

Ashton Fields HOA

ARC Guidelines & Rules and Regulations

As our community continues to grow, it becomes important for all homeowners to keep their properties properly maintained. This is instrumental in keeping our neighborhood a desirable place to live and a competitive property value.

The documents contained herein are provided to help the homeowners of Ashton Fields Community understand the rules of the Homeowner Association (HOA). Additional information can be found in The Covenants, Conditions and Restrictions (CC&Rs).

The guidelines are intended to serve as clarification of the CCR's and guidance as to changes, maintenance, location, and size of existing and additional structures on any lot and other ARC issues. The ARC may impose additional restrictions and grant variances to those restrictions as allowed by the CCR's, and HOA Board.

Owner's Responsibility

Each Owner shall maintain his or her Lot, as well as the Residential Unit and all other structures or improvements thereon, including exterior surfaces of the residence, parking areas, fences and other improvements located on the Lot in a manner consistent with the Community-Wide Standard and all applicable provisions of the Documents, unless such maintenance responsibility is otherwise assumed by or assigned to the Association.

Air Conditioning Units

No windows or wall type air conditioning unit shall be permitted

Animals and Pets

No animals, reptiles, rodents, livestock, birds, fish or poultry of any kind shall be raised, bred, or kept in or on any portion of the Subdivision, except as otherwise provided below. Dogs, cats, or other usual and common household pets not to exceed a total of two (2) may be permitted with respect to each Lot. Pets are not permitted to roam free, and in the sole discretion of the Association, any pets which endanger the health, make objectionable noise, or constitute a nuisance or inconvenience to the Owners of other Lots or the owner of any portion of the Subdivision shall be removed upon request of the Board. If the Owner fails to honor such request, the pet may be removed by the Board and turned over to the appropriate agency for keeping or disposal. No pets shall be kept, bred, or maintained for any commercial purpose.

Dogs which are household pets, whenever they are outside a residence being confined on a leash held by and under the physical control of a responsible person. Local laws governing leashing, control, etc., of animals shall apply to the residents of the community. Homeowners shall be responsible to clean-up after their pet.

Antennas and Satellite Dishes

All television antennas and equipment used for such must be twenty-four (24) inches or less in diameter. All antennas and satellite dishes must be placed in the rear of the home and not visible from the street. Any exception must be approved in advance by the Board of Directors.

Artificial Vegetation, Exterior Sculpture, and Similar Items

No artificial vegetation shall be permitted on the exterior of any portion of any unit. Exterior sculptures, fountains, birdbaths and similar items must be approved by the ARC.

Basketball or Playground Equipment, Clotheslines-Permanent basketball hoops shall not be permitted, unless prior approval has been obtained from the ARC. Portable basketball hoops shall be used only between 8am and 10pm & stored out of sight when not in use. All playground equipment located upon Lots, including but not limited to swing sets, slides, seesaws, playhouses and/or climbing apparatuses shall be maintained in good condition, constructed of natural wood and finished with a natural wood exterior surface and shall be approved by the ARC prior to installation. No painted wood finish, predominately plastic or metal structures shall be allowed. Any allowable playground equipment must be hidden as much as possible from the street view and from the view of adjoining Owners. All playground equipment must be within a fence that is ARC approved. No clothes lines, above ground tanks, and other similar items shall be placed, allowed or maintained upon any portion of the Community, including any Lot.

Boats, Trailers and Motor Vehicles

No commercial vehicles, boats, jet-skis, boat trailers, buses, house trailers, motor homes, panel trucks camping trailers, vans, motorcycles, motor scooters, go-carts, motorbikes or other similar vehicles ("Non-permitted Vehicle"), whether of a recreational nature or otherwise, with the exception only of four-wheeled passenger automobiles and pickup trucks, shall be placed, parked or stored upon any Lot. Trucks, vans, commercial vehicles and vehicles with commercial writings on their exterior shall be allowed temporarily on the Common Area during normal business hours for the purpose of serving any Lots or the Common Area, if they do not remain overnight unless written prior approval is received from the Board. The Association shall have the right to authorize towing of any vehicles which are in violation of these provisions, or the Traffic Regulations promulgated by the Association, and to collect the cost thereof from Owners, as an Individual Assessment.

Color

Exterior colors must conform to the original scheme designed by the builder. Before changing the color of any exterior portion of their home, including fences, doors, windows, shutters, decks, and roof, new color samples and a photograph of the home must be included with ARC request form. Shutters and doors will complement the exterior color scheme, and maintain the original colors intended by the builder.

Drainage and Septic Systems

Catch basins and drainage areas are for the purpose of natural flow of water only. No obstructions or debris shall be placed in these areas. No Person other than Declarant may obstruct or re-channel the drainage flows after location and installation of drainage swales, storm sewers, or storm drains. Septic systems are prohibited upon or within the Subdivision.

Fences

Fences must comply with Fence Guidelines. All fences must receive ARC approval prior to construction.

Garage Doors

Garage doors must be maintained free of dirt, dents, broken windows, mildew and the like. Garage doors that cannot be closed must be repaired within 48 hours. If replacement or repair is required, the garage door must be restored to the original design specification.

Garage Sales

The Board of Directors may choose to approve community wide yard sales. No individual homeowner may conduct a garage sale, yard sale or similar activity.

Hobbies & Guns

The pursuit of hobbies that are inherently dangerous or objectionable to adjoining lot owners including, without limitation, the assembly and disassembly of motor vehicles or other mechanical devices, shall not be permitted. Activities such as fireworks or pyrotechnic devices of any type or size and other such activities shall not be pursued or undertaken on any part of any Lot or upon the Common Areas without the consent of the Board. - The discharge of firearms within the Community is prohibited. The term "firearms" includes "B-B" guns, pellet guns, and other firearms of all types, regardless of size.

Irrigation

Irrigation systems or lawn sprinkler systems may be installed by or on behalf of an Owner with approval of the ARC and obtaining a permit, if permitted, by Lenoir City / county of Loudon.

Landscaping

Homeowners shall not remove, replace or otherwise alter any landscaping in common areas. This includes plants directly in front of their unit. The ARC must approve all landscaping plans for all Property, including Lots. Vegetable and herb gardens are not allowed without written approval of the ARC.

Leasing

a) Definition. "Leasing", is defined as regular, exclusive occupancy of a residence located upon a Lot by any person or persons other than the Owner for which the Owner receives any consideration or benefit, including, but not limited to a fee, service, gratuity, or emolument.

b) General. Lot residences may be rented only in their entirety; no fraction or portion may be rented. There shall be no subleasing of residences or assignment of leases unless prior written approval is obtained from the Board of Directors. No transient tenants may be accommodated in any residence or other improvements located upon the Lots. All leases shall be in writing and shall before an initial term of no less than six (6) months, except with the prior written consent of the Board of Directors. Notice of any lease, together with such additional information as may be required by the Board, shall be given to the Board by the Owner within ten (10) days of execution of the lease. The Owner must make available to the lessee copies of the Documents.

c) Compliance with Declaration, Bylaw and Rules and Regulations. Every Owner shall cause all occupants of his or her residence to comply with the associations governing Documents, and shall be responsible for all violations and losses to the Common Areas caused by such occupants, notwithstanding the fact that such occupants of a residence are fully liable and may be sanctioned for any violation of the Documents

Lighting/Decorating

Except for seasonal Christmas decorative lights, which may be used between Thanksgiving and January 10 only, all exterior lights must be approved by the ARC. Holiday decorations must be removed timely.

Noise, Nuisance and Hazardous Substances

No use or practice which is either an annoyance to Owner or an interference with the peaceful possession and use of the Property by Owners shall be allowed. No Owner shall commit or permit any nuisances or any immoral or illegal activity on or about the Property. For greater clarification, no owner shall knowingly or willfully make or create any unnecessary, excessive or offensive noise or disturbance which destroys the peace, quiet and/or comfort of the Owners, or allow any such noise or disturbance to be made on or about his Lot. No substance, thing, or material shall be kept upon any portion of the Community that will emit foul or obnoxious odors.

On Street Parking

In accordance with CC&Rs, vehicles shall be parked only in the garages or in the driveways serving the Lots and vehicles are never allowed to be parked in the street on a regular basis. No vehicles of any kind may be parked in any side or back yard, or on the sidewalks. On street parking is not permitted except for:

- Visitors (no overnight parking)
- When driveway maintenance is underway.
- When contractors require access to perform repair work.

Parking & Garages

No Owner shall keep more than two (2) vehicles parked in said Owner's driveway at any time, provided, however, that if the Lot only has a one-car garage, then said Owner or occupant shall not park more than one vehicle in said driveway. All other vehicles must be parked in garages, designated parking spaces, or other areas authorized in writing by the Board. - Vehicles shall not be parked on any lawn, yard, private street or alley. - Parking upon any public streets or dedicated right-of-way of the Subdivision shall follow applicable laws, ordinances, codes, and regulations of the City of Lenior and County of Loudon - No wrecked vehicle or vehicles in a non-functional condition or vehicles without proper registration shall be parked on any lot or upon any Common Area at any time. The guest parking spaces are in the Common Area, which is used for guest parking only, unless approved in writing.

Playground Equipment

All playground equipment located upon the Lots, including but not limited to, swing sets, slides, seesaws, playhouses, and/ or climbing apparatuses, shall be maintained in good condition, constructed of natural wood, and finished with a natural wood exterior surface. No painted wood finish, predominately plastic or metal structures shall be allowed. Any allowable playground equipment must be hidden as much as possible from the street view and from the view of adjoining Owners.

Signs & Flagpoles

No sign, advertisement, billboards or advertising structure of any kind shall be erected upon or displayed, unless advertising the sale of the home or for political or campaign posters or signs as permitted pursuant to under the "Tennessee Freedom of Speech Act of 2017". - No flagpoles shall be erected. The American Flag will be allowed for display on a pole erected from the structure of the home. This is according to the Freedom to Display the American Flag Act of 2005.

Storm Doors

Storm doors may be installed on the front or back door but shall be split glass doors. Frame color to match door or trim color. Wooden screen doors are not permitted. ARC approval required. Note: anything other than split glass storm doors will void a warranty on the front door.

Swimming Pools and Hot Tubs

Below ground swimming pools are allowed provided lot size allows. Must be approved by the ARC. Above-ground pools are not allowed. Hot tubs must be approved by the ARC.

Tanks

Above or underground fuel storage tanks are not permitted (not including outside propane grill tanks.)

Tents, Trailers, Temporary Structures and Outbuildings

No tent, utility, shed, shack, trailer or other structure of temporary nature shall be placed upon a Lot or any part of the Community. Outbuildings are only permitted on lots having approved privacy fences and an ARC must be approved prior to commencement of construction. Outbuildings are enclosures that are not attached to the home, such as sheds or enclosed storage units. All Outbuildings must match the

residence on the lot with respect to color of siding, roof, and may not be made of metal. Flat roofs are not allowed. Outbuildings must be placed on a level base of concrete. Any outbuilding set on blocks must be bricked to grade using brick matching the residence.

Trash

No Lot shall be used or maintained as a dumping ground for rubbish, trash or other waste. All trash, garbage and other waste shall be kept only in sanitary containers. All containers shall be kept within the garage or a fenced in area as required except during trash collection. All containers shall be kept within the garage or according to the enclosure guidelines below:

This enclosure guideline offers options for storage of up to two containers outside of the garage while maintaining the intent of the CC&R's. All enclosures require ARC approval. Options for outside storage are:

- Behind an approved privacy fence provided it is not visible from any lot or street.
- Within a commercially available enclosure not visible from the street that coordinates with the exterior color package of the home or existing fence (See examples and size restrictions below).
- On the side of the house (or in back of the house) completely behind and within one of the approved enclosures shown below.

Additional enclosure and trash guidelines:

- All trash cans located outside of the garage must be located on a concrete or paver pad as shown below.
- If a lot is privacy-fenced, an enclosure is not necessary but a concrete or paver pad is still required.
- Trash cans cannot be seen from the street or other lots, so the approved enclosure must be set back at least **15' from the front of the home**.
- Material used for the enclosure must align with the privacy fencing guidelines for the community and be painted or stained to match the home's exterior color scheme or current privacy fence if one exists.

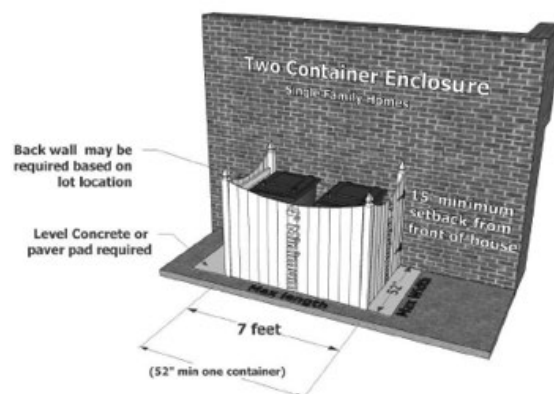


Figure 1 – Two Container Enclosure – lowest part of scallop not less than 4' from the storage pad

Trees, Shrubs, and Bushes

Trees, shrubs, and bushes - must be trimmed and maintained. In addition, all trees, shrubs, and bushes bordering sidewalks, walkways, property lines and common areas, need to be trimmed in such a fashion that they do not limit or impede access to these sidewalks, walkways, or common areas, or infringe on a neighboring property.

ASHTON FIELDS

ARC APPLICATION PROCESS

Timing

Homeowners shall allow for a minimum of 30 days after submitting a complete ARC request form. Some applications may require additional time for review, depending on complexity. (Refer to ARC request form instructions and ARC application located at the end of this document.)

Homeowners should keep in mind that the process described below is for ARC approval only. Homeowners are responsible for obtaining the proper building permits and maintaining compliance with all current building codes, permit requirements and regulations if required.

Initial submission – Homeowner submits the Architectural Review Committee (ARC) Request Form to SPMG- Sarah Patic (sarah@southernpmg.com).

- If complete, HOA Management forwards the request to the ARC.
- If incomplete, HOA Management notifies homeowner for re-submittal; however, the time required for review is reset.
- ARC reviews the request and renders decision to HOA Management. Any additional information requested by ARC for properties resets the time.
- If approved, homeowner is notified and proceeds with the installation / modification.
- If denied, homeowner is notified and may resubmit an ARC Request Form incorporating the ARC requirements; however, the time required for review is reset.

The ARC reserves to the right to inspect an approved installation at any stage to verify that the installation is being installed or has been installed in accordance with the approved ARC Request Form.

ARC Application Instructions

These instructions will assist you in completing the enclosed application. However, you are urged to read and understand the ARC guidelines to ensure that the review process goes as smoothly as possible. In order to expedite your request, it is important that we have all the required information regarding your project. Incomplete applications may result in an unapproved request, and you will have to resubmit your application. Should you have any questions about this packet or your project, contact the Association Manager of HOA.

1. Describe your project in detail. List materials, colors, dimensions, location, added lighting, etc. necessary to clearly communicate the appearance and impact of your project.
2. Provide a sketch, plat plan, diagram or any other visual description of design as specified in other sections of this document. Include front, side, and back view elevations with dimensions when applicable. Manufacturer's literature is welcome.
3. Indicate an anticipated start and completion date; changes/additions must be completed within 30 days of project start date.
4. Include location and depth of any required cuts or fills in the soil.
5. Show the location of any existing utilities or drainage courses (if applicable or in close proximity). Utilities must be marked by contractors before any digging is permitted.
6. Secure building permit(s) required (if applicable).

Association is not responsible for fence removal/deconstruction by officials/entities exercising access right to easements.

Be as detailed as possible when describing your improvement. Should you elect to have a contractor perform the work, list the company name in space provided. Contractors must provide the scope of work. If you are doing the work yourself, indicate that on the application in space provided for Contractor Name. Provide type, color, size, etc. when describing the materials. Detailed drawings are a requirement for all projects, specifically, a Goodall drawing that which shows showing your entire lot, property lines and an outline of the house (e.g., plot plan). Photographs, pages from catalogs, etc. will enhance the understanding of your project and shall expedite the decision-making process.

Once you have the completed application and all pertinent attachments, forward it and the attachments to SPMG- Sarah Patic (sarah@southernpmg.com).

It is the homeowner's responsibility to ensure that the project is in compliance with all applicable codes and permit requirements. ARC approval does not relieve the homeowner of this responsibility.

Ashton Fields

FENCE GUIDELINES

The Board of Directors has established a policy on fences and their design and type. Listed below are the Architectural Guidelines for fences in Ashton Fields.

Should you decide to build a fence contact Sarah Patric – sarah@southernpmg.com. Headquarters phone number is 205-568-2533.

Requirements:

- All fences must be approved by the ARC. In the application packet, include:
 - A completed application form, including building materials and color.
 - A drawn view of the exact layout of the fence on a plot plan.
- Allowable styles include Black Aluminum or Wrought Iron (four feet), or Wooden Privacy Fences (six feet).
- **If Black Aluminum or Wrought Iron:**
 - Must be four feet.
 - Must be black.
 - Must be kept clean and appear in good condition.
 - Must resemble style and color that is attached.
- **If Wooden Privacy Fence:**
 - Must be six feet.
 - Pressure treated pine or western cedar (stain to match pressure treated pine).
 - Must be stained and sealed within 6 months of installation, using Olympic Honey Gold or equivalent color.
 - Must be cleaned and resealed at least every five years.
 - Must resemble style and color that is attached.
 - Must be 2 inches above the grass (to preserve drainage).
- All Fences must terminate from the back of the house.
- All fencing and gates must remain clean in appearance, structurally sound, and in good color and condition.
- ARC reserves the right to inspect requested placement plans during the review process.
- No fence shall be installed in any way to disturb or impede drainage of the lot or subdivision to any P.U.D.E.

- No fence shall be placed or permitted to remain where it would create a traffic or sight problem.
- Determination of the lot lines and placement of fence is the sole responsibility of the owner. The lot shall be surveyed and staked before the fence is built.
- On corner lots, fences must be a minimum of 10 ft. from the side street lot line.
- All fences must meet all code requirements and permits for the County of Loudon, City of Lenoir.

If you have any questions, contact the Association Manager of HOA.





Party Fence Agreement

Community_____

Homeowner's Association

This letter hereby serves as an acknowledgement to the "party fence" between the home of:

_____ property owner of _____
(Name) (Address)

And

_____ property owner of _____
(Name) (Address)

Sign: _____ Date: _____

Print: _____

Sign: _____ Date: _____

Print: _____

DECK GUIDELINES

Listed below are the Architectural Guidelines for decks in Ashton Fields. Should you decide to build a deck, submit the required ARC application.

- All decks must be approved by the ARC. In the application packet, include:
 - A completed application form, including building materials and color.
 - A drawn view of the exact layout of the deck on a plot plan.
- Materials must keep with the colors and materials of your home exterior and/or fencing (e.g. brick, Hardie board, pressure treated pine or cedar, composite/Trex, aluminum/iron, etc.). Composite decking must be Trex or brands of similar quality, determined by ARC.
- All decking must remain clean in appearance, structurally sound, and in good color and condition. Wood decking must be stained and sealed within 1 year of installation and stained and sealed at least every 5 years thereafter. Other materials shall be washed as needed to maintain appearance.
- ARC reserves that right to inspect requested placement plans during the review process.
- Deck lighting must not disturb others in the neighborhood.
- No deck shall be installed in any way to disturb or impede drainage of the lot or subdivision to any P.U.D.E.
- On corner lots, decks must be a minimum of 10 ft. from the side street lot line.
- All decks must meet all code requirements and permits for the County of Loudon, City of Lenoir.

If you have any questions, contact the Association Manager of HOA.

Fine Policy for Ashton Fields

1. Type I Fines:

Minor nuisance, Storage, Parking, Unsightly or Unkept Conditions, Trash Cans, Improper Landscaping, Lawn Maintenance:

- 1st Notice of violation: Courtesy notice/Fine notice (10 days to comply).
- 2nd Notice: 1st Fine Stage (\$50.00) (10 days to comply).
- 3rd Notice: 2nd Fine Stage (\$100.00) (10 days to comply).

Subsequent Notices: Lien and Legal charges will be assessed, and fines will continue to accrue at (\$100.00) for each ten-day period.

2. Type II Fines:

Additions/modifications to property or other construction with no prior ARC or Board authorization:

- 1st Notice of violation: Courtesy notice/Fine notice (Construction – immediate stoppage of all construction or dirt movement within 24 hours of notice) and immediate and suspension of key fob access to pool, fitness center and clubhouse where applicable.
- 2nd Notice: 1st Fine Stage \$100.00 (10 days to comply)
- 3rd Notice: 2nd Fine stage \$100.00 per day for each continued violation/infracton plus all legal fees. (Immediate lien for collection if necessary)

3. Type III Fines:

Short Term leasing without Board authorization:

- 1st Notice of Violation: Courtesy notice/Fine Notice (Cease and desist using property by short- term renting with-in 24 hours) and immediate and suspension of key fob access to pool, fitness center and clubhouse where applicable.
- 2nd Notice: 1st Fine stage \$500.00
- 3rd Notice: 2nd Fine Stage \$1000.00 per day for each continued violation/plus all legal fees. (Immediate lien for collection if necessary)