

BOOK PAGE

EXHIBIT B

00912 00083



TALAMORE

AT • PINEHURST

MASTER GUIDELINES

Architectural Review Committee Guidelines & Procedures

ARC.MO.4.93

BOOK PAGE
00912 00084

CONTENTS

	<u>Page</u>
Philosophy & Policy	1
Introduction to the Architectural Review Committee (ARC)	2
Design Approval Process	3
Design Documents (Architectural/Landscaping Plans)	6
Architectural Review Committee Policies	7
Key Design Guidelines	9
Dwelling Size/Minimum Standards	10
Exterior Elevations	11
Exterior Materials	11
Roof Pitch/Roofing Materials/Solar Water Heaters	12
Design Duplication	12
Grading and Drainage	12
Outdoor Living Areas/Swimming Pools/Screen Enclosures	13
Mailboxes	13
Fences	13
Garages/Driveways/Exterior Lighting	14
Awnings and Shutters	14
Landscaping and Irrigation	14
Utilities/Service Areas/Accessory Structures	15
Banners/Signs/Letters	16
Vehicle Parking	16
Exterior Repainting of Existing Homes	16
Construction Site Requirements	16

BOOK PAGE
00912 00085

PHILOSOPHY

With the objective of assuring an attractive, compatible, and aesthetically pleasing community, Talamore has established an on-going committee designated as the Architectural Review Committee (ARC). The purpose of the ARC is to guide residential development in such a way so as to maximize compatibility of construction and landscaping with the natural beauty and topography of the land at Talamore.

The ARC seeks to assure that exterior features and materials are natural. Brick or stone foundations are preferred and should blend the house with the ground. If concrete block is desired, it must be stuccoed and colored to blend the house with the surrounding grounds. The lay of the ground should dictate what is built on it. Cutting of level areas into hillsides or sloping terrains shall be limited to providing a quality house site without compromising the natural topography.

Landscaping should address the retention of natural spaces. The ARC will discourage any landscaping plans where substantial lawns are prominent.

POLICY

The policy of the ARC is that construction and landscaping drawings must be submitted for design approval prior to proceeding. The ARC will meet as necessary to review all applications within 14 days of receipt. Those contemplating the initiation of construction and/or landscaping (or any alterations thereto), are encouraged to be in contact with the ARC and to obtain a copy of the Talamore manual(s) on this topic.

Meetings:

The ARC shall meet as necessary to review Applications within 14 days of receipt.

BOOK PAGE
00912 00086

Responsibilities:

On behalf of the Talamore Property Owners Association, the Architectural Review Committee is empowered to perform the following services:

1. To establish architectural criteria and exterior design themes for the community.
2. To establish design review criteria for the protection of enduring property values and to provide the best possible safeguards for continuing property value appreciation.
3. To review all Design Review Applications for compliance with design review criteria and with the Declaration of Covenants and Restrictions for Talamore.
4. To assure compatible architectural designs and harmonious relationships with neighboring building sites and the golf course.
5. To require high standards of design and quality construction.
6. To monitor construction for violations of design review criteria and notify the Board of Directors of the Association for appropriate action.
7. To amend design review criteria as may be required from time to time.
8. To contact Applicants whose drawings and specifications have been approved or disapproved and to provide reasonable assistance and recommendations for adjustments to bring disapproved Applications into compliance with design review criteria.
9. To maintain copies of Applications, design documents, and related records.
10. To inform members of the Association regarding activities of the Architectural Review Committee and changes in criteria as they may occur.

DESIGN APPROVAL PROCESS

The following is an outline of the steps involved in the design approval process from preliminary architectural review to final inspection and Certificate of Compliance execution.

Step One: Preliminary Architectural Review:

The Owner or his representative shall submit the application form, application fee, if any, and preliminary drawings (two sets) consisting of the following:

- A. Letter of Application (Exhibit A).
- B. Site Plan.
- C. Floor Plans.
- D. Exterior Elevations (all sides).
- E. Exterior Materials, Colors, and Finishes.

The ARC will review the application and design documents within fourteen (14) days and return one set of drawings to the Owner with the appropriate comments.

Step Two: Final Architectural Review:

The Owner or his representative shall submit the final construction drawings, material samples, product photos, and color chip as follows:

- A. Letter of Application. (Exhibit A).
- B. Site Plan, Topography, Tree Survey.
- C. Floor Plans.
- D. Building Sections.
- E. Exterior Elevations.
- F. Roofs: structure, materials, manufacturer, color chips.
- G. Walls: structure, materials, color chips.
- H. Facia and Trim: construction, materials, color chips.
- I. Window Specifications: manufacturer, type, finish, color chips.
- J. Doors/Garage Doors: materials, finish, color chips.
- K. Patio/Decks: materials, finish, color chips.
- L. Fences/Walls: structure, materials, color chips.
- M. Screen Enclosures: structure, materials, colors.
- N. Mechanical Equipment: location and screening details.
- O. Exterior Lighting Details.
- P. Driveways: materials, finish, color chips.
- Q. Final Stakeout.
- R. Landscape Plans as detailed on page 6.

The ARC will review all design documents, sample materials, color chips and return one set of drawings to the Owner within fourteen (14) days with the appropriate comments.

Step Three: Submission of Drawings to Appropriate Building Department:

The Owner or his representative submits approved drawings to the Town of Southern Pines Building Inspector and any other such agencies having jurisdiction for required permits.

BOOK PAGE
00912 00088

Step Four: Final Landscaping Review:

The Owner or his representative shall submit the following items within sixty (60) days of commencement of construction:

- A. Landscape Plan.
- B. Irrigation Plan.
- C. Exterior Lighting Plan.

Step Five: Revisions and Changes/Final Inspection:

The Owner or his representative will notify the ARC prior to making any exterior changes to approved drawings and obtain ARC approval. Upon completion of construction, the following will be submitted to the ARC:

- A. As-Built Survey.
- B. Copy of Certificate of Occupancy.
- C. Certificate of Compliance (Exhibit B).

Once construction or alteration of the Improvements is complete, the property owner shall cause a Certificate of Compliance, in the form of Exhibit B attached to these guidelines, to be executed and filed with the ARC. The Certificate of Compliance shall be signed by the property owner as well as the designer or builder, or both, as applicable, employed in connection with the construction or alteration of the improvements. The property owner shall not occupy the improvements or that portion being altered, as applicable, until the Certificate of Compliance has been filed with and accepted by the ARC.

Design Document Changes:

The Owner or his representative must notify the ARC prior to making any exterior changes to the approved drawings. A letter with applicable support data (as required) must be submitted to the ARC for the file. Any major deviations (as determined solely by the ARC) may require full ARC approval prior to commencement of changes.

Periodic Inspections:

The ARC reserves the right to inspect construction in progress for conformance with approved design documents and Applicants agree to cooperate fully with members of the ARC. Such inspection shall be for ARC enforcement purposes only and the ARC shall have no affirmative obligation to assure that the design complies with the restrictions contained in the Declaration or that the Improvements are constructed in accordance with the approved drawings. Inspection by the ARC does not imply the construction is in compliance with these guidelines.

BOOK PAGE
00912 00089

DESIGN DOCUMENTS (ARCHITECTURAL/LANDSCAPING PLANS)

In order to provide a systematic and uniform review of the proposed construction, the design documents will adhere to the criteria outlined below.

Design Review Application:

(See separate exhibit in latter portions of this manual.)

Site Plan (also see landscaping plan):

Scale: 1" = 20' or larger.
Property Lines.
Building Setback Lines.
Easements.
Right-of-Ways.
Driveways.
Patios/Decks.
Walkways.
Pools.
Culverts.
Drainage Plan.
Dwelling Perimeters (1st/2nd floor).
Roof Line/Overhang.
Trees.
Topography (finish and existing grades).

Floor Plans:

Scale 1/4" = 1'-0".

Exterior Elevations:

Scale 1/4" = 1'-0".
Existing Grade and Fill or Cut Shown.
All exterior views of all structures including materials, textures, and colors.

Building Sections:

Scale 3/4" = 1' (min).
Wall/Roof Section.
Roof Pitch/Materials/Colors.

BOOK PAGE
00912 00090

Exterior Colors, Finishes, Materials:

Specifications.
Manufacturers.
Materials/Finishes/Models.
Samples/Product Photos/Color Chips.

Final Stakeout:

Lot Corners.
Dwelling Corners.
Driveways.
Patios/Decks.
Walkways.
Fences/Walks.

Engineering Plans:

Utilities and Connections.
Roads.
Drainage/Drainage Calculations.

Landscape Plans (Also see site plan):

Scale: 1" = 20' or larger.
Topography.
Drainage Patterns.
Easements.
Right-of-ways.
Existing Trees (4" diameter at 3' above grade).
Plant Material.
Surface Material.
Irrigation System.
Time Clock Location.
Exterior Lighting Details.

ARCHITECTURAL REVIEW COMMITTEE POLICIES

Applicant's Responsibilities:

The ARC assumes no liability for Applicant's responsibilities which include but are not limited to the following:

1. Performance or quality of work of any contractor or subcontractor.
2. Compliance with all laws, codes, and ordinances of any governmental agency or body.
3. Determination of environmental restrictions, drainage and grading requirements and all surface and subsurface soil conditions.
4. Determination of structural, mechanical, electrical, and all other technical aspects of a proposed design that can only be determined by competent architects, engineers, contractors, and other similar professionals.
5. Compliance with Covenants and Restrictions of Talamore and ARC criteria.
6. Accuracy of all stakeouts and surveys.

Design Review Approvals:

All new construction and changes, modifications, alterations, and improvements of existing homes must receive Final Architectural Review approval prior to obtaining building permits or commencing work.

Design Review Decisions:

Upon receipt of a properly completed Application, the ARC will review Applicant's drawings and specifications and render one of three types of decisions in writing:

- A. APPROVED.
- B. APPROVED SUBJECT TO LIMITING CONDITIONS.
- C. DISAPPROVED.

If Applications are APPROVED (with or without comments), Applicants may submit documents and specifications for Final Architectural Review (if this step has not been completed) or for building permits. "Comments" regarding any specific Application may be rendered to encourage changes that the ARC deems desirable, but such "comments" are not binding upon Applicants.

If Applicants are APPROVED SUBJECT TO LIMITING CONDITIONS, then Applicants must make changes prior to submitting drawings and specifications for Final Architectural Review or for building permits, whichever is the case. "Limiting Conditions" are binding upon Applicants.

BOOK PAGE
00912 00092

In the event Applications are DISAPPROVED at the time of Preliminary Architectural Review, Final Architectural Review or Final Landscaping Review, Applicants must make appropriate changes and resubmit for the same step for which the plans and specifications were disapproved.

Appeal:

If an Application has been denied, or the approval is subject to limiting conditions which the Applicant feels are unfair, the Applicant may request a hearing before the full ARC to justify his position. After the hearing, the ARC will review their decision and notify the Applicant of their final decision within ten (10) days of the hearing.

Variances:

All requests for variances from the requirements in this manual shall be made in writing. Any variance granted shall be considered unique and will not set any precedent for future decisions.

Written Approvals/Oral Statements:

Applications for Preliminary and Final Architectural Review or Final Landscape Review will be returned with the ARC's decision, comments, and limiting conditions signed by a member of the ARC along with one set of design documents.

The foregoing items shall be the sole source of reference regarding ARC approval and oral statements shall not be relied upon unless incorporated into written approvals or noted on design documents and signed by a member of the ARC.

Approval Expiration:

Applicants must begin construction within ninety (90) days of the Final Architectural Review approval by the ARC. Failure to do so will automatically revoke approval without prior notice from the ARC. Time extensions may be granted by the ARC if written requests are received prior to or within ninety (90) days of Final Architectural Review.

Additions/Remodeling/Improvements:

Applicants for changes, modifications, alterations, and improvements to existing homes shall consult with the ARC to determine the design documents required for approval. No work shall commence without approval of the ARC. This includes repainting of a home if a color other than the originally approved color is used.

Construction Changes:

All construction must be completed in accordance with the Application and Design Documents as approved. Exterior changes to the subject property shall receive prior approval from the ARC. Applicants requesting design change approvals should consult with the ARC to determine Design Documents required, if any, for approval.

Construction Inspections:

Periodic inspections may be made by the Committee while construction is in progress to determine compliance with the approved Design Documents. The ARC is empowered to enforce its policy, as set forth in the Declaration and this Manual, by any action at law or equity to insure compliance including injunctive relief.

KEY MASTER DESIGN GUIDELINES

The following list summarizes those design elements which the ARC requires, recommends, and/or encourages:

1. Use of professionals qualified in the fields of planning, architecture, landscape design, engineering, and surveying.
2. Compliance with all restrictions as found in the Declaration of Restrictions, Conditions, Easements, Covenants, Agreements, Liens and Charges ("The Declaration").
3. Preservation of the natural character of the site.
4. Emphasis on the aesthetics of exterior architectural and landscape design.
5. Minimum square footage shall conform to those set forth in the Declaration.
6. Requirement for a minimum 5/12 roof pitch with fiberglass/asphalt, cedar shakes, cedar shingles, natural slate, tile, or copper seamed roofing.
7. Requirement for each house to be pre-wired for cable TV.
8. Minimum of a two-car garage with automatic door openers unless otherwise stated in site specific guidelines.
9. Conformance with the standard mailbox design.
10. Overall, high-grade, superior quality construction with emphasis on good design and the use of natural materials such as brick, stone, and wood.
11. Sign control in conformance with the criteria set forth by the ARC.
12. Supplemental guidelines may be imposed in neighborhoods as described in Supplemental Declarations.

For specific details and additional information, the Owner or his representative should refer to the "Architectural/Landscaping Standard and Criteria" section of this manual.

EXTERIOR ELEVATIONS

1. Exterior elevations will be reviewed for architectural design/materials and for aesthetic appearance in terms of the overall dwelling and its relationship to other homes.

2. Applicants are discouraged from submitting drawings addressing only frontal surface treatments, unless such details are part of the total design approach of the home.
3. Approval of exterior design will be based on overall design themes and will consider mass and scale; materials, textures, color and finishes; continuity between primary design elements and secondary surface treatments; placement of windows, doors, and openings; vertical and horizontal lines; roof pitches, etc.
4. Preferred exterior features and materials include horizontal or vertical wood siding, stone, brick, stucco, high-pitched roofs, brick chimneys, etc.
5. The ARC may prohibit any proposed new construction or change to existing homes on purely aesthetic grounds, where in its sole judgment, such action is required to maintain superior architectural standards.

EXTERIOR MATERIALS

Most earth-tone colors work very well in tying together the continuity of buildings. The intent is for individual houses to blend into the total image. Dark colors accommodate this better than light. Pastel hues do not work well. Stains are preferred to paints. Roof colors should not contrast sharply with the rest of the house.

1. The selection of exterior materials shall be harmonious with the architectural motif of each dwelling unit and the community development as a whole. Natural materials are preferred over synthetic materials. Depending on specific applications, the following materials have been approved by the ARC.
 - A. WOOD (cypress/cedar/redwood): board and batten lap siding; cedar shakes (roofs); tongue and groove siding.
 - B. STUCCO: (Approval subject to application, texture, and use of other primary, secondary, or decorative treatments).
 - C. MASONRY: Natural stone and brick; concrete block with approved surface treatment.
 - D. WINDOWS: Wood, aluminum frame, PVC clad, or painted.
2. The following exterior materials are not approved for construction: Metal siding; decorative concrete block; concrete block (except sub-surface wall or as described in "D" above); fiberglass, plastic or asphalt siding; logs (imitation or otherwise except for landscaping purposes); fiberglass garage doors; and certain types of imitation stone and brick. High quality simulated stone and brick from natural materials will be considered on their own merit by the ARC, but are subject to disapproval.
3. Exterior colors that, in the opinion of the ARC, would be inharmonious, discordant, and/or incongruous with the natural setting shall not be permitted.

The ARC shall have final approval of all exterior color submittals and each Applicant must submit to the ARC as part of the Final Architectural Review, a color board showing the color of the roof, exterior walls, shutters, trim, etc.

A color board with manufacturer's name and number, with color/material "chip" and location of same, of 8-1/2" x 11" or 6-1/2" x 14" size shall be submitted for approval. This will be retained for record file. Should color or materials be revised prior to completion, contractor shall update that reference, etc.

ROOF PITCH/ROOFING MATERIALS/SOLAR WATER HEATERS

1. Generally roof lines should follow the slope of the land. Roofs should slope at a minimum of 5 in 12 pitch. Flat roofs are not permitted. Recommended roof surfacing materials are fiberglass/asphalt shingles, cedar shakes, cedar shingles, natural slate, tile and copper seamed roofing. Gutters and downspouts may be used if desired. Overhangs are encouraged.
2. All roof stacks, flashings, and metal chimney caps shall be painted to match the approved roof colors; unless copper is used. Roof stacks and plumbing vents shall be placed on rear slopes of the roofs where possible.
3. Solar roof panels are not permitted unless designed to be mounted flush with the roof plane.

**DESIGN DUPLICATION
(ESTATE LOTS ONLY)**

1. Applicants should select building sites and home designs that avoid repetitious designs within close proximity. Similar designs or design duplications are discouraged and subject to disapproval unless sufficiently different in exterior colors, materials, finishes, trim, and detailing.
2. Elevations that are similar in appearance are prohibited on any four adjacent homesites, any three homesites immediately across the street, or any three homesites on a cul-de-sac.
3. The approval of drawings for a specific site does not automatically imply ARC approval of the same drawings on another building site.

GRADING AND DRAINAGE

1. No bulldozing or clearing of trees shall be commenced until plans and specifications showing the nature, kind, shape, and location of work have been submitted and approved. Fill shall not be deposited at any location without prior ARC approval. Cuts or fills shall be replanted with plant materials which shall blend with native vegetation. Cuts and fills should be designed to compliment the natural topography of the site.
2. All buildings will be completed at a finished floor elevation compatible with its surroundings.
3. Applicant shall be responsible for grading and surface drainage so that surface run-off will not adversely affect adjoining properties. Applicant shall provide construction devices, stepped terraces, or other forms of erosion control as may be required by the ARC.
4. In no case shall trees with a diameter of 4 inches or more (measured 3 feet above grade) be removed without approval of the ARC.
5. Natural vegetation buffers on the boundary of Talamore shall not be disturbed.

**OUTDOOR LIVING AREAS/
SWIMMING POOLS/SCREEN ENCLOSURES**

1. Generously proportioned porches and terraces encourage frequent use. Outdoor living is comfortable throughout most of the year. To roof an outdoor area extends the time it can be fully utilized. The shade and shadows created by porches and roof overhangs soften the rigid lines of a structure. Concrete patios do not work well on sloping land. Wood decks provide a more desirable outdoor area and will weather more subtly than concrete. The use of stone or brick terraces is recommended.
2. The elevation of the top of any swimming pool construction on any lot may not be over two (2) feet above the natural grade unless integrated into terraced construction upon ARC approval. No above-ground pools are permitted.
3. Swimming pools shall not be permitted on the street side of the residence.
4. Screen enclosure materials and colors must be approved by the ARC. Pool enclosures must be neutral in color. Submit materials and colors for ARC approval.
5. Screen enclosures must not be visible from the street in front of the residence unless approved by the ARC.
6. Swimming pools, pool decks, screen enclosures, or patio/decks should not be located outside the building envelope. These may be approved on a lot by lot basis.

MAILBOXES

No mailbox or other similar receptacle shall be erected on any lot unless design and specifications are incorporated into the final plans approved by the ARC.

FENCES

1. All fencing and screening fences shall be approved by the ARC.
2. Attempts to establish property lines through individual fencing is not permitted. Fences may encompass mechanical equipment areas, trash storage areas, as a screening device. Every effort must be made to retain the feeling of open spaces.
3. No wall, fence, or coping may be constructed on any lot which impacts the use or visual quality of the golf course.
4. No wall, coping, fence, or boundary planting may be constructed or maintained in such a manner as to interfere with the vision of drivers at any intersection of streets or roads.

GARAGES/DRIVEWAYS/EXTERIOR LIGHTING

1. All single family homes shall have a minimum of a two-car garage (unless otherwise noted). Automatic garage door openers are required.

2. No street side parking areas may be created by extending any portion of the street pavement. Large parking areas are discouraged.
3. All units shall have an approved exterior light in the driveway area. All proposed exterior lighting shall be detailed on the Final Landscape Plans. No exterior lighting shall be permitted which in the opinion of the ARC creates a nuisance to the adjoining property owners.
4. Where possible, access to corner lots shall be from the least traveled street.
5. Approved materials for driveways are concrete, brick, concrete pavers or asphalt.

AWNINGS AND SHUTTERS

1. Awnings, canopies, and shutters are not permitted on the exterior of the residence without prior approval of the ARC.
2. Areas beneath decks and elevated terraces shall not be used for storage unless the area is shielded from public view.

LANDSCAPING AND IRRIGATION

1. All easements and right-of-ways shall be landscaped in accordance with the ARC specifications.
2. The ARC shall make available a list of acceptable trees and shrubs. Plants indigenous to the area should be utilized.
3. All landscaping shall be completed according to the Final Landscape Plan as approved. Any additional landscaping or changes to the approved plan are subject to the approval of the ARC prior to installation.
4. An automatic underground irrigation system of sufficient size and capacity to irrigate all landscaped areas must be installed and used to maintain the areas in good and living condition.
5. The connection point to the irrigation system and location of the time clock shall be identified on the Final Landscape Plan.
6. Irrigation from wells shall not be permitted.
7. All homes must be landscaped and irrigated prior to obtaining a Certificate of Occupancy.
8. Trees with a diameter of 4 inches or more (measured 3 feet above grade) must be noted on the site plan, tree survey, and landscape plan. Specimens scheduled for removal must be included on plans and tagged with colored ribbons on-site for inspection along with the final stakeout. In no case shall trees with a diameter of 4 inches or more (measured 3 feet above grade) be removed without approval of the ARC.
9. All Applicants and Participating Builders shall make a diligent effort to protect all remaining trees during construction, to provide staked-off areas to protect root systems from heavy vehicles and equipment, to install tree wells, and to take other precautions in cases where fill is required around trees.