



DURANT TRACE HOMEOWNERS ASSOCIATION

ARCHITECTURAL REQUEST for APPROVAL GUIDELINES and RULES AND REGULATIONS

ARCHITECTURAL CONTROL

1. General Information

- A. The Architectural Control Committee (ACC) is composed of at least three volunteers appointed by the Board of Directors. The ACC interprets and implements the property restrictions published in the Heathrow Declaration of Restrictive Covenants for the purpose of protecting the investment of all homeowners within Durant Trace. No ACC member may participate in the review or determination of any request in which that member has any interest whatsoever.
- B. Prior to any exterior alteration, addition, landscaping, or house color change, such as, but not limited to, fences, room additions, pet houses, or storage buildings, an architectural request for approval form must be submitted to the Architectural Control Committee (ACC). The ACC, at its sole discretion, may approve or disapprove any change. If necessary, the applicant may meet with the ACC at the next regularly scheduled meeting. A written reply to any request will be made within thirty (30) days after said request has been received.
- C. Architectural requests for approval which are denied by the ACC may be appealed. Appeals must be made in writing and sent by registered mail to the President of the Durant Trace Board of Directors. Appellant may request a meeting with the full Board. The appeal will receive the full consideration of the Board and voted on. A written reply to all appeals will be made within thirty (30) days after said appeal has been received.
- D. All governmental building codes, health regulations, zoning restrictions, and the like applicable to the properties shall be observed. Please note that most building projects in Raleigh and Wake County require building permits. These are the homeowner's responsibility to obtain and maintain before work can be started. In the event of any conflict between any provision of such governmental code, regulation, or restriction and any provision of these Rules and Regulations, the more restrictive provision shall apply.

The following projects do not require a request form to be completed if the guidelines noted are adhered to:

- Flower gardening an/or minor landscaping. Should you have any questions, regarding what constitutes minor landscaping, please speak with an ACC representative.
- Installation of a sprinkler system.
- Installation of an invisible pet fence.
- Installation of outside security lighting attached to the home.



2. ARCHITECTURAL REQUEST for APPROVAL GUIDELINES

Please refer to these guidelines when submitting an ACC Request for Approval. The purpose of the Durant Trace Architectural Request Reference Guidelines is to preserve and enhance the quality of life and property values of Durant Trace.

3. PAINTING

Painting involving a color change requires an architectural request for approval form must be submitted to the (ACC).

Because paint applied to the actual house surface can vary somewhat from the sample provided by the paint manufacturer, we recommend that you test a small sample of the paint on your home to determine the actual color in various light conditions prior to agreeing to purchase the entire amount necessary to complete the job.

3. FENCES

A. Privacy fences are permitted under the following conditions:

1. Maximum 60 inches in height.
2. Support posts must be turned to face the inside perimeter.
3. Must be of a material approved for direct contact with soil.
4. No portion of the fence may extend forward of the front corners of the dwelling.

B. No chain link or split rail fences are permitted.

C. Maintenance and upkeep of the fence is the responsibility of the Homeowner.

4. DECKS

A. Must be constructed of a material approved for direct contact with soil.

B. All governmental building codes, zoning restrictions, and the like applicable to the proposed deck shall be observed. In the event of any conflict between any provision of such governmental code, regulation, or restriction and any provision of these Rules and Regulations, the more restrictive provision shall apply.

5. STORAGE BUILDINGS

A. Must be designed and constructed of a material to match those used on the primary dwelling, i.e. hardboard siding and asphalt shingles with the intent to match the primary dwelling.

B. All governmental building codes, zoning restrictions, and the like applicable to the proposed storage building shall be observed. In the event of any conflict between any provision of such governmental code, regulation, or restriction and any provision of these Rules and Regulations, the more restrictive provision shall apply.

C. Proposed storage buildings shall be placed on the property so that one side is on the back property line.

D. Storage buildings may be no more than 144 square feet in outside dimension and no more than 144" (12 feet) in overall height to the peak of the roof.

E. Pre-fabricated storage buildings (whether metal or non-metallic) will not be approved.



6. SPORTS and RECREATION EQUIPMENT

A. No sport or recreation equipment including, but not limited to, sports equipment, playsets, jungle gyms, trampolines etc. shall be placed in a location where any portion of it or its intended use area extends beyond the homeowners property onto common area or a public thoroughfare.

B. Sports and recreation equipment shall be limited to the back of the lots and shall be maintained and used in a safe manner.

C. Mobile sports goals are permitted in the front of the house provided they are located along the side of the driveway and no closer to the street than halfway between the house and the street. Though requests for permanent sports goals may be submitted to the ACC, it should be understood they are considered inconsistent with curb appeal and the general aesthetics of Durant Trace. To help evaluate any such request the ACC may seek input from neighboring homeowners. In no event may any sports goal be attached to any building, including the house structure.

GENERAL RULES AND REGULATIONS

The following rules and regulations are designed to make living at Durant Trace pleasant, safe and comfortable for each member of the Association. The restrictions that the Board adopts are for the mutual benefit of all. The cooperation and consideration of each homeowner is vital. Violators of these rules and regulations and the Covenants will be subject to a fine by the Board of Directors

1. BUILDINGS AND GROUNDS MAINTENANCE

A. Homeowners are required to keep their buildings and grounds maintained, neat and orderly. Buildings must be kept free of chipping and/or fading paint. Prompt replacement and repainting of rotting trim and siding is required. Grounds must be free of clutter, trash, tall weeds, and rubbish.

B. Commercial signs are not allowed. Only standard size, (3' by 3' maximum) "For Sale" or "For Rent" signs are allowed on the property and only one sign per home is permitted. Signs are not allowed to be placed in the Common areas.

C. Building and/or landscaping materials for construction on the property may only be stored on a lot for a reasonable amount of time, not to exceed 90 days.

D. The City of Raleigh issued trash container shall be stored in the garage, the back of the lot, or on the side of the lot. Under no circumstances shall it remain in the front of the lot visible from the street or on the street for pick up for periods exceeding 24 hours.

E. Above ground tanks of any type are not allowed including above ground swimming pools without the written approval of the ACC.

F. Lawn ornaments such as garden statues are not allowed unless approved by the ACC.

G. Seasonal decorations are allowed (without approval) no more than 30 days before and 30 days after the traditional observance of a holiday.

H. Lots may not be subdivided.



I. Outside clotheslines of any type are not allowed.

J. No construction or plantings may be placed within any easements which may damage or interfere with maintenance of utilities and/or the flow of water through the drainage facilities or any adjacent properties. Please be aware of easements on your property before planting.

K. Plantings that grow taller than 4 feet require some set back from the street, sidewalk, and property line (check with applicable City of Raleigh department for specific guidelines.) At no time may any planting obstruct the use of the street or sidewalk.

L. Satellite dishes greater than 24" in diameter are not allowed. If possible, the installation of a satellite dish should be in the back of the property.

2. COMMON AREAS

A. Every homeowner should protect his interest in the common areas. Please do not abuse these areas by way of littering or in any way restricting the enjoyment of these areas.

B. The common areas within Durant Trace are maintained by the Association

C. No vegetation may be planted in or removed from the common areas without the approval of the ACC or the Board.

3. STREETS AND PARKING

A. The streets within Durant Trace are owned and maintained by the City of Raleigh. Adequate off-street parking shall be provided by the owner of each lot for the parking of motor vehicles owned by such owner, and owners of lots shall not be permitted to park their automobiles on the streets of Durant Trace. Owners shall not park their vehicles in a manner that blocks the sidewalk.

B. Boats, trailers, and other recreation vehicles are allowed, provided they are parked in a garage or screened area.

C. All vehicles parked within Durant Trace must be in operating condition both legally and mechanically (current license plates and inspection sticker, no flat tires, etc.). Any vehicle not in operating condition will be towed and stored at the owner's expense after 10 days written notification if it is not placed in operating condition or removed from the property.

D. Commercial vehicles are not allowed on the property without written approval of the ACC.

E. Minor vehicle repairs (oil changing, tire changing, spark plug replacement, etc.) are allowed; however, major repairs (engine overhaul, transmission repair, rear end repairs, etc.) are not allowed. Vehicles are not allowed to be left on jacks or blocks. No mechanical device may be assembled or disassembled on any lot for more than 24 hours.

4. HOMEOWNER DUES

Annual Homeowner dues are owed and payable between the first and last day of January of each year. Any homeowner who is in arrears will be subject to a judgement and lien against them in Wake County Court.

5. NOISE



Being thoughtful of one's neighbors is especially important in a community such as Durant Trace. Loud noises from televisions, stereo equipment, musical instruments, annoying pets, and other disturbances should be avoided at all times, especially between the hours of 11p.m. and 7a.m. If a homeowner should be disturbed by a loud noise, he should first attempt to notify the disturbing party. If the disturbing party is uncooperative and the problem is severe, then the local law enforcement agency should be contacted. The management office (*Pindell-Wilson*) or a member of the Board of Directors should be contacted the next business day.

6. HAZARDS

The discharge of firearms, fireworks, or any other noise-making device is not permitted at any time within the boundaries of Durant Trace.

7. INSURANCE

The Homeowners Association does not provide insurance for the residential units. It is the responsibility of the owner to provide insurance coverage for the structure.

8. RENTERS

All renters must comply with the rules, regulations, and restrictive covenants of the Association and should be properly informed of these responsibilities by the owner of the unit.

9. PETS

A. Dogs, cats, and other domestic pets are allowed, provided that they do not disturb or annoy residents or guests. The number of pets must be reasonable as determined by the Board. Livestock of any nature or classification whatsoever are not allowed (e.g. horses, chickens, cows, etc.).

B. Any inconvenience, damage, excrement or unpleasantness caused by any pet shall be the sole responsibility of its owner. All dogs and cats shall be kept under the DIRECT control of their owners at all times and shall not be allowed to run free or otherwise interfere with the comfort and convenience of any resident or guest. These requirements are in accord with the Raleigh Leash Ordinance. The City of Raleigh requires a pooper scooper to remove and dispose of pet excrement properly. Dog runs are not allowed. No animals of any kind shall be raised, bred, or kept on the property for commercial purposes.

C. No structure to house animals may be constructed or installed on the property without the approval of the ACC.

10. DWELLINGS

Each home shall be used for residential purposes only. No part of the property shall be used for business, manufacturing, commercial, or professional purposes.

11. MAILBOXES

Federal Law prohibits any unauthorized entry of mailboxes. Any person in violation will be reported to the Federal Postal authorities.