

AUSTIN LAKE HOMEOWNERS ASSOCIATION, INC.

ARCHITECTURAL DESIGN AND MAINTENANCE STANDARDS

ARTICLE I

Authority

1.01 Authority to Establish Standards. These standards are promulgated and adopted by the Board of Directors of Austin Lake Homeowners Association, Inc. ("ALHOA") in accordance with the "Declaration of Covenants, Conditions and Restrictions" for Austin Lake Subdivision, as amended ("Declaration" or "Covenants"), including Article Seven, Section 7.04 of the Covenants.

1.02 Authority to Enforce and Remedy Violations of These Standards. The authority to enforce these standards and to remedy violations of these standards is contained in the Declaration, including Article Seven, Section 7.04 of the original Covenants, Article Four of the original Covenants (original Covenants recorded in Cobb Superior Court on April 8, 1992 at Book 657, pages 244-257), and amended Section 6.01 (amendment to Covenants recorded in Cobb Superior Court on June 7, 2012 at Book 14951, pages 1726-1807). The Board of Directors will enforce these standards as dictated by the Covenants and Bylaws, unless specific authority is granted to the Architectural Control Committee (ACC) by the Board of Directors.

1.03 Definitions and Conflict with the Covenants. Unless otherwise defined in this document, the terms used in this document shall be defined as provided in the Covenants. In the event any terms of this document conflict with terms of the Covenants, the Covenants shall control, unless expressly prohibited by law.

ARTICLE II

Actions Requiring Approval and Procedures for Submitting Requests

2.01 Actions Requiring Architectural Control Committee (ACC) Approval. Any action involving the installation, construction, or alteration of any structure on any Lot requires prior ACC approval of such action. Actions requiring prior ACC approval include, but are not limited to: erecting fences, retaining walls, buildings of any kind, whether attached or detached from the main dwelling, decks, mailboxes, patios, driveways, parking pads, sidewalks, walkways, roofs, statues, exterior lighting, and spas/hot tubs; any addition or change to the exterior colors, form, or materials of any Structure; any change in grading of any Lot that affects or alters the established flow of water; significant changes to the established landscaping, including the removal of trees as defined in the Declaration.

2.02 Procedure for Submitting Requests to the ACC.

- (1) Requests shall be submitted on a form established by the ACC and shall include:
 - (a) A description of what the homeowner intends to do, including, but not limited to: plans and drawings specifying the location of any Structure, dimensions, exterior elevations, materials to be used, color swatches, and whether necessary government permits will be obtained. Plans and drawings need not be professionally drawn; however, they should clearly specify what will be done. A photograph of an existing similar situation would be helpful.
 - (b) Plans for removal and disposal of waste material.
 - (c) Plans for sediment control, if ground cover is to be disturbed.
 - (d) Any other information that the ACC may require in order to make informed decision on request as defined in Article 10 of The Covenants.
- (2) A complete request, including all attachments, of all requests shall be submitted to the person(s) designated by the ACC and/or the Board as necessary to receive such requests, or to the Architectural Committee chair. Requests may be hand delivered, sent by U.S. Mail or e-mail to the Architectural Chair – see ALHOA website for address and e-mail addresses (austinlakesmyrna.com). If sent by e-mail, all members of the Architectural Committee should be included on the e-mail.
- (3) The ACC will make its best effort to respond to typical requests that contain all necessary information within 14 calendar days after receiving the request. However, complex or controversial requests may require longer.
- (4) The signature of at least two of the three members of the ACC will be required on responses to all requests, whether approved or not approved.
- (5) No member of the ACC shall vote or participate in a review of approval for his or her own request for changes or modifications to his or her own Lot.

ARTICLE III

General Design and Maintenance Standards

3.01 General Evaluation Criteria. Requests shall be evaluated, taking into consideration the ACC's recommendations in accordance with the following general criteria: (1) whether the request, if implemented, will detract from the resale value of any Lot or from the Development as a whole; (2) whether the request, if implemented, will negatively impact the ability of the owners of nearby Lots to reasonable enjoy their property; and (3) whether the request, if implemented, will cause the Structure to be incompatible with the external design, elevation, topography or colors of the Development or of nearby Lots. Requests that generate an affirmative answer to any of these criteria, will be denied.

3.02 Acceptable Materials. The following materials shall generally be acceptable when used in an appropriate manner: brick, stucco (both masonry and synthetic), hardboard siding, natural stone, concrete, railroad ties, and treated landscape timbers (for retaining walls), cedar and treatment pine (for decks and fences), three tab asphalt shingles. Other materials may be acceptable as determined by the ACC.

3.03 Unacceptable Materials. The following materials shall generally be unacceptable: mill finish (i.e. unpainted aluminum) doors and storm windows when visible from the street, cedar and plywood (when used as siding), concrete blocks (unless covered by an acceptable material), visible wire of any kind when used in fencing, asphalt paving materials. Other materials may be unacceptable at the sole discretion of the ACC.

3.04. Generally Acceptable Colors. Exterior color has a major influence on the character and appeal of a residence. The color of a unit also contributes to the overall appearance of the neighborhood. Color selection should therefore be made seeking a balance of personal expression, continuity, and compatibility with the entire neighborhood. Siding and stucco colors may only be muted colors approved by the ACC. A muted color is a color toned down with black, brown or its own complement. Bright or bold colors which make a residence stand out among a group or residences are inappropriate. Trim colors shall complement the primary color on siding or unpainted material such as brick or stone. Trim colors shall not be bold. Trim colors shall compliment to the unity's primary color. Accent colors may be used on shutters, front doors, and bay window overhangs where applicable. Generally acceptable accent colors shall include black, dark green, dark gray, dark blue, and dark red or dark brown. These colors shall complement the primary color of the unit as well as the trim color.

Generally accepted shingle colors shall be in the black and gray ranges. If adding new brick or stone, it shall complement existing colors on the structure and neither conflict with nor duplicate colors on nearby structures. The colors identified in this article are meant to provide general guidance. Other colors may be acceptable if they complement existing colors on the structure and do not conflict with or duplicate colors on nearby structures.

3.05 Unacceptable Colors. Bright shades of blue, green, yellow, red, violet, purple, orange and pink will generally be unacceptable as exterior colors. The colors identified in this article are intended to provide general guidance in selecting exterior colors. Other colors may be unacceptable if they do not complement the existing colors on the structure or if they conflict with colors on nearby structures.

3.06 Acceptable Storm Water Control Practices. Grading of all Lots shall, as much as possible given the natural contour of the Lot, force all water to the street or into established drainage systems. Changes to grading or to a Structure's gutter and downspout system shall not force water on to any other Lot or increase the flow of water previously flowing on to the Lot. Soil erosion shall be controlled.

3.07 Acceptable Landscaping Practices. Landscaping shall be designed and installed so that it complements existing landscaping on the Lot. Lots at intersections of two or more streets and Lots on curves in streets shall not have landscaping that impairs the ability of drivers and pedestrians to see each other. Installation of aggressively spreading plants at or near the property lines is prohibited. Vegetable gardens shall be limited to back yards, preferably in areas as close as possible to the rear lot line of the main dwelling, and shall not be visible from the street.

3.08 General Landscaping Maintenance Practices. Lawns shall be kept cut and neatly trimmed. Lawns and landscaped areas shall be maintained reasonably free of weeds. Landscaped areas shall be maintained so that ground cover material (pine straw, mulch or similar material), plants, flowers and shrubs are in good condition with general appearance up to the standards of the other homes in the subdivision. Dead, diseased, or damaged shrubbery and/or trees shall be removed or appropriately pruned, and shrubbery shall be neatly trimmed and maintained. Garden debris, leaves, and grass clippings may not be loosely disposed of in the rear of a Lot; however, compost bins are allowed. No debris of any kind shall be blown or otherwise discarded into the street or onto neighboring property.

3.09 Antenna and Satellite Dishes. Exterior antennas, reception discs, satellite dishes and similar devices of any type which are visible from the street are prohibited, as stated in the Covenants at Article Four, Section 4.05.

3.10 Dwelling House Standards. All homes and any other approved structures on a lot shall be maintained in good condition with an attractive appearance. When needed to maintain a home's good appearance, homes, including siding, windows, shutters, bay window overhangs, doors and trim shall be painted and any visibly rotten or damaged wood or stucco, including holes, shall be repaired or replaced. All exterior surfaces shall be maintained free of visible mold and mildew. Stucco homes shall be repainted or pressure washed (synthetic stucco may not need repainting) periodically as needed to maintain fresh and consistent appearance. Obvious discoloration or fading of painted or other exterior surfaces shall require repainting or pressure washing. Loose or damaged roof tiles or shingles shall be replaced. The ACC and the Board shall have the power to enforce these standards within the subdivision.

3.11 Driveway and Walkway Standards. Driveways, sidewalks and walkways on a property shall be maintained in good condition. While concrete cracks are difficult to avoid, vegetation shall not be permitted to grow in any such cracks and wide cracking and readily visible buckling of any section of a driveway, walkway or sidewalk shall be repaired.

3.12 Other General Standards. Refer to the Declaration for standards covering other specific situations.

ARTICLE IV

Fence Design Standards

4.01 Location. No fence shall exist in front of the main dwelling. Typically approved fences encompass all of the rear property with the home providing the majority of one border. Fences on corner lots may be exempted from this standard by the ACC on a case-by-case basis. Exceptions may be approved by the ACC. No fence of any kind may be erected without prior approval of the ACC.

4.02 Material. The generally acceptable material is treated wood. Wire or chain link of any kind is prohibited. Wood fences may be left natural, sealed with clear sealer, sealed with clear waterproofing compound, or painted in a color approved by the ACC so long as the entire fence surface is painted in the same approved color.

4.03 Construction. All posts and support structures will be placed on the interior of the fence so that they are not visible from the street or nearby Lots. When a new fence is being placed so that it will abut an existing fence, every reasonable effort shall be made to use materials and construction techniques that are similar to or complement the existing fence. Fences shall be repaired and maintained so as not to appear weather worn, with missing or visibly rotten boards being replaced, so that the fence does not have a negative aesthetic impact on adjoining lots or other homeowners.

ARTICLE V

Recreational Equipment Standards

5.01 Basketball Goals. Basketball goals shall be maintained so they are safe to use and present a neat appearance. Rust shall be promptly eliminated and broken or missing components shall be promptly replaced. Portable goals shall be kept close to the home and may not be stored or placed near the street when not in use.

5.02 Playground Equipment. Playground or other recreational equipment on a Lot which is visible from the street is prohibited, except as set out in the Declarations of Covenants. See Covenants, Article Four, Section 4.17.

ARTICLE VI

Mailbox Standards

6.01 Box and Post Standards. Each Lot shall have one black curbside metal standard sized mailbox with a red flag that shall be approved by the United States Postal Service. Temporary seasonal decoration of the mailbox or post shall be allowed. Posts shall be the same type and color as the standard post in the Development, which shall be solid metal posts, painted black. Gold street numbers against a black background shall be mounted above the mailbox. No numbers shall be placed on either side of the mailbox. Replacement mailboxes, posts and numbers shall match the existing mailboxes for other homes as closely as possible and shall be obtained from the vendor(s) or manufacturer(s) approved by the Board, so as to maintain a consistent and high standard of appearance within the subdivision..

6.02 Box and Post Maintenance. The homeowner shall be responsible for prompt and proper repair and maintenance of the mailbox, door, post, and numbers.

ARTICLE VII

Parking and Storage of Vehicles

7.01 Permanent Parking of Vehicles on the Street. No vehicle of any type may be parked on the streets of the Development on a permanent basis. Permanent shall be defined as parking for more than thirty-six (36) consecutive hours.

7.02 Permanent Off Street Parking of Vehicles. Vehicles not licensed or operating (including temporary lack of ability to operate) and unauthorized vehicles described in the Declaration (e.g. boats, campers, recreational vehicles and commercial vehicles) may not be permanently parked on any Lot unless the vehicle is parked in a garage with the garage door shut. No vehicles may be parked on an unpaved area of any Lot.

7.03 Vehicles Parked in Garages. Except to the extent that the number of vehicles owned by the residents at one house exceeds available garage space, vehicles shall be parked inside the garage.

ARTICLE VIII

Retaining Wall Standards

8.01 Retaining Wall Design. Retaining walls shall be designed so that they will not fail under reasonable anticipated conditions and all plans for retaining walls must be approved by the ACC. Plans for retaining walls that meet the following conditions shall be certified by a professional engineer licensed to evaluate such a structure: (1) walls that extend to within two feet of a property line and are greater than four feet tall at any point along the wall; or (2) walls that are greater than six feet tall at any point along the wall. The cost of any engineer's review shall be borne by the homeowner. A homeowner with a retaining wall shall maintain the wall in good repair, in an aesthetically attractive condition when visible from nearby lots or from the common areas or street, and free of visible mold and mildew. Generally concrete should be painted, except as specifically permitted in advance by the ACC for a particular wall.

ARTICLE IX

Swimming Pool and Spa Standards

9.01 Acceptable Types of Pools. Permanent in-ground pools must be approved by the ACC. Above ground pools are prohibited.

9.02 Acceptable Spas. Spas, hot tubs, exterior whirlpool tubs, and similar devices will generally be acceptable if placed in the rear of a Lot at least partially screened from view by a deck, lattice or other method approved by the ACC. Building permits must be obtained and all plans approved by the ACC prior to construction.

ARTICLE X

Sign Standards

10.01 Signs are prohibited, except as provided in the Covenants. See Article Four, Section 4.15. Restated from the Covenants, the following signs are permitted:

1. Signs as may be required by legal proceedings;
2. A sign indicating the builder of the residence on the Lot;

3. No more than one (1) “for sale” or “for rent” sign, provided however that in no event shall any such sign be larger than six (6) square feet in area; to be removed after the home is sold or rented; and

4. Directional signs for vehicles or pedestrian safety in accordance with plans and specifications of the development.

ARTICLE XI

Standards for Additions to the Main Dwelling and Unattached Buildings

11.01 Additions and Changes to the Main Dwelling. Additions and changes to the main dwelling that alter the exterior of the structure, including but not limited to addition of storage rooms and conversion of decks to sunrooms or screened porches, require prior, written ACC approval. Such additions and changes shall generally be approved if they do not violate City/County setback provisions and are professionally built using style, materials, and colors comparable to the main dwelling. Finishing of basements does not require prior ACC approval if there is no change to the exterior of the Structure. Such activity may require a City/County building permit.

11.02 Unattached Building. Buildings not attached to the main dwelling are strongly discouraged. However, such buildings may be approved by the ACC if they are professionally built using a style, materials and colors comparable to those used on the main dwelling. Prefabricated metal storage buildings are prohibited. All such building requires prior, written ACC approval. No such building shall be allowed except on the portion of a Lot behind the main home.

ARTICLE XII

Enforcement Procedures for Covenants, Bylaws and Design Standards

12.01. The enforcement power of the Association is set forth within the Covenants. The Board will follow the following procedures regarding enforcement.

Apparent Covenant, Bylaw, or Design Standard violations – as reported by any source – may be submitted to the ACC to be referred for appropriate action. Should a management company be hired, then they too would be a point of contact. The first action will be confirmation that a violation exists. If substantiated, the homeowner in violation will be contacted, the violation explained, and be requested to provide corrective action in a reasonable time period according to the following policy:

1. Upon recognition of a violation, a letter will be forwarded from the Chair of the ACC (or a designated management company) advising the homeowner of the

violation, stating the steps necessary to remedy the violation and a time period in which to either respond (in writing) and/or remedy the violation.

2. If the violation cannot be resolved by the ACC, or if there is no response to the first letter, or if the violation has not been remedied within the prescribed time period, then the ACC is obligated to refer the matter to the Board. A letter will be forwarded to the homeowner from an officer of the Association advising a new time frame in which to complete the required corrective action and/or respond.
3. As a third step, if there is still no corrective action or completed corrective action, the particular violation may be forwarded to the Association's attorneys. The homeowner will again be asked to remedy the violation and consequences for failure to take appropriate action will be documented. Failure to comply could result in any or all of the following sanctions, and the homeowner shall be so advised:
 - Suspension of the right to vote in Association matters;
 - Suspension of the right to use the recreational facilities and/or common areas;
 - Recordation of notice of Covenant violation with the Superior Court;
 - Imposition of a fine on a per violation and/or per day basis;
 - Correction of the violation by the Association with all costs charged to the homeowner; and/or,
 - Filing of a lien for all fines and costs, including but not limited to legal fees, to correct the violation.
4. As a last resort, if the action is still outstanding, then it may be necessary for the Association to file a lawsuit in order to enforce the Covenants, Bylaws or these standards.

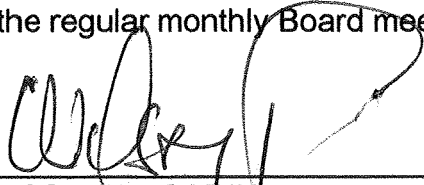
ARTICLE XIII

Notice to Homeowners and Effective Date

13.01 Once adopted by a majority of the Board, a copy of these design and maintenance standards will be posted on the website for the Austin Lake Homeowner's Association (austinlakesmyrna.com) under "Austin Lake Documents" and a copy either mailed to or delivered to the mailbox of each homeowner.

13.02 These design and maintenance standards shall be effective November 1, 2014.

IN WITNESS WHEREOF, the following members of the Board, by their signatures below, vote to approve and adopt the above AUSTIN LAKE HOMEOWNERS ASSOCIATION, INC. ARCHITECTURAL DESIGN AND MAINTENANCE STANDARDS, at the regular monthly Board meeting held on the 2nd of September, 2014:



WILSON PULGARIN
President



SCOTT PERKINS
Vice President

ERIN CALLAWAY
Secretary



CHARLES HUNTER
Treasurer



LEA GARVEY
Social Chair

TOM TEAGUE
Architectural Chair

GREG WOODARD
Grounds and Maintenance Chair