

INMAN PARK COMMUNITY ASSOCIATION, INC.**ARCHITECTURAL REVIEW
GUIDELINES AND APPEARANCE STANDARDS****Contents**

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Attachments:

Sample application form

1. SUMMARY

This document has been adopted by the Declarant, GELL Inc, and approved by the Board of Directors of the Inman Park Community Association, Inc. on November 10, 2004. These Architectural Review Guidelines apply to all future projects as well as those previously approved projects not started by November 10, 2004. Declarant and/or Board of Directors reserve the right to amend these guidelines and appearance standards from time to time.

The Inman Park Community Association, Inc. presents the following Standards designed to assist homeowners in complying with the Declaration requirement of obtaining prior approval for exterior changes on any property individually owned or on property owned in common by all property owners in Inman Park. It is the intended effect that these Standards will result in equitable and consistent handling of all applications for Architectural Review Committee (ARC) approval. Please keep in mind that exterior changes include, but are not limited to, additions, driveways, fences, mailboxes, play structures and landscaping.

The ARC, in examining each application for design approval, will consider whether or not the exterior changes are in conformance with Article VIII of the Declaration of Covenants, Conditions and Restrictions for the Inman Park Community Association, Inc (Declaration), as recorded in the Wake County Registry and the guidelines outlined in this document.

The ARC's prior approval is required for ANY CHANGES in the exterior of a property pursuant to Restrictive Covenants for Inman Park Phase 1, #18. DO NOT PURCHASE MATERIALS OR COMMIT TO ANY CONTRACTOR in anticipation of instant approval by the ARC. Wait until you have received written approval prior to purchasing or committing to such work. It is strongly suggested that the City of Raleigh and/or Wake County be contacted to determine what permits or approvals are required from a City/County ordinance. Many design changes require a permit and the City of Raleigh and/or Wake County may not issue a permit without the written approval of the ARC. Please plan in advance. THE ARC HAS 30 DAYS TO REVIEW ALL REQUESTS, AFTER ALL THE APPROPRIATE INFORMATION IS SUBMITTED.

2. INTRODUCTION

In a planned community such as Inman Park, the question naturally arises as to how to maintain a harmonious, quality development that is consistent with the original theme or style as the community matures. These Guidelines and Standards set out suggestions and parameters for homeowners to follow, both in applying for architectural approval of improvements or changes to be made on their lots, as well as parameters for use of the lots as specifically set out in the Inman Park covenants. The following Standards attempt to provide a meeting ground between individual interests and/or tastes and the broader interest of the Inman Park community as a whole.

Basic control for maintaining the quality of design is through the Declaration of Covenants, Conditions, and Restrictions of the Inman Park Association, Inc. (Declaration) and Restrictive Covenants for Inman Park Phase I (Restrictive Covenants). Both the Declaration and the Restrictive Covenants run with the land and are binding on all homeowners and renters, and should be fully understood. The fact that each homeowner is subject to the Declaration and Restrictive Covenants should assure all homeowners that the Standards for design quality would be maintained in order to enhance the community's overall environment and to protect property values.

The Declaration provides that the Declarant (GELL Inc) has full architectural control until Declarant no longer owns any Lots within the Property or December 31, 2007, whichever is earlier. Declarant at any time may delegate the responsibility to the Board, or an Architectural Review Committee comprised of three or more members appointed by the Board, by recording an Assignment of Declarant's Rights in the Wake County Registry. Article VIII of the Inman Park Declaration requires approval of any improvements proposed to be undertaken on any site as those terms are defined in the Declaration. Such improvements include among other things any building, fence, sign (including unit identification signs), exterior wall, parking area or other structure that may be added or altered, and any change in exterior color. The Article further requires that the plans, specifications and location showing the nature, kind, shape, height, and/or materials be approved in writing as to the harmony in external design and location in relation to surrounding structures and topography. Each property owner should read the Declaration and Restrictive Covenants to obtain a full understanding of the Architectural Control requirements.

The ARC is charged with conducting the review of all applications for exterior changes and with rendering a decision to the applicant. The ARC has 30 days from the time a fully completed request is received to review the request. The ARC will respond in writing with either approval or disapproval of the project. More information may be required for the ARC to make an informed decision. It is the Homeowners responsibility to provide that information in a timely manner. If the ARC fails to render a decision in the allotted 30 days, then approval will not be required and Article VIII of the Declaration will be considered to have been satisfied.

The Standards that follow are the procedures and guidelines applied by the ARC to assist the Association and its members in the design review process. It is hoped that these Standards will serve as a positive tool to assist in the full and free use of each homeowner's property in a manner that is consistent with the aesthetic and harmonious development to the Inman Park Community.

3. WHAT MUST HAVE ARCHITECTURAL REVIEW COMMITTEE APPROVAL?

No improvement shall be erected, remodeled or placed on any Site until all plans and specifications therefore and a site plan therefore have been submitted to and approved in writing by the Architectural Review Committee. Approval is required for ANY changes in the exterior of a property. Examples of changes (but not limited to) requiring approval are:

- Garages/Storage Buildings
- Fences/Walls
- Decks/covered enclosures/outdoor living areas
- Swimming pools
- Lighting: lamps
- Play equipment
- Basketball goals (except portable goals)
- Drives/parking areas
- Exterior Color
- Mailboxes
- Antennas/Satellite Dishes

Please note that the above list provides examples only. If in doubt, consult with an ARC member. Guidelines on each of the above items are listed in Section 6 below.

4. REVIEW CRITERIA

The ARC evaluates each application on the individual merits of the application. The Committee's decisions are based on the standards in the following sections:

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 or blight the natural landscape or the achieved man-made environment.

Relationship of Structures and Adjoining Property - 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. The ARC should consider the various and appropriate criteria and exercise discretion in determining which of these criteria will be governing 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, and color and construction details:

A. Scale: The three-dimensional size of the proposed change must relate satisfactorily to adjacent structures and their surroundings.

B. Materials: Continuity is established by 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. Poor practices may cause the owner problems and may be visually objectionable to others. For example, a wooden fence not properly treated and maintained may in a short period start to decay and become

unsightly to the owner and neighboring property owners.

Timing. - An approved property change may be built and installed either by owners or by a contractor. However, projects that remain incomplete 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 a proposed maximum time period from start to completion of construction. If the proposed time period is considered unreasonable, the ARC may disapprove the application.

The ARC may from time to time publish and promulgate architectural standards bulletins, which shall be fair, reasonable and uniformly applied in regard to the Sites and shall carry forward the spirit and intention of these covenants, conditions and restrictions. The ARC shall not have unbridled discretion with respect to taste, design and standards specified herein. The ARC shall be responsive to technological advances or general changes in architectural designs and materials and related conditions in future years and use its best efforts to balance the equities between matters of taste and design (on the one hand) and use of private property (on the other hand). Such bulletins shall supplement the Declaration and are incorporated herein by reference. Current copies of the standards shall be available from Inman Park's property management company

5. DESIGN APPLICATION REVIEW PROCEDURES

Application Procedures for Improvements to Existing Dwelling

Property owners wishing to make application for improvements to existing dwellings may contact Inman Park's property management company for the appropriate forms. Each application should include full details of the proposed change. If the change is structural, fencing or grading, submit a sketch or plan and outline specifications. Talk to your neighbors about your change. They may be able to offer valuable input. Be sure to include such information as type of material, size, height, color, location, etc. Provide a plot plan of the lot and indicate the location of the building, fence, etc., as it relates to the home and lot. Mail or deliver the application form to the property management company, whose name and address are on the application form. Incomplete applications will be returned, which will cause further delay in obtaining approval.

The ARC will review the application within 30 days from the time a complete application is received and provide a written response.

Occasionally items get lost in the mail and the review period does not start until the management company receives the application. Complete applications will be considered on individual merit, using these standards as a basis for decision-making.

The ARC's approval or disapproval, as required herein, shall be in writing. Any modifications or changes to the approved set of plans and specifications (specifically including but without limitation, the above described plan) must again be submitted to the ARC for inspection and approval. Once the ARC has approved the plans and specifications for the proposed improvements, the construction of such improvements must be promptly commenced and diligently pursued to completion. If such construction is not commenced within the time set by the ARC in the written approval (but in no event later than 120 days after such approval); such approval shall be deemed rescinded. Before construction can be commenced, the ARC pursuant to this Article must again approve the plans and specifications.

Review Process

During the consideration of an application, ARC members have the right to inspect the site and may talk to the applicant or neighbors. A quorum of the ARC is a majority of the total number of people currently serving on the Committee.

The ARC considers the application and any data or comments received from neighbors. After discussion of the application as submitted, the ARC will approve conditionally, disapprove, or approve the application as submitted. In cases of conditional approvals, or disapprovals, homeowner applicants will be provided in writing with the reason or reasons for such. Each applicant will receive written notice regarding the Committee's decision either by use of a duplicate copy of the application or by letter.

The ARC will record its actions and the notification to the applicant by placing copies of the executed application and/or letters in the Committee's archives. Duplicate copies of all records will be forwarded to the management company.

Conditional approval means that work may proceed if the conditions are satisfied as agreed to by the Committee. The Committee may inspect work in progress and request in writing that the applicant correct any non-compliance with the approved design. Applicants agree to cooperate fully with the ARC.

Compliance Review and Inspection

The ARC will review the completed project for compliance with the approved application.

Appeal Procedure

If the applicant disagrees with the decision of the Committee in its review or inspection, the process is noted for an appeal:

- A. Within 15 days after receipt of a notice of disapproval, the homeowner must file a written appeal with the Board of Directors at the address of contact, which is Inman Park's management company.
- B. The Board of Directors establishes the date and the time the appeal will be heard. Normally, this will be made at the next scheduled Board meeting. To reverse a Committee decision requires a majority vote of the Board.
- C. No work may progress during this time period.

Violations

Remedies: An exterior change made without the required approval of the ARC constitutes a violation of the Declaration. A violation will require removal or modification of the work at the expense of the property owner.

A violation may also result in payment of damages incurred by the Association in having the work removed or modified, as well as a fine assessed by the Association. Attorney fees, court costs, site assessment will all be incorporated into the fine process.

The ARC will investigate any reported violation and attempt to bring the owner or renter into compliance. Homeowners will be notified in writing of the violation. Should the owner or renter fail to act upon the recommendations for corrections, the ARC will submit the matter to the Board of Directors of the Association for final resolution.

If a homeowner does not comply with the Board's ruling, a fine will be levied on a daily basis of up to \$150 per day until the violation is rectified. The North Carolina Community Act, passed in January of 1999, allows planned residential communities the ability to uphold standards that will protect and insure homeowners of maintained property values, with regard to holding all property owners accountable for abiding by the existing covenants.

6. DESIGN GUIDELINES

This section of the Standards provides specific guidance regarding particular design situations frequently encountered in Inman Park. Generally acceptable methods for achieving the required objectives and standards are indicated below. These are suggested methods rather than mandatory methods. Additionally, design methods that are generally not acceptable are also included. Merely following these guidelines does not guarantee approval; all requests must follow the stated approval process.

Garage/Storage Buildings

- A. No detached garages or storage buildings are allowed.
- B. Proposals for attached storage areas will be considered. Applicant will be required to obtain a building permit and adhere to all city building and zoning codes.
- C. Overhead doors will not be allowed on attached storage areas.
- D. Siding and roofing materials must be the same color and composition as the home, with the roof having a similar pitch to the existing dwelling.

Fences/Walls

- 1. Fences must be constructed of treated wood, black wrought iron/aluminum or white vinyl. Wooden fences must be treated with clear protective sealer or natural wood tone stain. The ARC for review may request stain samples. No split rail fences will be allowed.
- 2. No fence may extend past the rear corner of the house except as approved by the ARC based on lot configuration and home design.
- 3. No fence will have a height greater than six feet at its highest point.
- 4. Construction will consist of vertical members supported on horizontal members with the horizontal members on the property owner's side of the fence.
- 5. Fences must be maintained and kept in good repair.
- 6. No fence may encroach on any landscape maintenance easement, street right away, or common area.

Stockade design fences and fences to be erected on lots adjoining properties where fences already exist will have a stricter review.

- 7. Fences *that* are highly visible within the community (i.e. certain lots along Inman Park Drive,

Leadmine Road, Litchfield Downs Lane and Stannard Trail) will be subject to stricter review for conformity with the scheme and plan of development so as to maintain continuity within the neighborhood.

Outdoor Pets

- A. Fencing for pets has the same requirements as for all other fences. (See Fences/Walls above)
- B. Permanent pet houses, kennels, runs, chaining are not allowed.
- C. Permanently maintaining outside pets is strongly discouraged in Inman Park Community.
- D. Excessive pet noise will be treated as a noise ordinance violation.
- E. Maintenance of the yard to keep it free from offensive odors is required.

Decks/Covered Enclosures/Outdoor Living Areas

- A. A deck shall be at the rear of the house with stairs not extending past the side of the house. No side or front decks are permitted.
- B. Screened enclosures must not be visible from the fronting street unless approved by the ARC.
- C. All decks, patios, gazebos, covered enclosures and screened porches must blend in with the natural terrain.
- D. All decks, patios, gazebos, covered enclosures and screened porches must be properly maintained (sealed, stained or painted).

Swimming Pools

- A. No above ground swimming pools are allowed.
- B. In-ground swimming pools are to be located so that maximum privacy and protection from noise is afforded to neighboring lots. Pools must not be visible from the street and written ARC approval is mandatory.
- C. Fencing is required around pools and will follow Inman Park Guidelines for fencing.

Outdoor Lighting

- A. One lamppost light is allowed not to exceed six feet in height to base of light fixture. The post shall be metal painted black to match the mailbox. The lamp should be similar in design to existing exterior house lights.
- B. High power lights are not permitted.
- C. Floodlights (with or without motion sensors) are permitted. No light should shine into

neighboring lots.

- D. Holiday, or special occasion lighting does not require ARC approval, but must be removed within 30 days of the event.
- E. Landscape lighting does not require ARC review but may not shine onto a neighboring lot.

Clotheslines -- Clotheslines are not permitted.

Play Equipment- ARC approval is required prior to the construction, or installation, of a freestanding unit.

- A. All play equipment should be located in the back yard and at least 10 feet from all property lines.
- B. Tree houses, playhouses & trampolines will be considered on an individual basis. The maximum height for these items is 10ft.
- C. No single unit may exceed 18x10x15 feet and only one unit per house will be permitted.
- D. All play equipment must be properly maintained.
- E. No skateboarding or rollerblading ramps are allowed.

Basketball Goals

- A. Basketball goals are to be installed on the rear third (toward the house) of the driveway or parking pad.
- B. Goals should be mounted on a single pole with a backboard that is predominately white, clear, black or gray.
- C. One goal per house.
- D. The goal must be positioned and/or screened such that the ball is not likely to encroach a neighbor's property during normal play.
- E. Portable basketball goals do not require ARC review, however placement of portable basketball goals must adhere to the same placement requirements as fixed goals and are not allowed on city streets or sidewalks.

Drives and Parking Areas

- A. Proposed changes in drives or parking pad additions must be submitted to the ARC.
- B. Asphalt tar products or gravel will not be permitted.

Grading

The City of Raleigh and the ARC, prior to the work being started, must approve major changes to the topography of a lot. Drainage and water flow patterns must be taken into consideration prior to the start of any grading.

The Association, its Board of Directors, and the Architectural Review Committee do not accept any liability for any damage caused by such grading, whether or not the committee approved the request.

Street Parking/Event Parking

Parking in the street overnight by residents is in violation of the Restrictive Covenants. For events such as Garage Sales or parties, it is the host homeowner's responsibility to inform neighbors and make provisions to prevent damage to the neighbor's yards.

Uniform Sign Regulations

- A. Signs may be placed in the homeowner's yard for the express purpose of selling and/or renting the property.
- B. Security, burglar alarms or dog fence signs shall be located discreetly in the front yard of the house.
- C. No temporary signage may be located in the common area, with the exception of "Open House " signs during the hours of operation and signs promoting community events. Signs should be removed promptly after the event.
- D. Yard/Garage Sale signs are permitted the day prior to and of the event.
- E. Temporary signage during the period of home improvements is permitted on the homeowner's property.
- F. Signs must be removed as soon as the job is completed.
- G. Temporary special occasion signs are permitted and must be removed with one (1) week of placement.
- H. Election campaign signs must adhere to City of Raleigh restrictions. Political signs expressing support of or opposition to political candidates or other issues which will appear on the ballot of a primary, general, or special election must total not be larger than ten (10) square feet. Such political signs shall not be placed on a Lot earlier than sixty (60) days before such election and shall be removed within two (2) days after such election.

Mailboxes

Mailboxes and posts are to remain consistent with what was originally erected on your lot. Be sure that

any replacement mailbox and post matches the original post placed on your street. The recommended mailbox is a Janser box with gold bands available through Rodney Custom Cut Sign Company, Apex, NC. No ornamental structures may cover the mailbox, such as birdhouses or animal designs.

Antennas/Satellite Dishes

- A. No radio or television transmission or reception towers or antennas shall be erected on a Lot other than a customary television or radio reception antenna, which shall not extend more than ten (10) feet above the top roof ridge of the house.
- B. A satellite antenna receiver or disc will be permitted on a Lot if (1) the receiver or disc is not larger than 30" in diameter, (2) the receiver or disc is located within the building set back lines applicable to that Lot on a side of the house not facing the street and (3) the receiver or disc is located or screened in such a way that it cannot be seen from any street within the subdivision. Any such screening must be approved as provided in Paragraph 18 of the Restrictive Covenants.
- C. No freestanding transmission or receiving tower will be permitted on any lot.

Tree Cutting

Except in the case of an emergency situation that does not permit any delay, no tree, dead or alive, may be removed from Common Areas or Common Area easements.

Except in the case of an emergency situation that does not permit any delay, no live tree which is larger than 6" in diameter as measured three feet (3') above the ground may be removed from a Lot without the approval of the ARC. The ARC may require that dead trees be replaced.

No owner or other person shall remove or damage any required plantings or landscaping. The Association shall be responsible for ensuring that all plantings and landscaping required by the Master Landscape Plan are properly maintained.

Boats, Trailers, Etc.

- A. No boat, boat trailer, mobile house trailer (whether on or off wheels), vehicle or enclosed body of the type which may be placed on or attached to a vehicle (known generally as a "camper"), recreational vehicle ("RV"), tractor trailer truck or cab, or commercial vehicle of any kind shall be parked on any street or any Lot within the Subdivision.
- B. No vehicle of any type that is abandoned or inoperative shall be stored or kept on any Lot, except in an enclosed garage.
- C. All ATV's, motorbikes or other motorized vehicles must meet Wake County street code to be driven in the Inman Park Community.

7. CONSTRUCTION SITE REQUIREMENTS

- A. All job sites will be kept in a clean and orderly condition.

- B. Building materials may not be stored on streets or sidewalks.
- C. No alcoholic beverages are permitted.
- D. Playing of loud music is strictly prohibited.
- E. For the construction of new homes or large additions, builders must provide dumpsters and port-a-pots to the job site as required by the City of Raleigh. Arrangement must be made to empty them regularly.

8. STEPS TO FOLLOW FOR ARCHITECTURAL APPROVAL REQUEST

STEP 1 - Prior to any alteration or construction, the homeowner requests the Architectural Review Form from the management company.

STEP 2 - The fully completed Form is returned to the appropriate management company as indicated on the request form.

STEP 3 - The management company dates the ARC Form upon receipt and forwards the Form to the ARC Chair. The Committee reviews the Form and returns the Form with the Committee's decision to the management company. All Forms are retained by the Committee and are archived in the Association's permanent records.

STEP 4 - The management company contacts the homeowner in regards to the ARC's decision.

ARCHITECTURAL REVIEW GUIDELINES & PROCEDURES ADOPTED 11/10, 2004.

DECLARANT:

GELL, INC.

By: [Signature]

John R. Lancaster, President

(Corporate Seal)



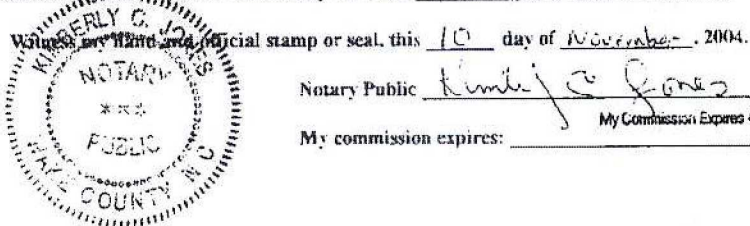
ATTEST:

By: [Signature]

Asst. Secretary

STATE OF NORTH CAROLINA - WAKE COUNTY

I, Kimberly C. Jones, a Notary Public for Wake County, North Carolina, certify that:
John R. Lancaster personally came before me this day and acknowledged that he is
President of GELL, INC., a North Carolina corporation and that, by authority duly given
and as the act and deed of the corporation, the foregoing instrument was signed by its President,
sealed with its corporate seal, and attested by her as its Asst. Sec.



Witness my hand and official stamp or seal, this 10 day of November, 2004.

Notary Public Kimberly C. Jones

My commission expires: _____

My Commission Expires 4-10-2005