

EXHIBIT "D"

BUILDING HEIGHT AND CONSTRUCTION CODES**1. Building Height and Construction Code BC-2 1/2**

The lots listed on Exhibit C which are indicated as being subject to Building Height and Construction code BC-2 1/2 are subjected to the following:

Building Construction: Not more than one single-family dwelling, not to exceed two and one-half (2 1/2) stories in height, shall be erected on any one lot unless otherwise approved, in writing, by the ACC.

2. Building Height and Construction Code BC-Patio

The lots listed on Exhibit C which are indicated as being subject to Building Height and Construction Code BC-Patio are subjected to the following:

Building Construction: Not more than one single-family dwelling, not to exceed 50' or three (3) stories in height, shall be erected on any one lot.

3. Building Height and Construction Code BC-Patio-SG

The lots listed on Exhibit C which are indicated as being subject to Building Height and Construction Code BC-Patio-SG are subjected to the following:

Building Construction: Not more than one single-family dwelling, not to exceed 30' or one story in height, shall be erected on any one lot.

SETBACK CODES

BK W320PG059

1. Set Back Code SB-Patio

The lots listed on Exhibit C which are indicated as being subject to Setback Code SB-Patio are subjected to the following Setbacks and Building Line restrictions:

Setbacks and Building Lines:

FRONT YARD DEPTH: 4 feet minimum front property line.

SIDE YARD WIDTH: 15 feet minimum distance between dwellings.

REAR YARD DEPTH: 35 feet minimum from rear property line.

2. Set Back Code SB-Patio-SG

The lots listed on Exhibit C which are indicated as being subject to Setback Code SB-Patio-SG are subjected to the following Setbacks and Building Line restrictions:

Setbacks and Building Lines:

FRONT YARD DEPTH: 5 feet minimum front property line.

SIDE YARD WIDTH: 10 feet minimum distance between dwellings.

REAR YARD DEPTH: 5 feet minimum from rear property line.

3. Set Back Code SB-Patio-SGA

The lots listed on Exhibit C which are indicated as being subject to Setback Code SB-Patio-SGA are subjected to the following Setbacks and Building Line restrictions:

Setbacks and Building Lines:

FRONT YARD DEPTH: 5 feet minimum front property line.

SIDE YARD WIDTH: 10 feet minimum distance between dwellings. Provided, however, the minimum distance between Lots 38 and 39 and the minimum distance between Lots 39 and 40 shall be eight (8') feet.

REAR YARD DEPTH: 5 feet minimum from rear property line.

4. Setback Code SB-40

The lots listed on Exhibit C which are indicated as being subject to Setback Code SB-40 are subjected to the following Setbacks and Building Line restrictions:

Setbacks and Building Lines:

No building shall be closer than forty (40') feet to the street or road right-of way (front lot line) upon which it faces, and no building shall be closer to the side boundary lines than ten (10') feet on any of the lots subject to Set Back Code SB-40; provided, that on any lot having a depth of less than one hundred thirty (130') feet, the minimum setback from the street upon which it faces shall be thirty-five (35') feet; provided, further, that on corner lots, where the houses are not built parallel or perpendicular to either street, the ACC may alter the front and side line restrictions so long as the house shall be at least forty (40') feet back from one of the streets upon which it faces; provided, further, however, that the ACC, reserves the right to vary either or both the front or side setback lines of all lots.

- (a) Minimums as to Waterfronts and Open Areas: No home shall be located nearer than fifty (50') feet to the bank lines of the lakes or waterways. Any deviation must be approved, in writing, by the ACC.
- (b) Flexibility: The minimum setbacks are not intended to engender uniformity of setbacks. They are meant to avoid overcrowding. It is the intent of the Snee Farm Community Foundation, through the ACC, that setbacks shall be staggered where appropriate so as to preserve important trees, and provide for vistas of water and open areas.
- (c) Swimming Pools: Swimming pools shall not be nearer than ten (10') feet to any lot line (and must be located to the rear of the main dwelling) and shall not project with their coping more than two (2') feet above the established lot grade, except as approved, in writing, by the ACC.
- (d) Terraces, Eaves and Detached Garages: For the purpose of determining compliance or non-compliance with the foregoing building line requirements, terraces, stoops, eaves, wind-walls, and steps extending beyond the outside wall of a structure, shall not be considered as a part of the structure. No side yard shall be required for any detached garage or accessory outbuilding which has been approved, in writing, by the ACC; provided, all such detached structures must be to the rear of the main dwelling and must neither encroach within any easement areas of the lot, nor encroach upon the property of an adjacent owner or that reserved for open areas.

5. Setback Code SB-60

The lots listed on Exhibit C which are indicated as being subject Set back Code SB-60 are subjected to the following Setbacks and Building Line restrictions:

Setbacks and Building Lines:

No building shall be closer than sixty (60') feet to the street or road upon which it faces, and no building shall be closer to the side boundary lines than ten (10') feet on any of the lots subject to Set Back Code SB-60; provided, that on any lot having a depth of less than one hundred fifty (150') feet, the minimum setback from the street upon which it faces shall be fifty (50') feet; provided, further, that on corner lots, where the houses are not built parallel or perpendicular to either street, the ACC may alter the front and side line restrictions so long as the house shall be at least sixty (60') feet back from one of the streets upon which it faces; provided, further, however, that the ACC, reserves the right to vary either or both the front or side setback line of all lots.

(a) Minimums as to Waterfronts and Open Areas: No home shall be located nearer than fifty (50') feet to the bank lines of the lakes or waterways. Any deviation must be approved, in writing, by the ACC.

(b) Flexibility: The minimum setbacks are not intended to engender uniformity of setbacks. They are meant to avoid overcrowding. It is the intent of the Snee Farm Community Foundation, through the ACC, that setbacks shall be staggered where appropriate so as to preserve important trees, and provide for vistas of water and open areas.

(c) Swimming Pools: Swimming pools shall not be nearer than ten (10') feet to any lot line (and must be located to the rear of the main dwelling) and shall not project with their coping more than two (2') feet above the established lot grade, except as approved, in writing, by the ACC.

(d) Terraces, Eaves and Detached Garages: For the purpose of determining compliance or non-compliance with the foregoing building line requirements, terraces, stoops, eaves, wind-walls, and steps extending beyond the outside wall of a structure, shall not be considered as a part of the structure. No side yard shall be required for any detached garage or accessory outbuilding which has been approved, in writing, by the ACC; provided, all such detached structures must be to the rear of the main dwelling and must neither encroach within any easement areas of the lot, nor encroach upon the property of an adjacent owner or that reserved for open areas.

1. Square Foot Code SQ-Fairway

The lots listed on Exhibit C which are indicated as being subject to Square Foot Code SQ-Fairway are subjected to the following Building Area Requirements:

Building Area Requirements:

Fairway Section: the ground floor living areas of the main structure, exclusive of open porches, porte-cocheres, garages, carports and breezeways, shall be not less than two thousand (2000) square feet for a one story dwelling; nor less than twenty four hundred (2400) square feet overall living space for a split level or tri level dwelling; nor less than twelve hundred (1200) square feet on the ground floor, and not less than twenty four hundred (2400) square feet overall living space for a dwelling of two stores or more, unless otherwise approved in writing by the ACC.

2. Square Foot Code SQ-Manor

The lots listed on Exhibit C which are indicated as being subject to Square Foot Code SQ-Manor are subjected to the following Building Area Requirements:

Building Area Requirements:

Manor Section: The ground floor living areas of the main structure, exclusive of open porches, porte-cocheres, garages, carports and breezeways, shall be not less than three thousand (3000) square feet for a one story dwelling; nor less than three thousand (3000) square feet overall living space for a split level or tri level dwelling; nor less than fifteen hundred (1500) square feet on the ground floor, and not less than three thousand (3000) square feet overall living space for a dwelling of two stories or more, unless otherwise approved, in writing by the ACC.

3. Square Foot Code SQ-1600

The lots listed on Exhibit C which are indicated as being subject to Square Foot Code SQ-1600 are subject to the following Building Area Requirements:

Building Area Requirements:

The living areas of the main structure, exclusive of open porches, porte cocheres, garages, carports and breezeways, shall be not less than sixteen hundred (1600) square feet unless otherwise approved, in writing by the ACC.

4. **Square Foot Code SQ-1600GF**

The lots listed on Exhibit C which are indicated as being subject to Square Foot Code SQ-1600GF are subjected to the following Building Area Requirements:

Building Area Requirements:

The ground floor living areas of the main structure, exclusive of open porches, porte cocheres, garages, carports and breezeways, shall not be less than sixteen hundred (1600) square feet unless otherwise approved, in writing, by the ACC.

5. **Square Foot Code SQ-A1600/1800**

The lots listed on Exhibit C which are indicated as being subject to Square Foot Code SQ-A1600/1800 are subjected to the following Building Area Requirements:

Building Area Requirements:

The overall living areas of the main structure, exclusive of open porches, porte cocheres, garages, carports and breezeways, shall be, unless otherwise approved in writing by the ACC, 1,600 square feet for one story and 1,800 square feet for two stories.

6. **Square Foot Code SQ-B1600/1800**

The lots listed on Exhibit C which are indicated as being subject to Square Foot Code SQ-B1600/1800 are subjected to the following Building Area Requirements:

Building Area Requirements:

The ground floor living areas of the main structure, exclusive of open porches, porte cocheres, garages, carports and breezeways, shall be not less than sixteen hundred (1600) square feet for a one-story dwelling; nor less than eighteen hundred (1800) square feet overall living space for a split-level or tri-level dwelling; nor less than twelve hundred (1200) square feet on the ground floor, and not less than eighteen hundred (1800) square feet overall living space for a dwelling of two stories or more, unless otherwise approved, in writing, by the ACC.

7. **Square Foot Code SQ-2000**

The lots listed on Exhibit C which are indicated as being subject to Square Foot Code SQ-2000 are subjected to the following Building Area Requirements:

Building Area Requirements:

The overall living areas of the main structure, exclusive of open porches, porte cocheres, garages, carports and breezeways, shall be not less than 2000 square feet unless otherwise approved in writing by the ACC.

8. Square Foot Code SQ-A2000

The lots listed on Exhibit C which are indicated as being subject to Square Foot Code SQ-A2000 are subjected to the following Building Area Requirements:

Building Area Requirements:

The overall living areas of the main structure, exclusive of open porches, porte cocheres, garages, carports and breezeways, shall be, unless otherwise approved in writing by the ACC, 2,000 square feet for one or two stories.

9. Square Foot Code SQ-2600

The lots listed on Exhibit C which are indicated as being subject to Square Foot Code SQ-2600 are subjected to the following Building Area Requirements:

Building Area Requirements:

The overall living areas of the main structure, exclusive of open porches, porte cocheres, garages, carports and breezeways, shall be, unless otherwise approved in writing by the ACC, 2,600 square feet for one or two stories.

10. Square Foot Code SQ-Patio

The lots listed on Exhibit C which are indicated as being subject to Square Foot Code SQ-Patio are subjected to the following Building Area Requirements:

Building Area Requirements: All sections of the ground floor living areas of the main structure exclusive of open porches, porte-cocheres, garages, carports and breezeways shall be not less than 1200 square feet overall living space for a split level or a tri-level dwelling or less than 600 square feet on the ground floor and not less than 1200 square feet overall living space for a dwelling of two stories or more.

11. Square Foot Code SQ-Patio-SG

The lots listed on Exhibit C which are indicated as being subject to Square Foot Code SQ-Patio-SG are subjected to the following Building Area Requirements:

Building Area Requirements: All sections of the heated living areas of the main structure shall not be less than 1200 square feet.

EASEMENT CODES

OK W320PG065

1. Easement Code E 6/6/10

The lots listed on Exhibit C which are indicated as being subject to Easement Code E 6/6/10 are subjected to the following easements and obligations:

Easements: Easements for installation and maintenance of utilities and drainage facilities are reserved over six (6') feet of each side line of each lot, six (6') feet of each front line and over the rear ten (10') feet of each lot. Within these easements, no structure, planting or other material shall be placed or permitted to remain which may damage or interfere with the installation and maintenance of utilities. The easement area of each lot and all improvements in it shall be maintained continuously by the owner of the lot, except for those improvements for which a public authority or utility company is responsible.

2. Easement Code E-Patio

The lots listed on Exhibit C which are indicated as being subject to Easement Code E-Patio are subjected to the following easements and obligations:

(a) Easements for installation and maintenance of utilities and drainage facilities are reserved over four (4') feet of each front and over the rear ten (10') feet of each lot except lots 6, 7 and 8 Block K, there shall be fifteen (15') feet on the rear of each of these lots.

(b) On each lot on the non-zero lot line side, there is hereby reserved a ten (10') foot easement for the adjoining property owner for maintenance and repair of the dwelling, or other structure. Adjacent property owner shall be responsible for any damage caused while using such easement for maintenance and repair. In the easement area, the owner of the lot may use the area for such purposes as would not unreasonable restrict the adjoining property owner from performing normal maintenance and repair. Any plantings shall not be allowed to grow so as to damage the adjoining dwelling or cling thereto.

Within these easement areas above described, no permanent structures, planting or other material shall be placed or permitted to remain which may damage or interfere with the installation and maintenance of utilities. For purposes of these restrictions, concrete, brick and masonry fences are considered permanent structures, however wooden fences and concrete and brick drives are not considered permanent structures. The easement area of each lot and all improvements in it shall be maintained continuously by the owner of the lots, except for those improvements for which a public authority or utility company is responsible.

3. Easement Code E-AS/82

The lots listed on Exhibit C which are indicated as being subject to Easement Code E-AS/82 are subjected to the following easements:

Lots encumbered by this restriction shall be subject to the easements for installation and maintenance of utilities and drainage as shown on the plat by E. M. Seabrook, Jr. Inc. recorded in the R.M.C. Office in Plat Book AS at page 82.

4. Easement Code E-AT/77

The lots listed on Exhibit C which are indicated as being subject to Easement Code E-AT/77 are subjected to the following easements:

Lots encumbered by this restriction shall be subject to the easements for installation and maintenance of utilities and drainage as shown on the plat by E. M. Seabrook, Jr. Inc. recorded in the R.M.C. Office in Plat Book AT at page 77.

5. Easement Code E-AT/65

The lots listed on Exhibit C which are indicated as being subject to Easement Code E-AT/65 are subjected to the following easements:

Lots encumbered by this restriction shall be subject to the easements for installation and maintenance of utilities and drainage as shown on the plat by E. M. Seabrook, Jr. Inc. recorded in the R.M.C. Office in Plat Book AT at page 65.

Questions:

GENERAL

A. Restriction K128/240 makes restriction #7 at B127/206 applicable to lots 72-91 Block H on AV/46 now AW/163, however, it does not specify which of the four square foot requirements in B127/206 would apply.

B. The restrictions recorded in B120/9 refer to plat AO/9 but do not specifically restrict these lots. I assume these are the lots covered by the restrictions. Am I correct?

C. On all of the square foot requirements and various other items, the original restrictions state unless otherwise approved in writing by Snee Farm, Inc. upon the recommendation of the ACC. I have changed all of these just to say ACC. Do you want to put Snee Farm Community Foundation upon the recommendation of the ACC?

D. We do not have the restrictions for 37 E on la 146. Laura will get.

E. We did not use plat Ax 171.

F. We made all lots fairway unless restricted manor or marked manor in the Book by patty.

restrictions

1.. Article I definitions I put in one for New Charlestowne and one for Snee Farm Gardens. I assume the New Charlestowne is correct.

2. Article II a refers to the property covered on Exhibit B. The list of plats included on Exhibit B now includes all plats including AB 11. Sis did not originally include AB 11 because it was superseded by AB 73. However I included it because we had various other plats which were superseded or partially superseded by other plats. The plats on exhibit B are referred to in two places that is on ___ and _____. Is this Ok?

3. Article VII b i I beefed up the architectural definition to include building etc Before it did not seem to be enough. this probably overlaps the acc provision for wall etc

4. I did article IX, X, XI and XII in which I set out specific restrictions that applied to all lots, specific restrictions that applied to all but gardens and new charleston, ones that apply to each patio deal.

5. Look at the way I did article IX section A on page 14 of the restrictions.

- a. See if it flows with Exhibits C and d.
- b. I tried to take care of all previous variances.
- c. I tried to take care of all other restrictions.

6. Article IX K, says no vehicle can be parked on the street. I made that apply to all even though the patio homes do not mention it, Is this Ok?

7. New restrictions Article 9 W The previous restrictions both patio and regular permitted docks etc with permission of ACC. I left what you did which prohibits all docks and added the restrictions to small boats.

8. Article IX I added V,W and X

9. Article X a and the other two say that No more than one single family dwelling and attached garage can be erected on any lot.

- a. Is this inconsistent with exhibit d in the height part that says unless permitted by Acc.
- b. Are garages allowed?
- c. what ia the height limitation on a garage?

10. Article XI D and xiiD concerning wall are copied from sids and are more expensive than patio restrictions. I just added the patio restriction to them,.

a, In twelve D is it alright to limit the height to 4 feet?

b Do any of the patio houses need to restrict the fences off the front of the lot? Sid restrictions do not seem to say so.

11.setback provisions of Exhibit "D" provides that there is no side yard for garages or accessory buildings. Is this inconsistent with the provision of the restrictions that says no accessory buildings are allowed except in the patio section?