

GOLF EAST ARCHITECTURAL COMMITTEE PROTOCOLS

Amended November 1, 2014 Replaces all earlier versions

I. INTRODUCTION

These GOLF EAST ARCHITECTURAL COMMITTEE PROTOCOLS are established to provide to Members of Golf East POA, Building Contractors, Realtors and Closing Attorneys guidance on the architectural requirements and procedures within Golf East POA.

The following abbreviations and references apply throughout these protocols:

- GE AC - Golf East Architectural Committee
- GE POA - Golf East Property Owners Association
- CTA - Carolina Trace Association
- CTCC - Carolina Trace Country Club
- NCPCA - North Carolina Planned Community Act, Chapter 47F of the General Statutes of North Carolina
- Builder/Contractor – General Contractor
- GE CCR - Golf East Covenants, Conditions and Restrictions dated August 10, 1976, recorded at Lee County, NC Register of Deeds Book 270, Page 926
- GE CCR 1st Amend. - Golf East First Amended Covenants, Conditions and Restrictions dated July 21, 2004, recorded at Lee County, NC Register of Deeds Book 927, Page 211
- GE CCR 2nd Amend. – Golf East Second Amended Covenants, Conditions and Restrictions dated November 11, 2010, recorded at Lee County, NC Register of Deeds Book 1228, page 235
- GE CCR 3rd Amend. – Golf East Third Amended Covenants, Conditions and Restrictions dated October 6, 2014, recorded at Lee County, NC Register of Deeds Reference # 14R154

The North Carolina Planned Community Act may be accessed on line at the North Carolina website: http://www.ncleg.net/Statutes/GeneralStatutes/HTML/ByChapter/Chapter_47F.html

The GE CCR and the GE CCR 1st Amend. may be accessed on line at the Lee County NC Register of Deeds website at: <http://www.leencrod.org/Opening.asp> The documents may be viewed and printed by following the prompts and entering the document Book and Page numbers. Copies of the GE CCR and the GE CCR 1st Amend. are appended to these protocols.

II. APPROVAL OF BUILDERS IN GOLF EAST POA

The GE CCR requires that:

Any builder of any home upon any property subject to this Declaration must, before beginning construction of each such home, be approved by the Architectural Committee as to financial stability, building experience and ability to build homes or other structures of the class and type of those which are to be built on the property subject to this Declaration. No person shall be approved as a builder by the Architectural Committee unless such person obtains his income primarily from construction of residences. No lot owner will be permitted to act as his own builder or contractor except where such owner obtains his income primarily from the

construction of residences and otherwise meets the qualifications for approval by the Architectural Committee as hereinabove set forth. (GE CCR Sec.3)

Building contractors, who have not already been reviewed as to financial responsibility, building experience and ability to build homes or other structures of the class and type of those which are to be built in Golf East, must be approved by the Golf East Architectural Committee.

The GE AC participates in the CTA Architectural Committee for the purpose of exchanging information with CTA and other POAs regarding architectural standards, approvals, problem areas and other matters. Building contractors previously approved by the GE AC, who have performed unsatisfactorily in Golf East or who have been reported by other POAs, CTA or CTCC as having performed unsatisfactorily or under litigation for unsatisfactory performance within Carolina Trace will be reviewed by the GE AC and their approval to build homes in Golf East may be suspended or terminated.

III. REQUEST FOR CONSTRUCTION APPROVAL IN GOLF EAST

A request for construction approval for building or altering a home in Golf East must contain the following:

1. Completed Golf East Construction Approval form signed by both the Owner(s) of Record and the Builder,
2. Copy of Plans and Specifications showing front, rear and side elevations in respect to topography of the site and floor plan (Minimum scale: 1/4"-1'),
3. Copy of Plot Plan, bearing registered surveyor's signature and seal, showing placement of house on the lot, location and materials for driveway(s) and walks, ground cover, easements, and location of heating/air conditioning equipment and LPG tanks. The Plot Plan must also show the road ditches, type of piping under driveway and sizing of rock in ditches for erosion prevention in accordance with the Golf East Master Road Drainage Plan. Lot drainage onto or affecting the Golf Course must be approved in writing by the Owner of the Golf Course or appointed representative.

A separate plot plan must be submitted with a landscaping plan to include existing trees that will be retained and the number and variety of new tree and shrubbery plantings. After initial approval, the GE AC will have thirty days to consider requests for subsequent revisions to these plans. Failure to adhere to the plot plan and/or landscaping plan may result in the GE AC seeking resolution through the Grievance Procedure (Article IX, Section 5) of the GE POA Association Bylaws.

4. A written Water Management and Control Plan containing a complete narrative description together with appropriate features and locations shown on a copy of the plot plan to describe in detail what measures will be taken during all phases of construction commencing prior to any tree/shrub removal, grading, excavation, building construction, driveway/walkway installation, gutter/drain installation, and through and beyond final landscaping. This Water Management and Control Plan shall be signed by the Owner(s) of Record and the Builder, and

must address temporary as well as permanent measures to provide silt containment, water retention, water control and dispersal with particular attention to any impact on adjacent properties, ditches, roads, drains, drain fields, Golf Course and Lake Trace. Grading shall not divert water to another lot.

Minimum requirements for silt control include:

- Silt fence installation on all adjoining properties.
- On all lake front properties: a chain link reinforced super silt fence and straw bales will be installed on the lake side.
- All silt controls shall be checked daily and any necessary repairs or changes made that day.

GE AC will have the Water Management Plan reviewed by a civil engineer at the expense of the property owner prior to the granting of construction approval and again after final landscaping prior to final approval by the GE AC.

5. The requirement for a Water Management and Control Plan for minor alterations to homes, that do not significantly affect the water retention and dispersal, may be waived at the discretion of the GE AC.

6. Copy of the contractor's North Carolina General Contracting License.

7. Copy of Proof of General Liability, Employers Liability and Workers Compensation Insurance listing the contractor, carrier, policy number and expiration date.

8. A mandatory Construction deposit of \$5000.00 shall apply for new home construction. For additions to existing homes, the Construction Deposit shall be based on a graduated scale determined by the number of square feet to be added. (Additions are defined as any enlargement of the existing dwelling, enclosing a deck or porch, or adding any detached structure upon written approval by the Golf East POA Architectural Committee.) A minimum deposit of \$500 shall be required for all home additions of 500 square feet or less. Those additions over 500 sq .ft. will be charged \$1 per sq. ft. up to, but not exceeding \$3,000. The property owner shall pay the Construction Deposit at the time he/she submits the Request for Construction Approval and/or the Construction Indemnity Agreement. The deposit in the form of a check payable to Golf East Property Owners Association, Inc., with the notation "Construction Deposit for lot (number)", shall be kept by the Golf East Treasurer in a separate escrow account, and will be refunded to the owner minus the cost of damage to any road, neighboring properties, ditches, drains, drain fields, CTCC Golf Course, Lake Trace, and common area property not previously addressed by Owner. (Amend. 1 – September 21, 2008)

If approved, construction may not commence until the Chairman of the Golf East Architectural Committee has received a completed Golf East Construction Indemnity Agreement signed by the Owner(s) of Record and the Builder.

IV. BUILDING LOCATION

No building of any kind, including garages shall be located on any building site less than 50 feet

from the front lot line, and no building shall be located less than 15 feet from any side lot line, or less than 50 feet from the property line of any lake or golf course or less than 50 feet from any rear lot line, except if building set back lines so indicate on the recorded plot, or with the prior written approval of the Architectural Committee. (GE CCR Sec.5)

If the GE AC is requested by the applicant for an exception to the setback requirements, the GE AC shall consult with the owners of the neighboring properties to ensure that they have no objections.

If the applicant owns two adjacent lots and proposes to locate the home so it occupies parts of both lots, the GE AC may use its discretion when modifying the setbacks.

If the applicant owns two adjacent lots and proposes to locate the home on only one of the lots, setback rules for the single lot shall apply, in case the vacant lot is sold at a later date.

V. HOUSE REQUIREMENTS

House size requirements are as follows:

1. The enclosed, heated living area (exclusive of garages, carports, porches, terraces, bulk storage and basement) of a one-story or split-level dwellings shall cover a ground area of not less than 1,700 square feet.

(GE CCR Sec.4(A))

2. The enclosed, heated living area (exclusive of garages, carports, porches, terraces, bulk storage and basement) of all story-and-a-half dwellings shall cover a ground area of not less than 1500 square feet. All story-and-a-half dwellings shall have a minimum of 2,100 square feet of floor space in enclosed, heated living areas, except that if the ground area covered is at least 1,700 square feet, the requirement of the 2,100 square feet of total living area shall not apply.

(GE CCR Sec.4(B))

3. The enclosed heated living area (exclusive of garages, carports, porches, terraces, bulk storage and basement) of all two-story dwellings shall cover a ground area of not less than 1,100 square feet. All two-story dwellings shall have a minimum of 2,200 square feet of floor space in enclosed, heated living areas, except that if the ground area covered is at least 1,700 square feet, the requirement of 2,200 square feet of total living area shall not apply. (GE CCR Sec.4(C))

4. All new home construction must have a minimum of a two car, 400 sq.ft. garage.

VI. GENERAL HOME AND HOMESITE REQUIREMENTS

The following general home and home site requirements must be complied with during construction or modification of the home:

1. The construction, erection, assemblage, installation and/or placement of any manufactured home, panelized home, pre-cut home, pre-fabricated home, modular home and/or

mobile home on any lot within the Golf East Section of Carolina Trace Subdivision is prohibited. (GE CCR 1st Amend. General Sec.1)

2. For the purpose of avoiding an unsightly or undesirable Waterfront, no boathouse, bathhouse, private dock, pier, raft or landing site or other structure shall be erected or maintained at or upon the shoreline of any building site having water frontage or upon land under water in front of such building site, excepting where special written permission is granted by the Architectural Committee. The Architectural Committee will only give permission for such structure, if the structure does not in any way distract from the natural beauty of the lake. (GE CCR Sec.6(I))

3. No building, fence, mail box, outside lighting, newspaper box, screen planting or other improvements shall be erected, placed or altered on any building site until the building plans, specifications and plot plans showing the location of such improvements on the building site have been approved in writing as to conformity and harmony of external design, and external materials with existing structures in the area and as to locations with respect to topography, lake, golf course, finished ground elevations and neighboring structures by the Architectural Committee. (GE CCR Sec.6(C))

4. Site location and height of structures will be subject to consideration of topography, tree cover, elevations visible from streets, other lots, the lake and golf courses, as well as similar factors in order to ensure, to the extent practical, harmonious development of all lots.

(GE CCR 1st Amend. Architectural Review Sec.1)

5. Tree cutting and preservation during site preparation and construction shall be as follows:

a. The complete removal of all trees from any parcel of land without the prior written approval of the Architectural Committee is prohibited.

b. Every effort should be made to preserve as many mature trees as possible in order to maintain the location's natural beauty and prevent erosion.

c. No Trees shall be cut without a member of the Golf East AC or appointed representative and representative of the Owner on site. Any tree cut that is not approved will incur a \$100.00 fine per tree.

d. Removal of trees for construction site clearance shall be limited to those within the foot print of the building foundation and not more than twenty (20) feet from there and those within the boundaries of walks, driveways, and parking areas. Location of buildings, walks, driveways, and parking areas shall be planned to minimize tree removal. Stumps within such boundaries shall be removed. All uprooted stumps are to be removed from Golf East POA.

e. Tree stumps, which are not removed, shall be trimmed to ground level and ground out.

f. All available preventative measures must be exercised during clearing of trees and construction to avoid damage to trees on that lot and adjoining properties. Any tree that is not designated for removal that is damaged beyond repair according to the certified Arborist consulted (at the owner's expense) will be replaced with a tree of the same size and type. If that is not possible, monetary remuneration will take place with the amount decided by the AC, also at the guidance of the Certified Arborist.

6. The following measures will be taken to ensure a clean, safe building site as well as prevent damage to roads, adjoining properties and any other portion of the Golf East community.

The Owner(s) of Record shall be responsible for any damage caused to roads, adjoining property and any other portion of the Golf East community by their construction activity.

a. Gravel coverage shall be applied to the driveway between the time the lot is cleared and any construction work is started, and shall be replenished and maintained throughout the construction period.

b. Excess dirt and gravel spilled on paved roads and carried onto the pavement by vehicles shall be removed immediately.

c. All construction vehicles are required to enter property only at driveway. All construction driveways and parking areas are to be constructed with Class-A riprap stone during the construction process to minimize road damage and silt run-off. Rock must run a minimum of 25 feet from the paved road. Any vehicles that have been on non-graveled areas must have all wheels or tracks cleaned before accessing Golf East property. Failure to comply will result in a fine of \$100.00 per vehicle per incident per day. This amount will be deducted from the Construction Deposit and remain in escrow until such time as any and all fines are paid.

d. Any Disruption of a paved road surface caused by the Contractor, Subcontractor, Utilities or workmen shall be promptly repaired and restored to its original condition by the contractor. Any settlement of patched roadway resulting from such disruption occurring within one year of completion of construction shall be promptly repaired by the property owner. It shall be the owner's obligation to ensure work is done in accordance with these protocols.

e. Sanitary facilities shall be provided for workmen.

f. All paper, cans, bottles, and any other refuse shall be kept in appropriate receptacles. Scrap building materials, empty cartons and other such construction material shall be piled neatly in an appropriate container. All such refuse is to be removed at least weekly. If materials or refuse reach the top of their respective containers, they must be removed immediately.

g. If materials are blown into an adjacent property or damage is caused to adjacent property, corrections and repairs shall be immediately made by the contractor. Any disruption to a neighboring property; be it silt, trash, or damage of any kind must be fixed within 24 hours. Anything not fixed within this time period shall be fixed by the GE AC and billed to the owner(s) of the property.

h. No materials or substances shall be burned at the site. Nor shall there be any paint, solvents, fuel, oil or other hazardous materials discarded on any part of Carolina Trace property.

7. Driveways deemed by the AC to need any water conduit shall have reinforced concrete driveway pipes (minimum diameter 15") to facilitate the flow of storm water in or near the drainage ditch. Larger diameter pipe may be required dependent upon the flow volume of the drainage ditch. Driveways are required to be fitted with drain gratings or other means to control flow of water. All driveway pipes, drain gratings or other means of controlling water must be described in the Water Management Plan discussed in section three paragraph four and comply with the Golf East Master Road Drainage Plan.

8. All lots subject to these requirements shall be used as residential building sites only. (GE CCR Sec.6(G))

9. No trailer, basement, (unless said basement is part of a residence erected at the time), tent, shack, bar, or other outbuilding shall be erected or placed on any building site covered by these covenants, except as specifically permitted herein. (GE CCR Sec.6(L))

10. Each owner shall keep his building site or lot and the lake bank adjacent thereto, if any, free of tall grass, undergrowth, trash, dead trees and rubbish and properly maintained, so as to present a pleasing appearance, and maintain the proper contour of the lake bank and prevent erosion. In the event an owner of any lot does not properly maintain his building site or lot, as above provided, in the opinion of the Architectural Committee, then the Architectural Committee may have the required work done and the costs thus incurred in performing the work shall be paid by the owner(s) of record.

(GE CCR Sec.6(J))

11. Containers for garbage or other refuse shall be kept underground or kept in sanitary enclosures so as not to be accessible to animals or visible when any such enclosure is shut and shall be maintained under sanitary conditions. Incinerators for garbage, trash or other refuse are prohibited. (GE CCR Sec.6(B))

12. Through the wall air conditioner or heat pump units on the street side of homes are not permitted.

13. External air conditioner/heat pump equipment shall be screened with wood fences or shrubbery. (GE CCR Sec.6(B))

14. Propane tanks shall be buried or screened with wood fences or shrubbery.

15. Chimneys for wood burning fireplaces must be equipped with spark arrestors.

16. Appurtenant private structures: a. Said private structures will be permitted only upon written approval of the Architectural Committee.

b. Kennels will not be permitted. No more than two dogs will be permitted per household.

17. No animals or poultry of any kind, other than house pets, shall be kept or maintained in any part of said property. All pets must be controlled at all times and must remain in the confines of the owner's property. (GE CCR Sec.6(M))

18. The installation of any privacy fences along property lines in GE POA is prohibited. The GE AC must approve appropriately designed fences for the required screening of air conditioning units and above ground propane tanks, and as required by local ordinances for swimming pools.

19. All dwellings must be connected to the central water and sewer systems.

20. Boat docks on the shoreline of Lake Trace must have signed plan approval from GE AC and the current owners of Lake Trace. The easement owned by GE POA shall not be modified or changed in any way. See paragraph 32 below.

21. No fence, wall, hedge or mass planting shall be permitted except upon the approval by the GE Architectural Committee. (GE CCR Sec.6(F))

22. Adequate off-street parking shall be provided by the owner of each building site for the parking of permitted vehicles owned by such owner, and owners of building sites agree not to park their automobiles on the streets in this subdivision. (GE CCR Sec.6(H))

23. Trucks, trailers and excavating equipment shall not be parked overnight on the roads in Golf East. Drivers of heavy trucks, trailers and excavating equipment shall exercise care in maneuvering vehicles to avoid damage to the asphalt pavement and culvert pipes. Property owners are liable for the repair of any damage to the road pavement that they may cause in Golf East.

24. Contractors, contractors' employees, subcontractors and drivers of all vehicles to construction sites must observe all posted speed limits and observe safe driving while operating vehicles on Golf East and Carolina Trace roads.

25. No signs permitted on any lot.

26. Clothes lines should be placed so that it will not be in an unsightly manner with regard to the Carolina Trace residents. (GE CCR Sec.6(D))

27. Outside television antennas, except satellite TV dish antennas no more than 24" in diameter, are not permitted. Home owners having existing outside television antennas, which are no longer in use, are encouraged to have them removed.

28. No noxious or offensive trade or activity shall be carried on upon any building site, nor shall anything be done thereon which may be or become any annoyances or nuisances to the neighborhood. (GE CCR Sec.6(K))

29. No trade materials or inventories may be stored upon the premises and no trucks, boats, trailers, buses, self-motorized camping vehicles, or tractors may be stored or regularly parked on the premises except in garages, or well-screened enclosures. (GE CCR Sec.6(N))

30. Before any house may be occupied, it must be completely finished on the exterior. All of the yard which is visible from any street must be planted with grass or have other ground cover, landscaping or mulch approved by the Architectural Committee. (GE CCR Sec.6(A))

31. Before any house may be occupied, a mail box with a stand meeting the Golf East standard design must be installed.

32. Carolina Trace Corporation for itself and its successors and assigns hereby reserves, and is given a perpetual easement, privileges and right for utility, sewer line, water line and pedestrian walkway purposes, on, in and under a ten (10) foot strip along the interior side lot line of each building site, and on, in and under a thirty (30) foot strip along the shore line of the Carolina Trace Lake. This easement will be controlled and regulated by the Architectural Committee. (GE CCR Sec.6(O))

VII. ARCHITECTURAL COMMITTEE MONITORING OF HOMES UNDER CONSTRUCTION

The Architectural Committee shall monitor homes under construction as follows:

1. When the building contractor has staked out the house foundation location, lot corners and run string lines connecting the lot corners, the GE AC shall inspect the site along with the builder and lot owner(s) to verify that the staked location conforms to the approved plan and required setback requirements. If necessary, the GE AC may require a revised plot plan to be provided. At this time the GE AC will confirm with the contractor and owner(s) which trees are not to be cut. All trees that will not be cut will be identified with tags by the owner(s) or designated representative and member of GE AC.
2. When the foundation footings have been staked out, and when they have been laid, the GE AC will take measurements to confirm the setbacks are as per the approved site plan.
3. Periodically, the GE AC will inspect the construction site to confirm that:
 - a. Approved Construction and Water Management and Control Plans are being followed,
 - b. The construction site is maintained free of debris as required,
 - c. Silt fences and drainage measures are maintained in proper condition,
 - d. Contractor, sub-contractors and lot owner(s) are avoiding unnecessary noise disturbance to the neighborhood prior to 8:00 a.m.,
 - e. Contractor, sub-contractors and lot owner(s) are not damaging pavement or other surfaces at the worksite or anywhere in Golf East and that they have removed any excess dirt or mud from the road as a result of construction or related activities,
 - f. Inspect repairs to GE POA roads following completion of utility cuts and by other damage caused by construction operations.
4. Maintain liaison with neighbors who may be in a better position to monitor day-to-day operations, progress and general tidiness at the construction site.
5. Upon completion of the home construction, landscaping and all actions required by the Construction Approval, Construction Indemnity Agreement and the Water Management and Control Plan, and prior to the final inspection by the Lee County Building Inspector for the purpose of granting a Certificate of Occupancy, the GE AC shall inspect the exterior of the home and the lot to ensure that all provisions of these documents have been satisfied prior to the owner occupying the home. The GE AC may grant some exceptions to completion of landscaping when seasonal weather conditions preclude planting or seeding.
6. A member of the GE AC shall be present when the builder, contractor or lot owner(s) conduct a final inspection with the Lee County Building Inspector for the purpose of granting a Certificate of Occupancy.

VIII. SOLAR PANEL INSTALLATION IN GOLF EAST

1. No panels shall be installed on the ground.
2. No batteries or other storage systems shall be installed outside of the home.

3. If the panels are installed on the side of the house visible to the street, the color of the panels must blend with the roof color and lay flat on the existing roof.
4. Installation must be completed by a contractor approved by both the state of North Carolina, and the current energy provider.
5. All contractors must show proof of liability and workmen's compensation insurance.
6. Prior approval must be received from the GE AC in writing before any work on installation begins.