

Architectural Control Guidelines for Wortham Grove

The Board of Directors for the Wortham Grove Homeowner's Association under Article IV Section 3 of the Declaration of Covenants, Conditions and Restrictions is to establish a Modifications Committee. **All Homeowners were to have received a copy of these Covenants at closing. If not, contact your title company for a copy.** This Committee for the rest of this document will be referred to as the ACC (Architectural Control Committee). This Committee is to review any application for any modifications, additions, repairs or alterations to the exterior including the lot of any residence in Wortham Grove. The Management Company has these application forms. This is not to include any remodeling to the interior of a residence unless the paint color is visible from the public street. The ACC will be governed by the Board and shall adhere to all the provisions of the Declaration.

Approval Procedure

The following are subject to review but not limited to these items: garages, swimming pools, streets, driveways, sidewalks, drainage facilities, landscaping, fences, walks, fountains, statuary, flagpoles, roofs, walls, patios, outdoor lighting. All of these require you to submit an ACC form specifying all modifications, additions, repairs or alterations with all appropriate information including all construction plans, survey or site plans, brochures, color chips or anything deemed necessary for us to review your request. **If you give the ACC everything they need on the front end your approval will be expedited.** Article IV Section 6 The ACC has 15 days to approve or disapprove and provide you with reason for disapproval. If the application is not approved in 15 days this does not constitute a waiver of the requirement. **No modification, additions, repair or alteration shall commence unless you receive written approval.** However, if the ACC fails to either a) approve or disapprove plans submitted or b) request additional information within 30 days after submission, the Plans for modification shall be deemed approved. Article IV Section 7 Requested revised plans when resubmitted by the Homeowner shall be reviewed within 15 days. Variances (exceptions) can be requested (see Article IV Section 9). All variance requests will be reviewed so as to preserve the integrity of the whole subdivision.

Guidelines

The reason for these restrictions on your property use is to insure the integrity of the whole. The overall appearance of a neighborhood is a tremendous enhancement of value for anyone selling their home. We know most of you will maintain your residence and will follow correct procedure. The need for stringent Architectural Controls is necessary because of the few who constantly defer maintenance and for the new homeowner who may not have sufficient knowledge to do the right thing.

We are going to address various sections of Article X Restrictions in Use.

Wortham Grove

Section 1 Residential Purpose Only

1. One single family of no more than 10 members
2. No carports (Porte cochere are an exception – see specifics)

Section 2 Reasonable Enjoyment

No nuisance shall ever be erected, placed or suffered to remain upon any Lot that will endanger the health or disturb the reasonable enjoyment of any other Owner. The Board will decide what constitutes a violation.

Section 3 Animal Husbandry

No sheep, goats, horses, cattle, swine (pigs of any kind), poultry, dangerous animals (to be determined by Board), snakes or livestock. Dogs, cats or any other common household pets may be kept by an owner never to exceed 3 adult animals or be of a commercial purpose.

Section 4 Trash and Rubbish Removal

1. No trash, rubbish, garbage, manure or debris of any kind shall be allowed to remain on any Lot. Such prohibited matter shall be removed at regular intervals.
2. All matter is to be placed in sanitary refuse containers with tightly fitting lids adequately screened by planting or fencing so as not to be seen from the street.
3. **All containers shall be placed on the property not in the street the morning of the regularly scheduled pick-up days.**
4. **Be sure and keep up with any holidays which will cancel your pickup. Pick-up will occur on the next scheduled day.**
5. **We do not have a large item pick-up day. Certain items such as paint containers, cement and hazardous chemicals (motor oil etc.) will not be removed. Call the garbage company if you have any questions or concerns.**

Section 10 Storage of Boats, Trailers and other Vehicles and Equipment

1. No boat, trailer, recreational vehicle, camping unit, bus, commercial use truck or self propelled or towable equipment or machinery of any sort or **any item deemed offensive by the Board** shall be permitted to park on any Lot except in an enclosed structure or behind a solid fence so as not to be visible from the street except during construction of improvement for a specified period of time.
2. Storage of approved vehicles on the driveway or street is defined as **parking without movement for a period of 48 hours or more** during a period of 7 consecutive days. **In other words, vehicles that need to be stored for a longer period of time should be placed in the garage or taken to a storage facility.**
3. No vehicle should ever be parked on the side or front lawn (not on the grass) of a Lot
4. Parked vehicles are never to obstruct use of sidewalks.
5. Trucks over 1 ton shall not be permitted to park overnight on the Property except during construction.

6. **The Board would prefer no parking on the street except when totally necessary. Parking in the street especially in the curves is hazardous to other drivers and children playing in the street.**

Section 11 Clothes Lines

1. **Never**

Section 13 Television and Radio Antennas and Satellite Dishes

No television, radio antenna or satellite dishes are to be placed on the exterior of the residence without approval by the ACC.

Section 16 Signs, Advertisements, and Billboards

1. No sign, advertisement, billboard or advertising structure of any kind shall be displayed in public view on any Lot except for one sign on each Lot not to exceed 6 square feet for the purpose of advertising the property for sale or rent.
2. No sign shall be permitted that shall advertise the Property has been or will be foreclosed.

Section 17 Lot Maintenance

The Owner of each lot shall maintain the Lot in a neat and attractive condition. 1) Regular mowing & edging 2) weeding of plant beds 3) fertilizing, weed control & watering of the turf and landscaping areas 4) diseased or dead plants or trees must be removed or replaced within a reasonable time 5) sculptures, birdbaths, birdhouses, fountains or other decorative appurtenances or embellishments must be approved by the ACC.

The Association shall have the right, after 10 days notice to the Owner of any Lot, setting forth the action intended to be taken by the Association provided at the end of such time such action has not already been taken by such Owner a) to mow or edge the grass thereon, b) to remove any debris therefrom, c) to trim or prune any tree, hedge, or planting that, in the opinion of the Association, by reason of its location or height, or the manner in which it has been permitted to grow, is detrimental to the enjoyment of the adjoining Property or is unattractive in appearance, d) to repair or stain/paint any fence thereon that is out of repair or not in harmony with respect to color with fencing on adjacent Property, and e) to do any and all things necessary or desirable in the opinion of the Association to place such Property in a neat and attractive condition consistent with the intention of the Declaration. The person who is the Owner of such Property at the time such work is performed by the Association shall be personally obligated to reimburse the Association for the cost of such work within 10 days after it is performed by the Association and if such amount is not paid within said period of time, such Owner

shall be obligated thereafter to pay interest thereon at the maximum rate allowable by law, and to pay attorney's fees and court costs incurred by the Association in collecting said obligation and all of the same to the extent performed by the Association shall be secured by a lien on such Owner's Lot, subject to liens then existing thereon. Such lien shall be enforceable as any other Association lien as provided in The Declaration.

Section 18 Removal of Dirt & Trees

No trees shall be removed without the prior written approval of the ACC, as applicable, except to remove the dead or diseased trees, to provide room for permanent improvements or to permit construction of drainage swells.

Section 19 Roof Ventilators or Projections

All roof ventilators shall be located to the rear of the roof ridge line and or gable of any structure and shall not extend above the highest point of such structure so as not to be visible from any public street. ACC may approve exceptions when energy conservation and heating/cooling efficiency requires ventilators that because of a particular roof design cannot be hidden from view.

Section 20 Window Coolers or Condensers

No window or wall type air conditioners shall be used, erected, placed or maintained on or in any residential building on any part of the Property. No condensers shall be located in front of a residence – all others must be screened from public view

Section 21 Driveways

All driveways or entry walks shall be of concrete, masonry or other hard surface material approved by the ACC.

Section 22 Landscape

Each front yard shall have a minimum of 2 trees with at least 2" trunk caliber along with ornamental shrubs that are a minimum of 5 gallon size. No more than 10% in area of a front yard area of any Lot, excluding driveways and sidewalks, maybe covered by rock or any other material other than vegetation.

Section 23 Outbuildings (Basketball goals, also)

No tree house or children's playhouse shall be permitted on any Lot in the Property without prior approval of the ACC. Outbuildings or other structures temporary or permanent, other than the main Residence or garage, shall be limited to 8' in height and shall be subject to approval by the ACC. **The ACC shall be entitled to review and approve or disapprove, without limitation, all outbuildings, play structures (including basketball backboards and hoops), and storage structures.** And such outbuildings will be required to be constructed with material and design that is determined by the ACC to be architecturally and aesthetically compatible with the design

of the Residence thereon and other structures on the Property. **All playground and recreational equipment pertaining to the Lot must be placed at the rear of such Lot. The Board and Homeowner Association's attorney have determined that this clause pertains to portable basketball goals. They are to remain at the rear of the Lot except for those properties which have a detached garage. Homes with a detached garage may keep the portable basketball goal around the front of the detached garage.**

Section 24 Lot Drainage

No structure, planting or other material shall be placed or permitted to remain or other activities undertaken within the Property or any portion thereof by any Owner which might damage or interfere with established slope ratios or established drainage functions or facilities.

Section 26 Walls and Fences

No fences or walls shall be more than 6' in height unless approved for such Lots in writing by the ACC as the case may be, in their sole judgment and discretion. All walls and fencing shall be made of wood, ornamental metal or masonry except as otherwise permitted in the discretion of the ACC, as the case may be.

Section 27 Roofs

The roof of each Residence shall be covered with asphalt or composition type shingles equal to or better than a weight of 230 pounds per 100 square feet of roof area. All roof stacks and flashings must be painted to match the approved roof color. **No flat roof shall be permitted.**

Section 28 Garages

A garage able to accommodate a minimum of 2 and a maximum of 3 automobiles must be constructed and maintained for each Residence. **Garage door openers shall be required for all garages. No garage shall be permitted to be used or enclosed for living purposes.**

Section 29 Hunting and Firearms

No hunting shall take place within the Subdivision. **Nor firearms (including B-B guns and air rifles) may be discharged thereon at any time.**

Section 30 Window Treatments

No aluminum foil, reflective film, paper or similar treatment shall be placed on windows or glass doors at any time.

Section 31 Tree Protection

Trees on any individual Lot will potentially be enjoyed by and benefit all residents in the Subdivision, and consequently it is the intent of the Association to retain the overall character of the tree massing in the development. To prevent the unnecessary damage or death to existing trees, the Lot Owners are encouraged to refer to and follow tree care and protection procedures.

In closing, this is a summation of Article X Restrictions in Use and in no way is to be considered complete. In the Board's opinion, this is only the high points and is to be used as a reference. It is for your benefit to read and review from time to time the Declaration which governs the Wortham Grove Subdivision. When you are contemplating a modification, addition, repair or alteration to the exterior of your Residence or Lot always fill out an ACC form. This will save you from having to stop or remove an improvement which has not been approved.