

COVENANTS AND RESTRICTIONS FOR HIDDEN MEADOWS ESTATES

ARCHITECTURAL CONTROL COMMITTEE - It is the intent and desire of the Developer to secure and present the future owners of each lot the full benefit, value and enjoyment of their lot and any improvements to be built thereon, and to preserve and enhance the general character of the property for single family residential use only. To assure this intent the Developer has formed an Architectural Control Committee (ACC) which shall have full and exclusive powers and rights to approve all site work and exterior plans for any structures to be erected in this subdivision. The initial ACC shall be appointed by the Developer, and shall maintain its function pending full build-out of the property.

In order to assure harmonious and aesthetic development of building sites in the subdivision, all site plans, construction plans, specifications, and proposals for the exterior paint and/or stain colors, style of brick or stone, design and location of dwellings, garages, roofs, land cuts, parking areas, driveways, fuel tanks, exterior lights or antennae, proper screening for the same, storage structures, septic systems and the like, (collectively hereinafter referred to as "PLANS"), must be submitted in writing to the ACC for approval, which shall act upon same within a reasonable time by approval, rejection, or modification of said proposed plans.

GENERAL PURPOSE – The following declared covenants shall promote the appropriate use and development of the property to protect owners of the property against the improper use of surrounding lots that may depreciate the value of their property. Said covenants shall restrict the erection of structures/buildings of inappropriate location, design and/or materials, as determined by the ACC, and provide adequate open space in order to ensure a residential area of the highest quality and character.

1) REVIEW OF PLANS – All lot PLANS must be submitted in writing to the ACC, and written approval received from the ACC, before any construction permit is applied for at the governing building permit authority, and before commencement of any work related thereto. Once such approval has been issued, no change may be made to the approved PLANS without written approval in advance.

2) LOT USE AND BUILDING RESTRICTIONS – No lot in this subdivision may be used for anything other than a single-family residence. Every residence shall have not less than eighteen hundred (1800) square feet for single story homes, and not less than twenty-four hundred (2400) square feet for two-story home. The square footage minimums include living areas only, exclusive of basements, garages, fireplaces, porches, decks, and overhangs. All building materials, junk or rubbish shall be removed within sixty (60) days after exterior construction is completed, and owners must at all times keep their lots in a clean and well maintained condition, consistent with the natural habitat state of said lot.

3) EXTERIOR/GARAGES – Every residence shall have an attached garage of not less than two (2) nor more than four (4) cars. The attached garage shall be of like design and material as the main residence. Exterior building materials may be brick, stone, wood, or other materials that blend with the architecture and natural landscape, and that are approved by the ACC. Roofing materials must consist of either all asphalt three (3) tab designer shingles, or cedar shake shingles. No three (3) tab, solid color shingles are permitted. Windows must be wood, vinyl clad wood or aluminum clad wood. Fuel-oil tanks or propane tanks, if used, may be installed below ground subject to all government safety and environmental laws, ordinances and regulations. Above ground tanks must be concealed from view from the street and from surrounding dwellings, and painted to coordinate with exterior building colors and with the surrounding environment.

4) OTHER STRUCTURES – A detached building of not more than seven hundred fifty (750) square feet, meeting all requirements of building exteriors, may be erected for storage purposes only, subject to location and Plan approval by the ACC.

5) EXTERNAL IMPROVEMENTS –

- a) Swimming Pools – All swimming pools shall be installed entirely in-ground and fenced according to the local zoning ordinance.
- b) Fencing - No fencing or gates may be installed on any lot without written approval from the ACC as to the purpose, design, materials and location of the fence and gates.
- c) Swing Sets/Jungle Gyms - All recreational structures must be constructed of wood and blend with the natural environment.
- d) Antennas - No television towers, antennas or other sending or receiving devices shall be erected in this subdivision, except those antennas or devices that do not exceed eighteen (18) inches in diameter. Location of any such devices must be approved by the ACC.
- e) Light Post - All driveway entrance lampposts and lighting fixtures must be approved by the ACC as to design, materials and location. Entrance lighting must be activated by an automatic on/off device.
- f) Driveways - All driveways, for a distance of not less than one hundred (100) feet from the street curb, must be finished in asphalt, concrete, brick or paved stone within one (1) year from completion of residence construction.

6) OFFENSIVE TRADE – No noxious, illegal or offensive trade shall be carried out upon this land, nor shall anything be done thereon which may become an annoyance to the neighborhood.

7) MOTORIZED AND RECREATIONAL VEHICLES – No owner shall park, store, or permit any occupational vehicle, snowmobile, motorcycle, water craft, all-terrain vehicle, or other recreational vehicle or vessel or trailer for transportation of the same, to be parked or stored other than within a garage or out-building, located, designed and

constructed in conformity with these restrictions. No such recreational vehicle shall be driven or operated on said land, except for necessary ingress and egress from the garage or proper storage area.

8) INOPERATIVE VEHICLES AND TRASH – No unlicensed or inoperative vehicles, automobiles, or machinery or parts thereof shall be kept on any lot, and no part of any lot shall be used for junk piles or the storage of any kind of trash or waste materials. No junk, trash, chemicals or hazardous materials as defined by state law, shall be buried or dumped within this subdivision.

9) WATERWAYS/CREEKS – Any lot designated for the natural flow of surface water shall at all times be kept free from any obstruction to such natural flow of surface water, and any improvements made on or under any water flow/storage easement shall be made only with the written approval of the appropriate city/county governing offices and the ACC.

10) HUNTING/TRAPPING/PETS – No hunting or trapping of wildlife shall be permitted, and the discharge of any firearms is prohibited. Domesticated dogs, cats or other household pets are allowed provided they are not permitted to roam free and that they are not kept, bred or maintained for any commercial use. No livestock, poultry, or outdoor exotic pets shall be permitted on this property.

11) SEPTIC – A specific area has been designated for an on-site sewage disposal system for each lot by the Montgomery County Combined Health District as specified on each lot site plan.

12) SIGNS – No signs will be permitted for the purpose of advertising or promoting a hobby or commercial enterprise of any type inconsistent with local zoning rules and regulations.

13) DIVISION OF PROPERTY – At no time shall any lot be subdivided.

14) TREE CUTTING/SOIL REMOVAL – Clear cutting or removal of trees greater than 3” caliper at the base shall not be permitted without the prior written approval of the ACC. Soil removal from lots shall not be permitted except as required for building construction, and as approved by the ACC. No earth berm, mound or other screening device shall be constructed or erected on any lot without the prior approval of the ACC.

15) VEGETATION MANAGEMENT/TREES – Except as authorized herein, all residential lots shall be maintained relative to their initial natural state. Lot owners shall have the right to conduct clearing operations on their own lots for the following purposes only:

- a) Construction of driveway access: all undesired vegetation may be removed within fifteen (15) feet each direction from the center line of said driveway.
- b) Construction residential and/or out-building: all vegetation may be removed within an area of twenty (20) feet from any vertical wall of such buildings.
- c) Septic system construction: all vegetation may be removed as required by regulations and specifications issued by the Montgomery County Combined Health District for installation of septic systems.

16) PRUNING/THINNING – Owners of lots shall have the right to conduct occasional thinning and/or pruning operations on their property so long as said lot owners comply with the following specifications:

- a) Only trees under 4” diameter breast high (DBH) may be pruned utilizing a topping method of pruning.
- b) Any tree which is to be pruned using a limbing up method must have crown remaining intact comprising at least thirty (30) percent of the tree’s total height.
- c) No tree over 4” DBH is to be pruned by removing more than fifty (50) percent of its trunk originating branches over 2” diameter at the trunk.

Any distressed trees, downed trees, tree trimming or cut brush creating an unattractive appearance shall be removed at the expense of the property owner on whose property the tree or brush originated

It is the intention of these vegetation management restrictions to maintain maximum privacy between the residences and to allow for optimum views of the forested area. Recognizing that the site locations within the development are varied by location and terrain, exceptions and modifications to these vegetation management restrictions may be authorized and approved by the Developer.

17) VIOLATIONS – Prior to full build-out of this subdivision, the ACC shall have exclusive rights to enforce all restrictions and covenants herein. Following disbandment of the ACC upon full build-out, any lot owner shall have the right to seek enforcement by initial written notice to any offending lot owner and ultimately seeking to obtain a court order enforcing these protective covenants and restrictions.

18) COVENANTS – These covenants are to run with the land and shall be binding on all parties and all persons claiming under them until September 1, 2016 at which time such covenants shall be automatically extended for successive periods of ten (10) years unless amended by a vote of 80% majority of the owners of all lots in the subdivision, with each lot being entitled to one (1) vote.