

THE POINT AT LAKE JEANETTE

ARCHITECTURAL CONTROL AND COMMUNITY STANDARD GUIDELINES

(Excluding Dutchman's Pipe and Indigo)

OVERVIEW

These Architectural Control Standard and Community Standard Guidelines ("Guidelines") are intended to help maintain the theme and appearance of our neighborhood at The Point at Lake Jeanette (the "Point") so as to preserve and enhance values and to maintain a harmonious relationship among structures and the natural vegetation and topography. These Guidelines are informed by the legal documents affecting the Point, including deed restrictions and the various Declarations of Covenants, Conditions and Restrictions (collectively, "Declaration") for the Point's various phases and neighborhoods. The Declaration was written to establish binding standards that maintain all aspects of the architectural design and cohesion of the Point and to distinguish it from other Lake Jeanette communities, as well as to maintain and enhance property values for the community and individual homeowners.

The Architectural Control Committee (the "ACC") for the Point considered many factors, ranging from aesthetics to safety, when establishing these Guidelines. For example, the siting of the houses on lots, the close proximity of houses, as well as the design of houses, were all intended to create a series of intimate villages with a friendly pedestrian atmosphere. Due to the close proximity of backyard play areas in conjunction with traffic flow, these Guidelines were established to promote a safe environment for children while decreasing the dangers to homeowners, visitors to the community, and The Point at Lake Jeanette Association, Inc. (the "Association"). These Guidelines recognize that members of all ages of the community, including individuals, couples, families with young children and teenagers, empty nesters, and retirees, should enjoy their homes and the welcoming spirit of the neighborhood.

Therefore, to maintain and enhance property values, promote harmony among neighbors, and maintain the architectural design and unique character and charm of the Point, the ACC will consider architectural requests using the specifications set forth below.

Changes or additions to your house or property that are not expressly permitted by these Guidelines require submitting an Architectural Request Form to the Architectural Control Committee for review. Requests must be accompanied by the plans and specifications for the change, alteration or improvement, showing the nature, kind, shape, height, materials and location thereof. The Declaration permits the ACC 60 days to respond to a request, and you must receive written approval prior to proceeding with changes or additions. If the request is denied, the homeowner may appeal to the Association's Board of Directors. All requests and questions should be sent directly to the Property Manager for the Association, who will forward them to the ACC.

In reviewing these Guidelines, for each topic the requirement(s) from the Declaration are stated and followed, where relevant, by specific guidance.

STREETS – ALLEYS

All Section Members, their family members, guests, invitees and tenants shall abide by all state and local traffic regulations and other laws and ordinances regulating motor vehicles while on the Property.

Parking is prohibited on the Section Common Area driveways, streets and alleys that are not bounded with curb and gutter, including the sides, shoulders and side ditches.

In areas within the Property having streets not bounded by curb and gutter, Owners and other Authorized Users, their guests, invitees and licensees, shall be permitted to park motor vehicles only in their respective garages and in the approved driveways serving their respective Lots. ["Authorized Users" means the Owner,

members of the Owner's immediate family or members of the immediate family of the Owner's spouse (with "immediate family" meaning the lineal ancestors or descendants of the Owner or Owner's spouse), a tenant of an Owner holding a leasehold estate of at least one year under a written lease agreement that has been approved by the Association's board of directors prior to the tenant's taking possession, and such other occupants as may have been approved by the Association's board of directors upon prior written application of the Owner.]

*Parking on Section Common Area driveways and streets bounded by curb and gutter shall be subject to such rules and regulations as the Association may promulgate from time to time.
[Article VII, Sections 1 and 2]*

ACC GUIDANCE

Parking is permitted on all Section Common Area driveways and streets within the Point that are bounded with curb and gutter except in the following locations: (a) Checkerberry Square and Thimbleberry Square; provided that parking is permitted within the white painted lines on the pavement; and (b) immediately adjacent to the circular islands in the Point. These exceptions are imposed to allow adequate access by emergency vehicles around the Squares and the circular islands.

EASEMENTS

Easements for installation and maintenance of utilities (including cable television service) and drainage facilities are reserved as shown on the recorded Plat. Within these easements no structures, planting or other material shall be placed or permitted to remain, nor will the alteration or removal of any berms, swales or ditches be permitted, which may interfere with the installation and maintenance of utilities, or which may change the direction or flow of drainage channels in the easements, or which may obstruct or retard the flow of water through drainage channels in the easements. An easement is hereby established for the benefit of the City of Greensboro over all Section Common Areas as may be reasonably necessary for the setting, removal and reading of water meters, the maintenance and replacement of water, sewer and drainage facilities, for affording police protection, and for the fighting of fires and collection of garbage. An easement is also hereby established for the benefit of the Section Association over drainage and utility easements shown on the Plat for the maintenance, repair and replacement of the storm water drainage system.

[Article IX, Section 1]

ROOFING MATERIAL - EXTERIOR COLOR - EXTERIOR FINISHES

After the completion of construction and occupancy of a dwelling as a residence, no improvements, alterations, repairs or other work which in any way alters the exterior of such dwelling, lot or improvements located thereon from its natural or improved state existing on the date the dwelling was first occupied as a residence shall be made or done without the prior written approval of the ACC.

Changes to roof material, exterior colors and exterior materials and finishes require approval by the ACC. [Article VI, Section 3]

ACC GUIDANCE

Homeowners who wish to make changes to their property that affect the existing roofing material or exterior color, finishes or materials must submit requests to the ACC for consideration and approval. A request must be submitted only if there is a change from the existing materials, colors, or finishes; provided that the existing materials, finishes or colors are original to, or the same as, when the dwelling was first occupied as a residence or have been approved previously by the ACC. The ACC will consider each request in such a manner as to preserve and enhance property values and maintain a harmonious relationship among structures.

Any request to change roofing material or exterior siding must be accompanied by a sample of the proposed roofing material or siding. Requests to change paint or other color, including base and trim colors, must be accompanied by a sample of the proposed color, showing both the color and finish.

Neither aluminum nor vinyl siding will be approved.

DOORS – WINDOWS – SCREENS – AWNINGS

After the completion of construction and occupancy of a dwelling as a residence, no improvements, alterations, repairs or other work which in any way alters the exterior of such dwelling, lot or improvements located thereon from its natural or improved state existing on the date the dwelling was first occupied as a residence shall be made or done without the prior written approval of the ACC.

Changes to, or the addition of, doors (including storm doors), windows, screens, or awnings require the approval of the ACC. [Article VI, Section 3]

ACC GUIDANCE

Homeowners wishing to make changes to existing doors, windows, screens, or awnings must submit requests to the ACC for consideration and approval. The addition of doors, storm doors, windows, screens or awnings must be approved by the ACC.

PORCHES – PATIOS – DECKS

After the completion of construction and occupancy of a dwelling as a residence, no improvements, alterations, repairs or other work which in any way alters the exterior of such dwelling, lot or improvements located thereon from its natural or improved state existing on the date the dwelling was first occupied as a residence shall be made or done without the prior written approval of the ACC.

Alterations to, and additions of, porches, patios and decks require the approval of the ACC. [Article VI, Section 3]

ACC GUIDANCE

Porches, patios and decks must be treated as living areas and not storage areas. Only a reasonable number of items shall be placed on porches, patios and decks and such items must be of a type typically found thereon. Lighting in covered porches or patios must be soft, such as indirect or recessed.

The type and style of outdoor porch or patio furniture will be at the discretion of the homeowner, but must complement the architectural design of the residence.

Porches, patios and decks must be located as an integral part of the home or landscape design and must be constructed of weather resistant materials approved for exterior construction, such as treated lumber, siding, brick, stone, or concrete. Porch and patio colors, trim and roofing must match or blend with those of the home. Decks may be natural, stained or painted, provided that the finish and color complement the dwelling.

Homeowners wishing to make changes to their property to add porches, decks or patios or that affect existing porches, patios or decks, including lighting, must submit their request to the ACC for approval.

GARAGES

Owners shall keep the interior of their garages in a neat and orderly condition and shall keep garage doors closed as much as practical. [Article VIII, Section 2]

ACC GUIDANCE

Homeowners must comply with the above-stated requirement for aesthetic reasons, including maintaining picturesque street scenes for all homeowners and visitors to the community, and for safety reasons, including deterring crime in the Point.

ACCESSORY BUILDINGS

The property shall be used for residential purposes only, and no structures shall be erected or allowed to remain on any lot except one (1) detached single-family dwelling not exceeding two (2) stories and an attic (finished or unfinished) in height, a basement (finished or unfinished), a private garage or carport, porches and/or decks. [Deed Paragraph 1]

No structure of a temporary character shall be erected or allowed to remain on the property. [Deed Paragraph 9]

No building, residence or other structure shall be commenced, erected, maintained or improved, altered, removed, made or done without the prior written approval of the ACC. [Article VI, Section 3]

ACC GUIDANCE

No outbuilding or detached structure is permitted on any lot in the Point. By way of illustration and not of limitation, the following are examples of such structures: outbuildings, storage buildings, maintenance sheds, playhouses, tree houses, and tool sheds.

Homeowners have a legal responsibility to adhere to the Declaration, including the deed restrictions, as they are enforceable by proceedings at law, and can be brought by any person or Association, or in equity against any person or persons violating or attempting to violate any covenant, either to restrain violation or to recover damages. Therefore, the ACC will not accept, consider, or approve any request for detached structures of any kind for any lot within the Point.

RECREATIONAL STRUCTURES

Nothing shall be done on the property that is a nuisance or an annoyance to the community. [Deed Paragraph 3]

No noxious or offensive activity shall be conducted upon any lot nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood. [Article VIII, Section 2]

No structure shall be commenced, erected, maintained or improved, altered, removed, made or done without the prior written approval of the ACC. [Article VI, Section 3]

ACC GUIDANCE

Homeowners wishing to build, install, erect, or place any type of recreational structure on their property must obtain the prior written approval of the ACC. Recreational structures include, without limitation, swing sets, jungle gyms, basketball hoops, trampolines, zip lines, swimming pools, climbing walls, and skateboard ramps. Specific guidance regarding swing sets and jungle gyms, basketball hoops, trampolines and swimming pools is set forth below.

Swing Sets and Jungle Gyms

- The recreational structure and tower (limited to one tower, not to exceed 12 feet at its highest point) must be constructed of a natural wood product, such as cedar or redwood. Structures made of aluminum, PVC pipe, metal or plastic will not be approved. The tower is the component of the recreational structure that serves as an anchor and platform for another component of the recreational structure, such as the sliding board.
- Any fabric/canvas awnings, shades or covers, slides, swings and any other part of the structure must be of a color that is consistent with the surrounding natural vegetation and architectural design of the house.
- The recreational structure and tower must be of a size that is compatible with the size of the backyard of the lot so as not to be overwhelming from any street or alley scene, to any adjacent neighbors, or from any walking trail.
- The recreational structure must be located in the backyard and positioned on the lot so it does not encroach upon any existing easements or city ordinances or present any nuisance or annoyance to

surrounding neighbors or the community. To the extent possible, the structure should be screened from view from adjoining lots, streets, alleys and walking trails.

- The backyard must be fenced. Refer to the category entitled "Fences and Gates" for architectural control specifications for these items.
- Every component of the recreational structure must be maintained in good condition, repair and aesthetic appearance at all times.

Basketball Hoops

Basketball hoops are generally permissible, as they require only a small portion of space.

- The basketball goal must be installed in an area located at the back of the homeowner's driveway so as to be least visible from the street scene and so as not to require the pouring of a concrete pad.
- The pole/frame must be a color that is consistent with the natural environment (ex: black, dark green, or dark brown).
- The backboard must be constructed of either a high durability plastic composite or Plexiglas and must contain no graffiti.
- Every component of the basketball goal must be maintained in good condition and repair and aesthetic appearance at all times.
- The basketball hoop may be fixed or temporary/portable.
- The hoop may not be attached to any portion of the dwelling.
- No portable basketball goal shall be left in the street.
- No basketball playing shall take place on the streets within the Point.

Trampolines

On a case-by-case basis, trampolines may or may not be approved. The decision will be based in part on the ratio of the backyard to the trampoline. If the trampoline is approved, the following guidelines will apply:

- The trampoline must be taken down during extended periods of non-use, including winter months and during extended vacation periods (six weeks or more).
- The trampoline must be placed on the lot so as not to be visible from the street or alley.
- Landscaping must be installed to screen the trampoline as much as possible from view from adjoining lots and walking trails, such landscaping to be in character with the existing landscaping and the natural setting of the home and the Point.
- At such time as the trampoline is no longer being used and is not reasonably expected to be used in the foreseeable future, it must be removed from the backyard.
- The Association does not endorse the use of trampolines or pass on their safety. Any trampoline owner must agree to indemnify and hold harmless the Association from any and all claims, damages, costs or expenses arising from or relating in any way to the use of the trampoline or its location.
- A lock must be installed on the trampoline to restrict access to it when it is not being used so as to discourage and prevent third parties from using the trampoline when the homeowner is not present.
- In the event that a homeowner sells his/her home, the trampoline must be removed prior to the sale. If it is not removed, the owner authorizes the Association to enter the property to remove the trampoline and the owner agrees to pay the expense of removal.

Swimming Pools

Given the closeness in proximity of lots and the Association's responsibility to maintain memorable and picturesque street scenes, above ground pools will not be approved for any lot within the Point.

Other Recreational Structures

The following recreational structures will not be approved for the Point: tree houses, playhouses, rock climbing walls that are not a component of an approved swing set, and skateboard ramps or facilities.

ALL OTHER STRUCTURES AND BUILDING MODIFICATIONS

No building, residence or other structure shall be commenced, erected, maintained or improved, altered, removed, made or done without the prior written approval of the ACC. [Article VI, Section 3]

ACC GUIDANCE

The addition of, or alteration to, any structure that does not fall within the guidelines for accessory buildings or recreational structures addressed above must receive the prior written approval of the ACC. Requests must include a complete description of the structure or alteration, including design specifications, materials, color and any other pertinent aspects of the structure or alteration for consideration by the ACC. Homeowners submitting requests should keep in mind that their proposed structure or modification must be architecturally complementary to both their home and the architectural design and uniqueness of the Point. By means of illustration and not of limitation, the following are examples of other structures: gazebos, arbors, pergolas, yard statues, yard art, flagpoles, lamp poles, landscaping items, and doghouses.

Dog Houses must be designed and constructed to match or complement the home, including the roof, trim and siding. At the highest point, the roof must not exceed four and one half feet in height. The doghouse must be painted or stained to match the home or to blend in with the surrounding landscape.

Flagpoles exceeding 10 feet in height and lamp poles exceeding eight feet in height are not permitted and will not be approved.

Additions to a dwelling must be constructed of the same materials as the home, including siding, shingles and trim, or complementary materials. The design of the addition must be of the same architectural style and design of the existing dwelling, including roof pitch, windows, doors, color, etc.

FENCES AND GATES

No improvements or other work which in any way alters any lot from its natural or improved state shall be made or done without the prior written approval of the ACC. No structure shall be commenced, erected, maintained or improved, altered, removed, made or done without the prior written approval of the ACC. Fencing requires the prior written approval of the ACC. [Article VI, Section 3]

ACC GUIDANCE

Since fencing is a significant change to a homeowner's property and also a significant change to the external design appearance of the neighborhood, all fencing and gate requests require approval by the ACC prior to installation. The ACC will consider, among others:

- Wide-Picket Wood Fencing with alternative picket and post designs
- Narrow-Picket Wood Fencing with alternative picket and post designs
- Metal Picket Fencing with or without finials (finials to include fleur-de-lis, ball, or spear) and alternative post designs
- Wood Pickets and Brick Combinations with rowlock cap or alternate precast concrete cap
- Metal Pickets and Brick Combinations with water table courses, optional brick cap or precast concrete cap
- Metal and Wood Pickets with Stone and Stucco Combinations with optional precast concrete cap
- Wood Gate and Wood Posts
- Metal Gate and Metal Posts
- Wood Gate and Masonry Columns
- Metal Gate and Masonry Columns

All fencing requests must include fence design, material, color and any other pertinent aspects of the fence for consideration by the ACC. Requests must also be accompanied by a to-scale drawing showing the proposed fence location in relation to the property lot lines and the home.

Fences must attach to the home and are restricted to enclosing backyards and portions of backyards. Fences may not exceed five feet in height, although decorative tops or finials may extend up to six inches above the top of the fence. Fences must follow the contour of the property and may not encroach upon any common area. All fences that have a “wrong” side must be installed with the “wrong” side facing the home of the homeowner installing the fence. Fences on adjoining properties should be of similar design and construction and include common fence sections along shared property lines.

The intent of the ACC when considering requests for these type structures is to preserve and enhance property values and to maintain a harmonious relationship among structures and the natural vegetation and topography of the neighborhood. Homeowners submitting requests for fencing or gates should be prepared to demonstrate that the fence or gate they are requesting permission to install is an architectural complement to both their home, the street scene, and the architectural design of their neighborhood. Some examples of fencing that will not be approved by the ACC include: chain link fences, plastic or vinyl fences, front yard fences over 42 inches in height, and fencing that does not have any architectural complement to the home or the neighborhood within the Point in which the home is located.

EXTERIOR LIGHTING

After the completion of construction of a dwelling and its occupancy as a residence, no improvements, alterations, repairs or other work which in any way alters the exterior of such dwelling, lot or improvements located thereon from its natural or improved state existing on the date the dwelling was first occupied as a residence shall be made or done without the prior written approval of the ACC. No building, residence or other structure shall be commenced, erected, maintained or improved, altered, removed, made or done without the prior written approval of the ACC.

Any additions of, or changes or alterations to, exterior lighting require the prior written approval of the ACC. [Article VI, Section 3]

ACC GUIDANCE

Exterior lighting includes ground and/or landscape lights, which require approval by the ACC in advance of installation. Light fixtures must complement the style and architecture of the dwelling.

WALKWAYS AND STEPS

After the completion of construction of a dwelling and its occupancy as a residence, no improvements, alterations, repairs or other work which in any way alters the exterior of such dwelling, lot or improvements located thereon from its natural or improved state existing on the date the dwelling was first occupied as a residence shall be made or done without the prior written approval of the ACC.

Any additions or deletions of, or improvements, changes or alterations to, exterior paving, walkways and steps require the prior written approval of the ACC. [Article VI, Section 3]

ACC GUIDANCE

Homeowners wishing to make changes to their property that affect their current walkways and/or steps or to add additional walkways or steps must submit their request to the ACC for consideration and approval. The walkway and/or steps must be an integral part of the architecture of the home and surrounding landscape. Asphalt will not be permitted.

MAILBOXES

Any improvement, alteration, addition or deletion of a mailbox requires the prior written approval of the ACC. [Article VI, Section 3]

ACC GUIDANCE

Homeowners must maintain their mailboxes and posts in good condition, cleaning, painting and replacing when necessary. Mailboxes must meet US Postal Service requirements. Any change in the style or design of a mailbox

requires the prior written approval of the ACC. Homeowners should be aware that various communities within the Point have matching mailboxes, which do not necessarily match from one community to another within the Point, and that the ACC will not approve changes to an individual's homeowner's mailbox that will cause it to deviate from the neighboring mailboxes within the homeowner's particular community within the Point.

LANDSCAPING

No improvements, plantings, excavations, changes in grade or other work which in any way alters any lot from its natural or improved state shall be made or done without the prior written approval of the ACC. Landscaping requires the prior written approval of the ACC. [Article VI, Section 3]

ACC GUIDANCE

Homeowners wishing to make major alterations, changes, or additions to their existing landscaping must submit their request to the ACC for consideration and approval. General landscape improvements or plantings do not require approval if they do not materially change the existing landscaping plan or scheme. The individual taste and desire of the homeowner shall be respected as long as the design and landscape scheme does not present a hazard to other residents of the Point or could be reasonably expected to have an adverse affect on property values in the community. By way of illustration and not of limitation, some examples of "major" alterations, changes, or additions include:

- Major changes to sod or natural areas that alter originally approved ground elevations or landscape.
- The planting of or removal of trees. Trees that have a diameter in excess of six inches measured two (2) feet above ground level, and distinctive flora, shall not be intentionally destroyed or removed except with the prior written approval of the ACC.
- No elevation changes shall be permitted that materially affect surface grade of the surrounding lots, unless approved in writing by the ACC.

OUTSIDE ANTENNAS, SATELLITE DISHES AND SOLAR ENERGY COLLECTORS

No outside radio or television antenna or satellite dish or disk or solar energy collector shall be erected on any lot or dwelling within the Point unless and until permission for the same has been granted by the ACC or the board of directors of the Association. [Article VIII, Section 4]

ACC GUIDANCE

Notwithstanding the language contained in the Declaration, prior written approval is not required to install or erect on any lot or dwelling a rooftop antenna that does not extend 12 feet above the roofline or any satellite dish that is less than one meter in diameter. Homeowners are encouraged to install satellite dishes and solar energy collectors in locations that are least visible to their neighbors and that permit the appearance and harmony of the Point to be maintained. Solar energy collectors may not be installed on the facade or roof surface of any structure facing areas open to common public access and visible to a person on the ground; or within the area set off by a line running across the facade of the structure extending to the property boundaries on either side of the facade. The erection or installation of any antenna or satellite dish that is not expressly permitted by the Over-the-Air Reception Devices Rule, effective January 1, 1997, requires the prior written approval of the ACC.

TRASH CANS AND CLOTHESLINES

Trash containers shall be kept in garages or located on Lots so as to be screened from view from adjoining lots and from streets and alleys.

Clotheslines may be erected on Lots only if screened from view from adjoining Lots and from streets and alleys.

[Article VIII, Section 6]

BOATS – CAMPERS – TRAILERS

No boats, buses, trailers, campers or recreational vehicles shall be parked on any lot unless such boat or vehicle is parked in a garage with the garage doors fully closed. [Article VIII, Section 5]

ACC GUIDANCE

Homeowners must comply with the above standards. The Master Association for the Lake Jeanette communities maintains a fenced-in area suitable for storage of such items, which is available to residents at a reasonable fee.

SIGNS

No billboards or signs of any kind shall be allowed on any lot upon which there is a completed dwelling which has previously been conveyed to an owner occupant, except one "For Sale" or "For Lease" sign less than three (3) feet in length and two (2) feet in width. [Deed Paragraph 10]

All personal signage must have the prior written approval of the ACC. [Article VI, Section 3]

ACC GUIDANCE

Except as otherwise provided herein, homeowners wishing to put up, place, or install personal signage must submit their request to the ACC for consideration and approval. No more than one sign may be placed on a lot at any one time, including real estate "for sale" or "for lease" signs. No sign of any type or for any occasion may be larger than three feet in length and two feet in width. Homeowners do not need prior written approval to erect temporarily signs for special occasions, such as birth announcements, birthday parties and yard sales, or political signs. Signs for special occasions may not be installed more than 24 hours before the event and must be removed within 24 hours after the event. Political signs may be placed on a lot during the 45-day period prior to an election and must be removed within seven days following the election. No commercial advertising signs are permitted under any circumstances.

PETS AND ANIMALS

No animals or fowl may be kept or allowed to remain on the property for commercial purposes, and no animals other than household pets shall be kept or allowed to remain on the property for any purpose. [Deed Paragraph 3]

No animals, livestock or poultry of any kind shall be kept or maintained on any lot or in any dwelling except that dogs, cats or other household pets may be kept or maintained provided that they are not kept or maintained for commercial purposes and further provided that they are kept and maintained in compliance with all laws and ordinances of the City of Greensboro and the County of Guilford relating thereto. [Article VIII, Section 3]

ACC GUIDANCE

The City of Greensboro leash laws must be obeyed at all times. No pens or runs may be constructed on any lot.

A responsible person(s) must be accompanying and controlling leashed pets outdoors.

Person(s) walking pets will be responsible for scooping up and disposing of waste created by the pet. No owner shall allow a pet to become a nuisance or an annoyance to others.

OWNER'S MAINTENANCE STANDARDS

Each homeowner is responsible for the repair, maintenance and upkeep of the lot and the dwelling, including but not limited to any and all vegetation, driveways and walks, patios, and wooden decks. [Article V, Section 3]

Homeowners shall perform their repair, maintenance and upkeep obligations in accordance with Architectural Guidelines and/or community standards for the Point, as they may be promulgated from time to time, and in a reasonable and prudent manner to a standard harmonious with other lots in the Point. If any owner should fail to discharge the above-described obligations to such a standard, the Board of Directors of the Association may, in its sole discretion, give written notice of such failure to the owner who shall have a period of time determined by the Board (not less than 48 hours or more than 15 days) to cure such failure. If the owner fails to take necessary action to discharge the owner's obligation within the time period designated by the Board of Directors, the Association shall have the right to take, at the owner's expense, any action necessary to cure the

failure and charge the owner with the cost thereof. If the owner does not pay such cost within fifteen (15) days after written notice thereof from the Association, then the amount so owed, together with interest, cost and attorney's fees, shall become a lien on the homeowner's lot, payment of which may be enforced in accordance with the provisions of the Article IV of the Declaration. [Article V, Section 4]

Nothing shall be done on the property that is a nuisance or an annoyance to the community. [Deed Paragraph 3]

No noxious or offensive activity shall be conducted upon any lot nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood. [Article VIII, Section 2]

ACC GUIDANCE

Because of the close proximity of houses to each other and to the street, it is necessary to establish a standard for maintenance of lawns, fences, exteriors of houses, garages, and, where permitted, detached structures. Although it is difficult to set an objective standard for maintenance of lawns, shrub beds, fences, gates, and the exterior of houses, garages and detached structures, it is not difficult to determine when their maintenance is not consistent with that of other properties in the neighborhood. Examples of lack of maintenance that are unacceptable include, without limitation, shrub beds full of weeds and/or grass, peeling paint, exposed wood that is rotting, and lawns that are five inches or more in height. When the Board of Directors, based on the criteria set out in this document and other reasonable criteria, determines that a property is not being maintained in a manner consistent with other properties in the Point, the Association may take action under the Declaration.

ENFORCEMENT AND TERM

The deed restrictions are enforceable by proceedings at law or in equity against any person or persons violating or attempting to violate any covenant, either to restrain violation or to recover damages. [Deed Paragraph 15]

The covenants set forth in the deed run with the land and are binding on all parties and all persons claiming under them for a period of 30 years after the date the deed was recorded. After that 30-year period, the covenants will be automatically extended for successive 10-year periods each unless an instrument signed by a majority of the then owners of the lots in the Point agreeing to terminate or change the covenants in whole or in part has been recorded. [Deed Paragraph 13]

The Association and each homeowner in the Point has the right to enforce, by any proceeding at law or in equity, all restrictions, conditions, covenants, reservations, liens and charges imposed by the Declaration. Failure by the Association or by any homeowner to enforce any covenant or restriction contained in the Declaration will not be deemed a waiver of the right to do so in the future. The Association may request that law enforcement, public safety and animal control officers to come on the property of the Point to facilitate the enforcement of the laws, codes and ordinances of any governmental authority. [Article XII, Section 1]

The covenants and restrictions set forth in the Declaration run with and bind the land for a 20-year term from the date the Declaration was recorded, which term shall be automatically extended for successive 10-year periods. The Declaration may be amended during the first 20-year period by a vote of at least 90% of the lot owners, and during successive terms by a vote of not less than 75% of the lot owners. [Article XII, Section 3]

Pursuant to the Declaration and the North Carolina Planned Community Act, the Association has the authority to fine, after notice and hearing, any homeowner that violates the Declaration, the bylaws or the rules and regulations of the Association.