retaining walls must be reviewed and approved by the ARC.
2. Materials may be brick, stone, square corner timbers or concrete depending on location and contextual relationship. Generally, rounded landscape timbers are not acceptable due to their lack of stability when used to retain earth, the strong horizontal lines caused by the juxtaposition of the timbers, and their overall appearance.
3. The ends of the walls shall be tapered into the ground rather than abruptly ending above ground. If the height of the wall would require a railing to comply with county and city building codes, the applicant shall consider stepping the wall in a terracing effect.
4. Landscaping and/or screening should be used to soften the visual impact of the retaining walls.

5. Retaining walls must be maintained.

Roof

1. Application should be submitted for any roof changes.
2. Shingles must be compatible to other styles in the neighborhood.
3. Decorative roofs accents are permitted but are at the discretion of the ARC.
4. Roofing samples must be provided with application such as shingles, metal, or other types of roofing applications.

Satellite Dishes

1. Application shall provide specifications on size and color of dish and proposed location. Dishes larger than one (1) meter in diameter are not permitted.
2. Dishes visible from the street must be painted to blend with existing house colors. An unsightly structure visible from the street is not permitted.
3. Neighbors must be informed of satellite position and sign ARC request for approval.

Screen & Storm Doors

1. Storm door color must be approved. Full view doors are encouraged. Storm doors shall be of metal or wood construction. Hardware shall be compatible with that of the entrance door.
2. Screen doors are only allowed on the back or sides of the house. Screen doors can be constructed from metal, wood, or vinyl. Hardware shall be compatible with that of entry door.

Setbacks

Homeowners should refer to their plot plan or contact the City of Raleigh for the setback requirements for their Lot.

Siding

1. Replacement siding and any siding on additions shall be compatible in material, style, and color with the existing home.
2. Vinyl, masonite, brick, fiber cement, and fiber cement-like products are permitted.
3. Modifications to existing siding (e.g., replacement, color changes, textural changes) must be compatible with existing schemes.
4. All siding changes are subject to approval of the ARC. Samples of siding are required when submitting application.
5. Plank width must be visually a minimum of 6”.
6. Any exterior changes to siding types (decorative accents included) must be approved by the ARC.

To establish some minimum guidelines to the use of vinyl siding and its installation by contractors and homeowners wishing to install vinyl siding, the Durant Trails Board of Directors and the ARC have outlined the following to be used to review architectural requests received:

- Vinyl Gauge: .044 or higher
- Colonial Flat Bead preferred

- Proof of lifetime Transferable Warranty
- Workmanship must match doorjamb and window casings extensions per original specifications
- Siding on new construction must start with ½inch board underlayment plus Amocor (or its equivalent) underlayment of ½ inch or thicker.
- Color samples must be submitted with each application form (Approval for Exterior Design Change)

Solar Panels

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

Spas & Hot Tub

1. Spas and hot tubs must be located in the rear yard away from the adjacent property so that their use, presence and noise of the mechanical equipment do not adversely affect the use of the adjacent property. They shall be screened from adjacent property.
2. The spa or hot tub must comply with City code. See <https://raleighnc.gov/permits/abcs-installing-pool-or-spa>. For safety reasons, the ARC requires at least a five (5) foot fence or a safety cover that complies with ASTM F-1346.
3. Spas and Hot tub enclosures, for children's safety or other reasons, will be reviewed by the ARC on a case-by-case basis.
4. Spas and hot tubs shall be designed to be an integral part of the deck, patio and/ or landscaping. This includes design of screening.
5. All necessary permits are the responsibility of the homeowner.
6. Mechanical equipment, pipes and wiring shall be concealed. The understructure of the spas/hot tubs set into raised decks must be screened with appropriate material.

Storage Sheds

Installation of any shed must be approved by the ARC. Storage sheds may not be larger than 120 square feet and must be placed on the property behind your home and at least five (5) feet from neighboring property. Siding material must be similar in color and composition to the house. Roofs must have a similar pitch, materials, and color as that of the house.

1. Aluminum sheds are not allowed.

Trees, removal of

Except in the case of an emergency situation that does not permit any delay, no tree larger than six (6) inches in diameter at a point measured three (3) inches off the ground shall be removed from any Lot without the approval of the Board of Directors or its designated committee (ARC), provided that this provision shall be deemed applicable only to Lots which have occupied under a Certificate of Occupancy issued by the City of Raleigh. Dead trees may be removed without approval. Find more information at <https://raleighnc.gov/parks/urban-forestry-program>

Variations

Variations from these guidelines will be reviewed by the ARC on a case-by-case basis. Approval of a variance is not a blanket approval for subsequent similar requests.

HOMEOWNER'S RESPONSIBILITIES

Basketball goals

Basketball goals are not allowed on the curb areas of the street. They must be located on the owner's property in such a manner that the playing area is not on the street.

Business activity

1. No trade materials or inventories may be stored upon the premises and no trucks or tractors may be stored on the premises.
2. Homes in Durant Trails are zoned single family residential and commercial use is prohibited. Commercial use includes but is not limited to doctor's office, fraternity house, rooming house, boarding house, etc....
3. Please address any complaints of this nature to the property management company.

Clotheslines

No clotheslines may be erected or maintained on any Lot.

Garbage & Recyclable Containers

1. All garbage, recyclable, and yard waste containers and receptacles shall be totally screened from view of the street and neighbors in an unobtrusive manner.
2. Containers should be left out no longer than 24-hours.

Guests

Homeowners are held responsible by the Association for the conduct of their guests or guests of their families or tenants while using the pool, tennis courts, clubhouse, or playground. Damage or cleanup expenses will be charged to the homeowner.

Hazards

1. The discharge of firearms, fireworks or other noise making or explosive devices is not permitted at any time within the boundaries of Durant Trails.
2. Please report violations to the Raleigh PD and notify the property management company.

Holiday Decorations

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

Leasing

1. 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.

2. 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.

Negligent Acts

If the need for maintenance or repair is caused through the willful or negligent act of a homeowner, his family, guest, invitees, contract sellers, tenants or an independent contractor hired by the owner, the cost of such maintenance or repairs shall be added to and become part of the assessment to which such Lot is subject.

Noise

Durant Trails observes the City of Raleigh noise ordinance. It permits a resident disturbed by excessive or persistent noise to notify the police. Disturbances include loud music, party noises, vehicles or other noise that disturbs sleep or the wellbeing of the community residents. Homeowners are held legally responsible for disturbances created by themselves, their guests, tenants, or guests of tenants. Offenders are subject to fines, arrest, or even criminal charges.

Consideration of one's neighbors is especially important in a community like Durant Trails. Loud noises from parties, televisions, music, pets and vehicles should be avoided at all times and especially between the hours of 11 p.m. and 8 a.m. Users of the pool, tennis courts and playground during early morning and late evening hours should be considerate of nearby neighbors. Homeowners are asked to refrain from starting yard work until 8:00 a.m.

Parking

1. Parking and storage of trailers, boats, recreational vehicles etc. are not permitted on the private streets. The above-mentioned vehicles may be parked or stored on a concrete pad at the side of the house or garage. They must be parked in such a manner as to ensure minimum visibility from the street.
2. No vehicle is permitted to be parked on the grass.
3. Cars parked over 72 hours on private streets are subject to towing. Towing and recovery will be at the owner's expense.
4. It is suggested that no mobile house trailer (whether on or off wheels), vehicle or enclosed body of the type which may be placed or attached to a vehicle (known generally as "campers"), commercial vehicle of any kind, boat or boat trailer shall be parked on the street or nearer to the street than the front or side building setback lines. No tractor trailer trucks or cabs shall be parked on any street or Lot within the subdivision.
5. Vehicles may be parked or stored on any Lot only on portions of Lot improved for that purpose, i.e., garage, driveway, carport, or parking pad. No unenclosed vehicle parking shall be constructed or maintained on any Lot except a paved driveway and a paved parking pad for two (2) vehicles. Any driveway or parking pad constructed upon any Lot shall have an asphalted concrete surface, a cement concrete surface or brick pavers.
6. No vehicle of any type which is abandoned or inoperative shall be stored or kept in any Lot in such a manner as to be seen from any other Lot or any street within

the subdivision and no automobiles or mechanical equipment may be dismantled or allowed to accumulate on any Lot.

Pets

1. No animals, livestock, or poultry of any kind shall be raised or kept on any Lot, except that dogs, cats or other household pets may be kept provided said animals are not kept or maintained for any commercial purpose.
2. No portion of the property may be used to tie up dogs or for breeding.
3. Excessive dog noise will be treated as a noise ordinance violation and neighbors are advised to contact Raleigh Animal Control if the owners fail to quiet their animal(s).
4. All homeowners are required to pick up after their pets. There is a City Ordinance that enforces this guideline. As a courtesy when walking your dog, do not let your dog relieve himself in other homeowner's yards.
5. The City of Raleigh requires that all dogs be leashed. Homeowners are advised not to let their dogs roam freely.

Play Equipment

1. In general, play equipment shall be placed in rear yards. Consideration shall be given to Lot size, equipment size, material, design, amount of visual screening and relationship to neighboring property. All equipment shall be placed five feet (5') from property lines.
2. Playhouses must be placed in rear yards and be in scale with the size of the yard and existing buildings. The playhouse must be painted or stained to blend with the natural open space or with the colors of the house.
3. Permanent skateboard, bike and other type ramps are not permitted. Ramps must not remain in the street.
4. Soccer and hockey nets must not remain in the street.
5. Trampolines shall be installed in rear yards and not visible from the street.
6. Placement of play equipment on common property is not permitted.

"Quiet Enjoyment" Clause

No noxious or offensive trade or activity shall be carried on upon any Lot, nor shall anything be done thereon which may be or become an annoyance to the neighborhood.

Signs

1. Political signs may be placed on the homeowner's property expressing support or opposition to a candidate or referendum issue. They may be placed 45 days (maximum) prior to the election and must be removed within 7 days following the event in accordance with Chapter 47F North Carolina Planned Community Act.
2. Single real estate signs, not to exceed six (6) square feet, must be placed so as not to obstruct walkways.
3. Temporary signage during the period of home improvement is permitted. Signs must be removed as soon as the job is completed.
4. Security, burglar alarms or dog fence signs shall be located discretely in the

front yard of the house.

5. Good news announcement signs: storks or other baby signs, birthday flamingos etc. are permitted but should be removed seven (7) days after the event. "Yard of the Month" signs may be displayed for the entire month.
6. Advertising sign soliciting business for babysitting, housecleaning, renovations, piano lessons, tutoring etc. are not allowed.
7. Homemade signs of any sort are prohibited.
8. Yard sale signs are to be removed within 24 hours of the sale.
9. Any other type of sign must be approved by the ARC.

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.

Vandalism

See Negligent Acts

Windows

1. Window air-conditioner units are not allowed.
2. Window fans are discouraged.
3. 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.

Yard Ornamentation

1. Yard ornamentation includes, but is not limited to, such items as planters, decorations, statues, birdbaths, other decorative items. In general, yard ornamentation must be compatible with the general tone and design of the neighborhood. Front yards should appear neat, uncluttered, and maintained. Owners with excessive numbers of pots, objects, and yard art that visually obstruct the permanent landscape and/or attempt to substitute for permanent landscaping are prohibited.
2. Items normally kept on porches do not require approval unless a specific complaint has been received.
3. Items in enclosed areas do not require approval unless a specific complaint has been received.
4. Items such as benches, planters, statues, fountains, and birdbaths should complement surrounding landscaping and overall house design and colors. These items do not require approval unless a specific complaint has been received.
5. Patio furniture should be kept in the rear of the home (See patio section).
6. Permanent fire pits are not allowed in the front yard.

