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Rules and Regulation

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Introduction

In any private community, rules and regulations must exist to help ensure an aesthetically pleasing community, which in turn keeps real estate values high. These Rules and Regulations have been adopted in an attempt to be fair and considerate to all. We must never lose sight of the fact that the community belongs to everyone and should be enjoyed to the fullest extent. First and last we must be good neighbors.

The following Rules and Regulations are enforced by the Shearon Farm Single Family HOA Board of Directors and are meant to clarify the Covenants and not to override the covenants.

The Process

If a Shearon Farms Single Family HOA Board Member recognizes a violation or is informed of a violation by a Homeowner the course of action will be the following steps:

First Step: The management company contacts the Homeowner in violation to make them aware they are in violation and to correct the violation in a timely manner. If the Homeowner in violation does not respond to the Board Members request to discuss the violation or if the Homeowner does not complete the agreed upon remedy in the agreed upon time frame the next step will occur.

Second Step: The Board will schedule a due process hearing between the Homeowner and the HOA Board. The hearing is a formal discussion between the Homeowner and Board to resolve the violation.

Third Step: The Board will rule on the outcome of the due process hearing in a Hearing Results Letter. When the board finds in favor of the Homeowner there is no fine. When the Board finds that the Homeowner is in violation then if the violation is not corrected within the Board specified time of the ruling the homeowner will be fined up to \$100 a day until the violation is corrected.

Unpaid fines will be collected through the use of an attorney and/or collection agency. The Board of Directors do not wish to police the neighborhood for violations however we are establishing these rules and regulations to ensure that all Homeowners within the Shearon Farms Single Family HOA and their investments in their homes are protected to the best of our ability.

A Message to Homeowners

If you own the property, you are responsible at all times for the compliance of your family, your family's guests, contractors, sub-contractors or invitees, to the covenants and rules and regulations. If you are a landlord, please reference the section below. These Rules and Regulations or fine schedule, may be amended or revised by the HOA Board of Directors in an effort to keep all materials both relevant and current.

A Message to Landlords and Tenants

If you rent your property, you are responsible at all times for the compliance of your tenant, your tenant's guests, contractors, subcontractors or invitees, to the covenants and rules and regulations. If you are a tenant, you should read this document carefully, remembering that it is in addition to any other rules or restrictions in the lease agreement as exist for the house in which you are renting. For the mutual acknowledgment and protection of both the landlord and tenant, it is strongly urged that a copy of these Rules and Regulations and "the Covenants" be attached to and made a part of every lease agreement. These

Rules and Regulations or Fine Schedule, may be amended or revised by the HOA Board of Directors in an effort to keep all materials both relevant and current.

Note: Owners are responsible for the maintenance of their property regardless of any agreement between the Landlord and Tenant.

Note: Owners are responsible for the actions of their Tenants.

Article 1 – General Violation

Section 1: Those violating “the covenants” or any of the Rules and Regulations contained herein, or as may be enacted from time to time by the HOA Board of Directors, will be subject to fines, or other such penalties as the HOA Board of Directors may from time to time impose.

Section 2: Where a breach of a rule or regulation also constitutes an unlawful act, the HOA Board of Directors reserves the right to actively pursue all lawful remedies in addition to any penalties outlined herein.

Article 2 – Renting

Section 1: The property owner MUST notify the HOA Management company of the rental or lease of their property within one week of a fully executed agreement.

Section 2: The property owner is responsible to ensure the property is maintained and “neat and tidy” at all times. Properties that are not maintained will be subject to a fine.

Section 3: The property owner is responsible to ensure that ALL Tenants are aware of and receive a copy of the Covenants and the Rules and Regulations. Ultimately, owners are responsible for the actions of their Tenants.

Article 3 – Landscaping

Section 1: Mowing: Turf shall be mowed as needed during the growing season; schedule may be altered due to inclement weather or temperatures. The length of the lawn should not exceed 5 inches in length.

Section 2: Trimming/Edging: Trimming/edging around all obstacles, fences, trees, flower beds, buildings, curbs, sidewalks and so forth so as to create a neat and finished appearance consistent with the turf height.

Section 3: Landscaping and flower beds: Shall kept free of grass and weeds. Mulch shall be maintained by top dressing to maintain coverage.

Section 4: Trees and shrubs: All trees and shrubs shall be maintained for desirable curb appeal and not overgrown so as to obscure the view of the home. Trees and shrubs should provide at least a 6 foot clearance for sidewalks.

Section 5: Annual Maintenance: All lawns must be free of weeds. Due to annual growing seasons, the repair or replacement of the lawn should be done in the fall for Fescue varieties and spring for Bermuda or Zoysia varieties.

Section 6: Sidewalks, Driveways, curbs and streets shall be kept clear of weeds and grass clippings.

Article 4 – Exterior Maintenance

Section 1: General: The exterior of a structure shall be maintained in good condition, structurally sound and sanitary so as not to pose a threat to the public health, safety, or welfare.

Section 2: Exterior Painting: All wood and metal surfaces, including but not limited to, window frames, doors, door frames, cornices, porches and trim shall be maintained in good condition. Peeling, flaking, chipped paint, mold and mildew shall be eliminated and surfaces repainted.

Section 3: Stairways, Decks, Porches, and Balconies: Every exterior stairway, deck, porch and balcony attached hereto, shall be maintained structurally sound and in good condition.

Section 4: Windows and Door Frames: Every window, door, and frame shall be kept in good condition.

Section 5: Doors: All exterior doors and hardware shall be maintained in good condition.

Section 6: Fences: All fences shall be maintained in good condition. Any natural wood stains must be approved by the board.

Section 7: Garbage cans should not be stored in the front of the house.

Section 8: Roofing color must match the currently installed roof color, unless approved by the ARC.

Article 5 – Architectural Guidelines and Procedures

Section 1: General: Owners are responsible for complying with the Architectural Review Guidelines and Procedures, listed below, as outlined by the Shearon Farms Single Family Homeowners Association and any violations will incur a fine as listed above.

Article 6 – Additional Clarification

Section 1: Land Use Regulations: This section defines “professional office” and “business activity” from section 11 of the covenants.

“professional office” – an in-home office for professional services, including but not limited to an accountant, attorney, engineer, etc, that does not generate any appreciable additional traffic to the Lot or does not generate any parking issues for the surrounding properties, or does not otherwise interfere with the quiet enjoyment of the other residents of Shearon Farms.

“business activity” – any activity which is associated with a business or trade and is not in harmony with the residential nature or residential purposes of the Property and which does cause or may cause additional traffic, parking issues, noise, or which may otherwise interfere with the quiet enjoyment of the other residents of Shearon Farms. The storage or stockpiling of equipment, inventory, or materials on any Lot may constitute a business activity if such storage or stockpiling is within view of another Lot, street, or common area.

“Animals” – The Board of Directors found **Section 11.3 Animals:** of the covenants to be vague and has decided to utilize the Town of Wake Forest's laws definition regarding **animals and pets** to clarify

the definition of animals and pets in **Section 11.3 Animals:**. This allows the Shearon Farms Single Family HOA to match the laws of the Town of Wake Forest.

Shearon Farms Single Family Architectural Review Guidelines & Procedures

The Shearon Farms Single Family 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.

The Architectural Review Committee's (ARC) prior approval is required for ANY CHANGES in the exterior of a property. Such improvements include among other things any building, fence, exterior wall, parking area or other structure that may be added or altered, and any change in exterior color. Plans, specifications and location showing the nature, kind, shape, height, and/or materials must be submitted in writing. If you are not sure if your change requires approval please contact the HOA management company.

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 45 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 45 days, then approval will not be required and Article 12.6 of the Declaration will be considered to have been satisfied.

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 Town of Wake Forest and/or Wake County be contacted to determine what permits or approvals are required from a Town/County ordinance.

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.

What Must Have ARC Approval

No improvement shall be erected, remodeled or placed on any site until all plans and specifications and a site plan have been submitted to and approved in writing by the ARC. 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 House and Roof Color

- Mailboxes
- Antennas/Satellite Dishes
- Solar Panel Installation

Please note this list provides examples only. If in doubt, consult with the management company.

Steps To Follow For Architectural Approval Request

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

STEP 2 - The fully completed Form is returned to Shearon Farm's management company.

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

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

Design Guidelines

This section of the Standards provides specific guidance regarding particular design situations frequently encountered in Shearon Farms. 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

1. Proposals for storage buildings and garages will be considered. Applicants will be required to obtain a building permit and adhere to all city building and zoning codes.
2. Overhead doors will not be allowed on storage buildings.
3. Siding and roofing materials must be similar 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, vinyl or black wrought iron/aluminum. Wooden fences must be treated with clear protective sealer or natural wood tone stain. The ARC for review may request stain samples. No chain link or split rail fences will be allowed.

2. No fence may extend forward of 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 or street right away.
7. Stockade design fences and fences to be erected on lots adjoining properties where fences already exist will have a stricter review.
8. Fences that are highly visible within the community will be subject to stricter review for conformity with existing landscape fencing and design quality so as to maintain continuity within the neighborhood.

Outdoor Pets

1. Fencing for pets has the same requirements as for all other fences. (See Fences/Walls above)
2. Pet houses, kennels, runs, chaining are not allowed.
3. Maintaining outside pets is strongly discouraged in Shearon Farms Community.
4. Maintenance of the yard to keep it free from offensive odors is required.

Decks/Covered Enclosures/Outdoor Living Areas

1. 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.
2. Screened enclosures must not be visible from the front of the house unless approved by the ARC.
3. All decks, patios, gazebos, covered enclosure and screened porches must be properly maintained (sealed, stained or painted).

Swimming Pools

1. No above ground swimming pools are allowed.

2. 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.
3. Fencing around pools must follow Shearon Farms Guidelines for fencing.

Outdoor Lighting

1. One lamppost light is allowed not to exceed six feet in height to the base of the light fixture. The lamp should be similar in design to existing exterior house lights.
2. Floodlights (with or without motion sensors) are permitted. No light should shine into neighboring lots.
3. Holiday or special occasion lighting does not require ARC approval, but must be removed within 30 days of the event.
4. 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 for the construction or installation of a freestanding unit.

1. All play equipment should be located in the back yard and at least 10 feet from all property lines.
2. Tree houses, playhouses and trampolines will be considered on an individual basis. The maximum height for these items is 10 feet.
3. All play equipment must be properly maintained.
4. No skateboarding or rollerblading ramps are allowed.

Basketball Goals

1. Basketball goals are to be installed on the rear third (toward house) of the driveway or parking pad.
2. Goals should be mounted on a single pole with a backboard that is predominately white, clear, black or gray.
3. One goal per house.
4. The goal must be positioned such that the ball is not likely to encroach a neighbor's property during normal play.

5. 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

1. Proposed changes in drives or parking pad additions must be submitted to the ARC.
2. Asphalt tar products or gravel will not be permitted.
3. Parking must occur in the driveway/parking pads, and not in the lawn or on the street.

Grading

The Town of Wake Forest 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.

Uniform Sign Regulations

1. Signs may be placed in the homeowner's yard for the express purpose of selling and/or renting the property.
2. Security, burglar alarms, dog signs or other signs shall be located discreetly in the front yard of the house.
3. No temporary signage 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.
4. Yard/Garage Sale signs are permitted the day prior to and of the event.
5. Temporary signage during the period of home improvements is permitted on the homeowner's property. Signs must be removed as soon as the job is completed.
6. Temporary special occasion signs are permitted and must be removed with one (1) week of placement.
7. Election campaign signs must adhere to Town of Wake Forest 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, posts and numbers are to remain consistent with what exists in the neighborhood. Numbers are harder to match so some guidance on numbers: 2.75" high and 5.5" width for the 4 numbers. Font is Times New Roman Bold.

Antennas/Satellite Dishes

1. 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.
2. 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 setback 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.
3. No freestanding transmission or receiving tower will be permitted on any lot.

Boats Trailers Etc

1. 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"), truck or cab, or commercial vehicle of any kind shall be parked on any street or any Lot within the Subdivision, however, it will be permissible for a boat, boat trailer, a recreational vehicle (RV), Jet-Skies and/or camper to be parked in the driveway of a homeowner for no more than seven consecutive days for purposes of cleaning prepping and minor maintenance, however, not for general storage.
2. No vehicle of any type that is abandoned or inoperative shall be stored or kept on any Lot, except in an enclosed garage

Solar Panels:

This section is added as a clarification to the covenants per NC statute Chapter 22B, Article 3.

1. Homeowners must submit an ARC request for solar panel installation with the required permits to the ARC for approval prior to installation. The ARC will confirm that the homeowner obtained Town of Wake Forest Building Permits.
 - a. Solar Panel installation is only permitted on roofs in the SFSF neighborhood.
 - b. Solar Panel installation on lawns/yards is NOT permitted.

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 should be protected by making provisions for such matters as water and 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:

1. Scale: The three-dimensional size of the proposed change must relate satisfactorily to adjacent structures and their surroundings.
2. Materials: Continuity is established by use of the same or compatible materials as used in the existing home. Siding materials and shingles must be similar to existing structures.
3. 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 revoke the application.

Design Application Review Procedures

Application Procedures for Improvements to Existing Dwelling

Property owners wishing to make applications for improvements to existing dwellings may contact Shearon Farm'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 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 Shearon Farm's 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 Shearon Farm's 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 promptly commence and diligently pursued to completion. If such construction is not commenced within the time set by the ARC in the 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.

In cases of conditional approval or disapproval homeowner applicants will be provided in writing 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.

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.

1. 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 Shearon Farm's management company.
2. The Board of Directors establishes the date and the time a Committee 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.
3. 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 investigates any reported violation and attempts to bring the owner into compliance. Homeowners will be notified in writing of the violation. Should the owner 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 \$100 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.