

ARCHITECTURAL CONTROL AND COMMUNITY STANDARD GUIDELINES

Established June 2005

OVERVIEW

The Architectural Control Committee (ACC) considered many factors ranging from aesthetics to safety when establishing architectural control guidelines for the DayBreak Square Village. For example, the siting of the houses on lots, the close proximity of houses, as well as the design of houses, all intended to create a friendly pedestrian atmosphere with memorable and picturesque streets. The DayBreak Square Village is advertised as being built in the style of historical neighborhoods with the charm and warmth of older, enduring communities, “yesterday’s look, for today’s home, for tomorrow’s enjoyment.” Not only is it advertised as a “charming and nostalgic village”, it is also touted as a William E. Poole Signature Community with sidewalks on both sides of tree-lined streets, “talking porches,” picket fences and gates, alley ways, and landscape design that is an inherent part of its overall architectural uniqueness. Some of the William Poole designs throughout the DayBreak Square Village include: Blackberry Lane, Blaikley-Durfey, Carmel Cottage, Edisto River Cottage, Gulf Coast Cottage, Rocky Springs, Salisbury, Red Lion, and the Thomas Everard House. **Refer to Appendix A for more information regarding William E. Poole and the Signature Collection of DayBreak Square Village.**

The ACC also considered the architectural charm of alley lots and recognized that alley lots pose unique situations specific to play and traffic areas when considering architectural requests. Due to the close proximity of back yard play areas in conjunction with traffic flow, the ACC has established guidelines for all properties that promote a safe environment for children while decreasing the dangers to homeowners, visitors to the community, and the Association. Alley lots also present a different set of aesthetic circumstances than those for non-alley lots, as alley lots have both a front and a back street scene.

Legal documents such as the Deed Restrictions for Alley and Non-Alley Lots, and the Declaration of Covenants, Conditions and Restrictions were reviewed and guided the writing of these Architectural Control Guidelines. The Covenants and Deed Restrictions were written to establish binding standards that maintain all aspects of the architectural design and intent of the DayBreak Square Village and distinguish it from other Lake Jeanette communities, as well as, maintain and enhance property values for the community and individual homeowners.

The diversity of family structures within the DayBreak Square Village was considered. The community is comprised of single families, couples with young children and teenagers, empty nesters, and retirees. The ACC Guidelines were developed with the spirit that all ages and members of the community should enjoy their homes and the charm and welcoming spirit of the neighborhood.

Therefore, in an effort to maintain and increase property values, promote harmony among neighbors, and maintain the architectural design and unique character and charm of the neighborhood, along with distinguishing DayBreak Square’s uniqueness from other Lake Jeanette communities, the ACC will consider architectural requests using the specifications set forth as follows:

STREETS – ALLEYS - SIDEWALKS

Standards Set by The DayBreak Square Declaration of Covenants, Conditions and Restrictions

- *All Members, their family members, guests, invitees and tenants shall abide by all state and local traffic regulations and other laws and ordinances regulating motor vehicles while on the property.*
- *Parking is prohibited on the section common area alleys, including sides and shoulders.*
- *Parking on streets shall be subject to such rules and regulations as the Association may promulgate from time to time.*
- *Each owner of a lot abutting an alley shall maintain the two-foot strip of land between the rear lot line and the edge of the alley pavement.*

- *Two trees will be planted in the strip in front of each lot and two trees will be planted along the street side of certain corner lots.*
- *The Association will prune, trim, pine needle and replace the trees in the planting strip, prune and trim hedges in the streetscape easement and mow any grass in the planting strip and where appropriate the streetscape easement.*
- *Watering of trees, grass, hedges and ground cover and maintenance of fences and gates within the planting easement and streetscape easement in front of each owner's lot shall be the responsibility of such lot owner.*

ACC GUIDELINES:

Each homeowner must comply with the existing community standards. The Homeowner's Association seeds, fertilizes, and mows the grass strip next to the street in front of each home in DayBreak Square. Homeowners are advised not to feed or seed this area due to the risk of over seeding or over fertilization.

STREETSCAPE

Standards Set by The DayBreak Square Declaration of Covenants, Conditions and Restrictions, and The DayBreak Square Alley and Non-Alley Lot Deed, Warranty Deed, Paragraph 5:

- *On the front of each lot and on the street side of certain corner lots in DayBreak Square, parallel and adjacent to the street, there is a 6 foot wide strip of land (streetscape easement) which must contain areas planted with grass and an area in which either:*
 1. *A fence with a gate, or*
 2. *A hedge with a gate, or*
 3. *A retaining wall, or*
 4. *Landscaping treatment such as ground cover, plantings, steps, etc. on the bank or slope within the streetscape easement, or*
 5. *Any combination of the above.*

ACC GUIDELINES:

Homeowners wishing to make changes to their property that affect the streetscape easement must submit request to the ACC for consideration and approval. Please remember that structures within the easement must comply with Appendix B which require the following designs:

- Hedge
- Wood Picket Fence
- Metal Picket Fence
- Earth Bank Condition
- Front yard Landscaping Option
- Low Retaining Wall Option

EASEMENTS

Standards Set by The DayBreak Square Declaration of Covenants, Conditions and Restrictions

Easements for installations and maintenance of utilities (including cable television service) and drainage facilities are reserved as shown on the recorded plat. Within these easements no structures, planting or other material shall be placed or permitted to remain which may interfere with the installation and maintenance of utilities, or which may change the direction of flow of drainage channels in the easements, or which may obstruct or retard the flow of water through drainage channels in the easements. An easement is established for the benefit of the City of Greensboro over all Common Areas as may be reasonably necessary for the

setting, removal and reading of water meters, the maintenance and replacement of water, sewer and drainage facilities, for affording police protection and for the fighting of fires and collection of garbage.

ROOFING MATERIAL - EXTERIOR COLOR AND FINISHES

Standards Set by The DayBreak Square Declaration of Covenants, Conditions and Restrictions

- *Roof material, exterior colors and finishes all require approval by the ACC.*

ACC GUIDELINES:

Homeowners wishing to make changes to their property that affect the existing roofing material and exterior color and finishes must submit requests to the ACC for consideration and approval. A request only has to be submitted if there is a change from the existing materials, finishes, or colors. The ACC will consider each request in such a manner as to preserve and enhance property values and maintain a harmonious relationship among structures.

DOORS – WINDOWS – SCREENS – AWNINGS

Standards Set by The DayBreak Square Declaration of Covenants, Conditions and Restrictions

- *After the completion of construction and occupancy as a residence, no improvements, alterations, repairs or other work which in any way alters the exterior of any dwelling, lot or improvements located thereon from its natural or improved state existing on the date the dwelling was first occupied as a residence shall be made or done without the prior written approval of the ACC.*

ACC GUIDELINES:

Homeowners wishing to make changes to their property that affect the existing doors, windows, screens, and awnings must be approved by the ACC. Requests only have to be submitted if there is a change from the existing doors, windows, screens or awnings. In order to maintain the aesthetic uniqueness and charm of the neighborhood, examples of requests that will not be considered or approved by the ACC include, but are not limited to, screens for the front sides of homes, front porch screens, and storm doors.

PORCHES – PORCH FLOORS – PORCH STEPS

Standards Set by The DayBreak Square Declaration of Covenants, Conditions and Restrictions

- *Alterations or Additions to porches require approval of the ACC.*

ACC GUIDELINES:

- Porches must be treated as living areas and not storage areas. In addition, only a reasonable number of items shall be placed on the porches.
- Porch lighting must be soft such as indirect or recessed.
- The type and style of outdoor porch furniture will be at the discretion of the homeowner, but must be a compliment to the architectural design of the residence.
- Homeowners wishing to make changes to their property that affect their current porches, porch floors, front steps, or porch lighting must submit their request to the ACC for consideration and approval.

GARAGES

Standards Set by The DayBreak Square Declaration of Covenants, Conditions and Restrictions

- Owners shall keep the interior of their garages in a neat and orderly condition and shall keep garage doors closed as much as practical.

ACC GUIDELINES:

Homeowners must comply with the above stated community standard in order to maintain picturesque street scenes for all homeowners and visitors to the community.

PATIOS AND DECKS

Standards set by The DayBreak Square Alley and Non-Alley Lot Deed, Warranty Deed, Paragraph 5

- Alley-lots: Grantee, its successors or assigns must construct a patio with a minimum of 200 square feet enclosed with a six-foot high brick privacy wall. The brick must be compatible with the exterior colors and finishes of the dwelling and garage.

ACC GUIDELINES:

Standards set by The DayBreak Square Alley and Non-Alley Lot Deed, Warranty Deed, and Release Deed must be followed. Homeowners wishing to make changes to their property that affect their current patio or deck, and homeowners who wish to add a patio or deck, must submit their request to the ACC for consideration and approval. No decks will be allowed or approved on alley lots, as the Deed Restrictions require that alley lots have a patio with a minimum of 200 square feet enclosed with a six-foot high brick privacy wall. Non-alley lots may submit requests for decks.

LAND USE, BUILDING TYPE, AND BUILDING SETBACKS

Standards Set by The DayBreak Square Alley and Non-Alley Lot Deed, Warranty Deed, specific to Land Use and Building Type, page 1, paragraph 1:

No structures shall be erected or allowed to remain on any lot except, one detached single family dwelling not exceeding two stories and an attic (finished or unfinished) in height, a basement (finished or unfinished), a private garage, porches, patios and decks. No outbuilding or detached structures, other than a detached garage shall be permitted.

Standards Set by The DayBreak Square Alley and Non-Alley Lot Deed, Warranty Deed, specific to Building Setbacks, page 3, paragraph 6:

No building shall be erected or allowed to remain on any lot:

- Nearer to the front property line than 20 feet (the front building line shall not apply to steps, uncovered stoops or uncovered front porches),
- Nearer to an interior side property line than seven (7) feet,
- Nearer to the side property line adjacent to a street on a corner lot than ten (10) feet, and
- Nearer to the rear property line than twenty (20) feet except where the rear property line is adjacent to DayBreak Square Association, Inc. common area or Lake Jeanette Association, Inc. common area, in which event no building shall be erected or allowed to remain nearer to the rear property line than fifteen (15) feet. The sum of the side yards for an interior lot must be at least fifteen (15) feet and the sum of the side yards for a corner lot must be at least twenty (20) feet.

ACC GUIDELINES: Other than a detached garage, no outbuilding or detached structure is permitted on any lot in DayBreak Square as is set forth in the Alley and Non-Alley Lot Deed Restrictions. By way of illustration and not of limitation, the following are examples of such structures:

- Outbuildings
- Storage Buildings
- Maintenance Sheds
- Playhouses
- Tool Sheds

Homeowners have a legal responsibility to adhere to the Deed Restrictions, as they are enforceable by proceedings at law, and can be brought by any person or Association, or in equity against any person or persons violating or attempting to violate any covenant, either to restrain violation or to recover damages. Therefore, the ACC will not accept, consider, or approve any request for detached structures of any kind for any lot within the DayBreak Square Community. Note: Detached garages were approved at the time of construction.

Also note: The above referenced setbacks are minimum setbacks. The ACC reserves the right to require increased setbacks.

Waiver and Consent to Violations, Non-Alley Lot and Alley Lot Deed, Page 4, Paragraph 12 stipulates that the Grantor (now DayBreak Square Association's Board) may waive any violation of these restrictive covenants by an appropriate instrument in writing, provided, that if the violation occurs on any lot(s) which abuts lot(s) which have been conveyed to fee simple owner(s) in Day Break Square, Northern Shores, Phase Ten, Section Two, the written waiver of such violation by such adjacent owner(s) shall also be obtained. The proviso in the preceding sentence shall not apply to paragraphs 2, 5, 6, 8 and 10 of the Deed Restrictions where only the written consent of the Grantor shall be required.

Any homeowner who is currently in violation of the Deed Restrictions specific to Land Use and Building Type must submit a written waiver of such violation by each adjacent homeowner along with an architectural control request and photograph of the item in violation to the Board of the Association for consideration of Waiver and written consent.

In addition, any homeowner who is currently in violation of the Deed Restrictions specific to Building Setbacks must submit a written waiver of such violation along with an architectural control request and photograph of the item in violation to the Board of the Association for consideration of Waiver and written consent.

NOTE: The Association's Board will notify each homeowner in noncompliance with the Deed Restrictions that the appropriate waivers must be obtained and submitted to the Board within sixty days of the date of notification to each homeowner. The Board will consider each waiver on an individual basis. Homeowners requesting waivers should keep in mind that the item for which they are requesting a Deed Restriction waiver must be architecturally complimentary to both their home and the architectural design and uniqueness of DayBreak Square Village.

RECREATIONAL STRUCTURES

Standards Set by The DayBreak Square Alley and Non-Alley Lot Deed, Warranty Deed, specific to Nuisances, Page 1, paragraph 3:

- *Nothing shall be done on said property that is a nuisance or an annoyance to the community.*

Standards Set by The DayBreak Square Declaration of Covenants, Conditions and Restrictions

- *By way of illustration and not of limitation, **recreational structures** require approval of the ACC:*
- *Nothing should be done or conducted on any lot that may be or may become an annoyance or nuisance to the neighborhood.*

ACC GUIDELINES:

Recreational Structures: Homeowners wishing to build, install, erect, or place any type of recreational structure on their property must submit a request to the ACC for consideration and approval. It is unlikely that the ACC will approve requests that do not meet the following specifications. Some examples of recreational structures that the ACC will not approve include, but may not be limited to those constructed of aluminum, PVC pipe, plumbing pipe, metal, or plastic.

- The recreational structure and tower (limited to one tower, not to exceed 12 feet at its highest point) must be constructed of a natural wood product such as cedar or redwood.
- A tower is the component of the recreational structure that serves as an anchor and platform for another component of the recreational structure such as the sliding board.

- Any fabric/canvas awnings, shades or covers, slides, swings and any other part of the structure must be a color that is consistent with the surrounding natural vegetation (dark green or brown).
- The recreational structure and tower must be a size that is compatible with the size of the back yard of the lot so it is not overwhelming from any street scene or to any adjacent neighbors.
- The recreational structure must be positioned on the lot so it does not encroach upon any existing easements or city ordinances or present any nuisance or annoyance to surrounding neighbors or the community.
- The recreational structure must be located in the backyard so it does not compromise the street scene - likely to be the middle of the backyard.
- The back yard must be fenced. Refer to the category entitled Fences and Gates for architectural control specifications for these items.
- Every component of the recreational structure and tower must be maintained in good condition and aesthetic appearance at all times.

Existing Recreational Structures: Homeowners with existing recreational structures must submit an “Existing Structure” form documenting the existence of their structure for the Homeowner Association’s Architectural Control Committee. Most swing sets will be “grand fathered” as they were either given previous approval by Lake Jeanette Realty (acting as the Homeowner’s Association), or given approval by the DayBreak Square Homeowner’s Association prior to the establishment of the above recreational structure guidelines. Homeowners with existing recreational structures are encouraged to make every attempt to try and comply with the newly established guidelines.

Basketball Goals: Basketball goals are permissible, as they require only a small portion of space. Homeowners wishing to install or erect a basketball goal must submit a request to the ACC for consideration and approval. It is unlikely that the ACC will approve requests that do not meet the following specifications.

- The basketball goal is installed in an area located at the back of the homeowner’s driveway so they are least visible from the street scene and so it does not require the additional pouring of a concrete pad.
- The pole/frame must be a color that is consistent with the natural environment (ex: black, dark green, or dark brown).
- The backboard must be constructed of either a high durability plastic composite or Plexiglas and must contain no graffiti.
- Every component of the basketball goal must be maintained in good condition and aesthetic appearance at all times.
- The basketball goal may be fixed or temporary/portable.
- The goal may not be attached to any portion of the dwelling structure.
- No portable basketball goal shall be left in the street.
- No basketball playing shall take place on the streets within Daybreak Square.

Existing Basketball Goals: Homeowners with existing basketball goals must submit an “Existing Structure” form documenting the existence of their basketball goal for the Homeowner Association’s Architectural Control Committee. Homeowners with existing basketball goals shall comply with the newly established guidelines. A copy of an “Existing Structure” form is attached to this document.

Trampolines and Above Ground Pools: Given the closeness in proximity of lots and the communities responsibility to maintain memorable and picturesque street scenes, trampolines and above ground pools will not be approved for any lot within the DayBreak Square Village.

Other Recreational Structures: No form of recreational structure should be commenced, erected, built, or installed without the prior written approval of the ACC. By means of illustration and not of limitation, the following are examples of other types of recreational structures that will not be approved for DayBreak Square Village: rock climbing walls that are not a component of an approved swing set, and skate board ramps or facilities.

ALL OTHER STRUCTURES

Standards Set by The DayBreak Square Alley and Non-Alley Lot Deed, Warranty Deed,

No other structure shall be commenced, erected maintained, or improved, altered, removed, made or done without the prior written approval of the ACC.

ACC GUIDELINES

Homeowners must follow the above restrictions and submit request to the ACC for consideration and approval specific to other structures prior to installation. Requests must include design specifications, materials, color and any other pertinent aspects of the structure for consideration by the ACC. The intent of the ACC when considering requests for other structures is to preserve and enhance property values and to maintain a harmonious relationship among structures and the natural vegetation and topography of the neighborhood as required in the Covenants and Deed Restrictions. Homeowners submitting requests should keep in mind that their proposed request should be architecturally complimentary to both their home and the architectural design and uniqueness of the community. By means of illustration and not of limitation, the following are examples of other structures: gazebos, arbors, pergolas, yard statues, yard art, flagpoles, landscaping items, fencing, and satellite dishes.

FENCES AND GATES

Standards Set by The DayBreak Square Declaration of Covenants, Conditions and Restrictions,

- *Fencing requires approval by the ACC.*

ACC GUIDELINES:

Since fencing is a significant change to a homeowner's property and also a significant change to the external design appearance of the neighborhood, all fencing/gate requests require approval by the ACC prior to installation. Refer to Appendix B of this document to reference the following fence and gate designs that the ACC will consider:

- Wide-Picket Wood Fencing with alternative picket and post designs
- Narrow-Picket Wood Fencing with alternative picket and post designs
- Metal Picket Fencing with finial top alternatives of fleur-de-lis, ball, and spear and alternative post designs
- Wood Pickets and Brick Combinations with rowlock cap or alternate precast concrete cap
- Metal Pickets and Brick Combinations with water table courses, optional brick cap or precast concrete cap
- Metal and Wood Pickets with Stone and Stucco Combinations with optional precast concrete cap
- Wood Gate and Wood Posts
- Metal Gate and Metal Posts
- Wood Gate and Masonry Columns
- Metal Gate and Masonry Columns

All other fencing requests must include fence design, material, color and any other pertinent aspects of the fence for consideration by the ACC. The intent of the ACC when considering requests for these type structures is to preserve and enhance property values and to maintain a harmonious relationship among structures and the natural vegetation and topography of the neighborhood. Homeowners submitting requests for fencing or gates that fall outside the guidelines in Appendix B should keep in mind that the fence they are requesting permission to install should be an architectural compliment to both their home, the street scene, and the unique architectural design of the neighborhood. Some examples of fencing that will not be approved by the ACC include: chain link fences, plastic or vinyl fences, front yard fences over 42 inches in height, and fencing that does not have any architectural compliment that shares the uniqueness in design of DayBreak Square.

The ACC may consider tall screening panels and/or fencing to distinguish boundary lines of DayBreak Square Village from those of the greater Lake Jeanette Community. An example of such an area exists in the back yards that abut each other between Angler Lane (DayBreak Square) and Bodie Lane (Lake Jeanette) lots.

GAS LAMPS AND EXTERIOR LIGHTING

Standards Set by The DayBreak Square Alley and Non-Alley Lot Deed, Warranty Deed, Paragraph 5

- *Grantee and/or its successors and assigns shall be required to install and maintain a Grantor-approved gas lamp on the property near the intersection of the front walk for the dwelling and the sidewalk in the street right of way that runs parallel with the front lot line.*

Standards Set by The DayBreak Square Declaration of Covenants, Conditions and Restrictions

- *Additions and/or changes to exterior lighting require the approval of the ACC.*

ACC GUIDELINES:

- Every residence must have and maintain a pre-approved gas lamp near the intersection of the front sidewalk and the walk that runs from that sidewalk to the front steps of the house. This gas lamp will double as a streetlight and must remain operational and in use at all times.
- Porch lighting should be soft such as indirect or recessed.
- Electric streetlights will not be approved by the ACC or the Board of the Association.
- Exterior ground and/or landscape lights require approval by the ACC in advance of installation.

WALKWAYS AND STEPS FROM THE STREET TO THE FRONT OF THE HOUSE

Standards Set by The DayBreak Square Alley and Non-Alley Lot Deed, Warranty Deed, Paragraph 5

- *The exposed surface of the steps and the front walk must be covered with brick pavers that are consistent with the exterior finishes and colors of the dwelling constructed on the lot.*

Standards Set by The DayBreak Square Declaration of Covenants, Conditions and Restrictions

- *Walks and Steps from the front of the house to the sidewalk must be covered with brick pavers that are consistent with the exterior finishes and colors of the house.*

ACC GUIDELINES:

Homeowners wishing to make changes to their property that affect their current walkways and/or steps must submit their request to the ACC for consideration and approval.

MAILBOXES

Standards Set by The DayBreak Square Alley and Non-Alley Lot Deed, Warranty Deed, Paragraph 5

- *Only mailboxes meeting Grantor’s written standards and required location shall be permitted*

Standards Set by The DayBreak Square Declaration of Covenants, Conditions and Restrictions

- *Mailboxes require approval of the ACC.*

ACC GUIDELINES:

- Alley lots: There must be a pre-approved mailbox in the vicinity of the driveway.
- Non-Alley lots: There must be a pre-approved mailbox in the vicinity of the driveway apron.

LANDSCAPING

Standards Set by The DayBreak Square Alley and Non-Alley Lot Deed, Warranty Deed, Paragraph 5

- *All lots shall be landscaped in keeping with the architectural guidelines of DayBreak Square.*

Standards Set by The DayBreak Square Declaration of Covenants, Conditions and Restrictions

- *Changes, alterations or additions to landscaping require approval by the ACC.*

ACC GUIDELINES:

Homeowners wishing to make major alterations, changes, or additions to their currently approved landscape plan must submit their request to the ACC for consideration and approval. The ACC will adhere to the above stated standards and guidelines when considering such requests. By way of illustration and not of limitation, some examples of “major” alterations, changes, or additions include:

1. Major changes to sod or natural areas that alter originally approved ground elevations or landscape,

2. The planting of or removal of trees,
3. Any landscape change to the streetscape easement that does not comply with those specified in Appendix B.

OWNER'S MAINTENANCE STANDARDS

Standards Set by The DayBreak Square Declaration of Covenants, Conditions and Restrictions, Article V, Section 3 and 4.

- *Each homeowner is responsible for the repair, maintenance and upkeep of the lot and the dwelling, including but not limited to any and all vegetation, driveways and walks, steps, fences (where permitted), hedges, gates, ground cover, patios, wooden decks (where permitted) and the gas lamp located on the front of each dwelling.*
- *Homeowners shall perform their repair, maintenance and upkeep obligations in accordance with Architectural Guidelines and/or community standards for DBS, as they may be promulgated from time to time, and in a reasonable and prudent manner to a standard harmonious with other lots in DBS.*
- *If any owner should fail to discharge the above-described obligations to such a standard, the Executive Board of the Association may in its sole discretion, give written notice of such failure to the owner who shall have a period of time determined by the Board (not less than 48 hours or more than 15 days) to cure such failure.*
- *If the owner fails to take necessary action to discharge the owner's obligation within the time period designated by the Executive Board, the Association shall have the right to take, at the owner's expense, any action necessary to cure the failure and charge the owner with the cost thereof.*
- *If the owner does not pay such cost within fifteen (15) days after written notice thereof from the Association, then the amount so owed, together with interest, cost and attorney's fees, shall become a lien on the Owner's Lot, payment of which may be enforced in accordance with the provisions of Article IV.*
- *To enable the Section Association to accomplish the foregoing, there is hereby reserved to the Section Association the right to unobstructed access over and upon each Lot at all reasonable times to perform maintenance, repair and replacement as provided in Sections 3 and 4 of the Declarations.*

ACC GUIDELINES: Because of the close proximity of houses to each other and to the street, it is necessary to establish a standard for maintenance of lawns, fences, exteriors of houses, garages, and detached structures. Although it is difficult to set an objective standard for maintenance of lawns, shrub beds, fences, gates, and the exterior of houses, garages and detached structures, it is not difficult to determine when their maintenance is not consistent with that of other properties in the neighborhood. Examples of lack of maintenance that is unacceptable are shrub beds full of weeds and/or grass, exposed wood that is rotting or peeling due to lack of paint, and lawn grass that is 5 inches or more in height. When the Executive Board, based on the criteria set out in this document and other reasonable criteria, determines that a property is not being maintained in a manner consistent with other properties in the DayBreak Square Community, the Executive Board may take action under Article V, Section 4 of the Declaration of Covenants, Conditions and Restrictions of DayBreak Village.

OUTSIDE ANTENNAS

Standards Set by The DayBreak Square Declaration of Covenants, Conditions and Restrictions

- *No outside radio or television antenna or satellite dish or disk shall be erected on any lot or dwelling within the property unless and until permission for the same has been granted by the ACC or the Executive Board of the Association.*

ACC GUIDELINES:

Homeowners wishing to install outside radio or television antenna or satellite dish or disk must submit their request to the ACC for consideration and approval. The diameter of the dish should be no more than 18 inches.

TRASH CANS

Standards Set by The DayBreak Square Declaration of Covenants, Conditions and Restrictions

- *Trash containers shall be kept in garages or located on lots so as to be screened from view from adjoining lots and from streets and alleys.*

ACC GUIDELINES:

Since DayBreak Square lots are small and houses are close together it is required that all homeowners comply with the standards established for trashcans.

BOATS – CAMPERS – TRAILERS

Standards Set by The DayBreak Square Alley and Non-Alley Lot Deed, Warranty Deed, Paragraph 9

- *No trailer, recreational vehicle, motor home, building materials or non-operative motor vehicle may be stored on the property, either permanently or temporarily, except as set forth in the Section Declaration.*

Standards Set by The DayBreak Square Declaration of Covenants, Conditions and Restrictions

- *No boats, buses, trailers, campers or recreational vehicles shall be parked or stored on any lot or parked in any street or alley at any time except in a garage with the garage doors fully closed, provided such boats and vehicles may be temporarily (no more than 48 consecutive hours) parked in the driveway of a lot for the purpose of loading and unloading.*

ACC GUIDELINES:

Homeowners must comply with the above standards. The Master Association maintains a fenced area suitable for storage of such vehicles that is available to its members at a reasonable fee.

SIGNS

Standards Set by The DayBreak Square Declaration of Covenants, Conditions and Restrictions

- *All personal signage must be approved by the ACC.*

ACC GUIDELINES:

Homeowners wishing to put up, place, or install personal signage must submit their request to the ACC for consideration and approval. The ACC will adhere to the above stated standards and guidelines when considering such requests. By way of illustration and not of limitation, examples of signage that do not need ACC approval include signs for special occasions such as small birthday party signs, small political signs placed during the 60-day period prior to an election, or normal sized “Home for Sale” signs.

PETS AND ANIMALS

Standards Set by The DayBreak Square Declaration of Covenants, Conditions and Restrictions

- *No animals, livestock or poultry of any kind is allowed except for dogs, cats or other household pets, which may be kept, provided they are not kept and maintained for commercial purposes.*
- *Dogs, cats and household pets must be maintained in compliance with all laws and ordinances of the City of Greensboro, County of Guilford, and DBS.*

ACC GUIDELINES:

- The City of Greensboro leash laws must be obeyed at all times.
- No pens or runs will be constructed on any lots.
- When pets are outdoors on a leash a responsible person must accompany them.
- Person(s) walking pets will be responsible for scooping up and disposing of waste created by the pet.
- No owner shall allow a pet to become a nuisance or an annoyance to others.

ENFORCEMENT and TERM

Non-Alley and Alley Lot Deed Restrictions are enforceable by proceedings at law or in equity against any person or person violating or attempting to violate any covenant, either to restrain violation or to recover damages.

Enforcement proceedings may be brought by any individual or Association. The term of these covenants runs with the land and shall be binding on all parties and all persons claiming under them for a period of thirty (30) years from the date these covenants were recorded. After this time, the covenants shall be automatically extended for successive periods of ten (10) years each unless an instrument signed by a majority of the then owners of the lots in DayBreak Square, Phase Ten, Section Two, agreeing to terminate or change said covenants in whole or in part has been recorded.

Covenants, Conditions and Restrictions: (Includes ACC Guidelines) The Section Association, Declarant, or any Owner shall have the right to enforce, by any proceeding at law or in equity, all restrictions, conditions, covenants, reservations, liens and charges now or hereafter imposed by the provisions of the Declaration. Failure by the Section Association, Declarant or by any Owner to enforce any covenant or restriction herein contained shall in no event be deemed a waiver of the right to do so thereafter. The covenants and restrictions of this Declaration shall run with and bind with the land for a term of twenty years from the date this Declaration is recorded, after which time they shall be automatically extended for successive periods of ten (10) years. This Declaration may be amended during the first twenty (20) year period by a vote of not less than ninety (90%) of the Lot Owners, and thereafter by a vote of not less than seventy-five percent (75%) of the Lot Owners under certain conditions cited in the Covenants.

Fine Authority: Pursuant to the Declaration and the North Carolina Planned Community Act, the Association has the authority to fine, after notice and hearing, any homeowner that violates the Association Governing Documents.