

ARCHITECTURAL STANDARDS  
Deer Valley Homeowners Association, Inc. Architectural Review Committee (ARC)  
Approved by the Board of Directors on \_\_\_\_\_

The Deer Valley Homeowners Association, Inc. (the "Association") is desirous of an aesthetically pleasing and functionally convenient community and for that purpose has recorded the Consolidated, Amended and Restated Declaration of protective Covenants and Restrictions for Deer Valley (the "Declaration") to govern all improvements within the Subdivisions. The Declaration establishes the Deer Valley Architectural Review Committee (the "ARC") and sets forth its jurisdiction, powers, obligations, and rules and regulations under which the ARC will conduct its review of proposed improvements. *All capitalized terms used in this document without definition shall have the meanings set forth in the Declaration.*

The ARC has been established to define and interpret aesthetic standards for the Subdivisions and examine, approve, or deny all proposed improvements for all residences. ARC approval must be obtained for, but is not limited to: any Single Family Residence, fence, wall, sign, lighting system, site paving, grading, parking lot, screen enclosure, sewer drain, disposal system, statuary, signs, flags, flag poles, water fountains, yard sets, window awnings or other exterior window covering, decorative building, landscaping, landscape device or object. Reference is made to the Declaration for the procedures for obtaining ARC approval.

Set forth below are the ARC Standards referenced in the Declaration. These ARC Standards are effective as of November 1, 2015 but may be amended or supplemented from time in accordance with the provisions set forth in the Declaration:

1: Limitation on Size and Location of Structures The maximum heights and location of Single Family Residences on each Lot shall be as follows:

Location and Height No structure shall be erected, altered, placed or permitted to remain on any Lot other than a Single Family Residence not to exceed two and one half (2 1/2) stories and a private garage for not more than three (3) cars. No detached building other than the Single Family Residence shall be constructed or permitted on any Lot unless previously approved by the ARC. The Single Family Residence shall be located on each Lot in conformity classification for the Property with the City of Hoover, Alabama. No residence or other improvement on any Lot may be constructed within any easement area shown on any Subdivision Record Map. Additionally, with the exception of Townhome Lots, each Lot shall have a five (5) foot side setback or building line whether shown on the applicable Subdivision Record Map or not.

Size Subject to modifications by the ARC and applicable zoning requirements, minimum square footage requirements for Single Family Residences are as follows:

Deer Valley I, II, and III (collectively, "The Cove") - Every Single Family Residence erected on any Lot within the Cove, exclusive of one-story open porches, garages, carports and other un-air-conditioned, unfinished spaces, shall each contain a minimum of 1,500 square feet of enclosed, heated, habitable areas ("Finished Space") for single story homes, and for one and one half story or two story homes, a minimum of 1,000 square feet of Finished Space on the first floor and a minimum total of 1,900 square feet of Finished Space on all floors.

Deer Valley Garden Homes ("The Trails") - Every Single Family Residence erected on any Lot in the Trails, exclusive of one-story open porches, of garages, carports and other un-air-conditioned, unfinished spaces, shall each include a minimum of 1,500 square feet Finished Space.

Deer Valley V ("The Cottages") - Every Single Family Residence erected on any Lot shown on the Subdivision Record Map for the "Cottages at Deer Valley" as recorded in Map Book 32, Page 37 in the Office of the Judge of Probate of Jefferson County, Alabama, exclusive of one-story open porches, garages, carports and other un-air-conditioned, unfinished spaces, shall each include a minimum of 1,100 square feet of Finished Space.

Deer Valley V, ("The Village") – Every Single Family Residence erected on any Lot shown on the Subdivision Record Map for "Deer Valley, Phase I" as recorded in Map Book 32, page 48 in the Office of the Judge of Probate of Jefferson County, Alabama, exclusive of one-story open porches, garages, carports and other un-air-conditioned, unfinished spaces, shall each include a minimum of 1,500 square feet of Finished Space.

Reilly Glen Townhomes ("Reilly Glen") – Every Single Family Residence erected on any Lot in Reilly Glen, exclusive of one-story open porches, garages, carports and other un-air-conditioned, unfinished spaces, shall each include a minimum of 1,100 square feet of finished space for a one-story home, and 1,400 square feet of finished space for a one and one half story or two story home.

2: Design Guidelines All Single Family Residences and Lots within the Subdivisions shall be subject to the following "Design Guidelines":

The front roof pitch on any Single Family Residence must be approved in writing by the ARC. Roofing material must be consistent in color and material. Metal roofing is prohibited.

All porches on the front and sides of any Single Family Residence shall either be supported by the foundation of the structure or shall have column supports which match an exterior finish used in the foundation of the structure.

No exposed block shall be visible on any portion of the foundation of any Single Family Residence.

No cantilevered chimney chases shall be allowed on the front of any structure. All chimney chases on the front of the structure shall be supported by the foundation of the structure.

Reflective glass shall not be permitted on the exterior of any Single Family Residence. No foil or other reflective materials or bright colors shall be installed on any windows or used for sun screens, blinds, shades, or other purposes.

No concrete block walls, including foundations, concrete block steps, walkways, walls or any other concrete block work, whether painted, stuccoed or otherwise, shall show from the exterior of any building.

Exterior building materials must be approved by the ARC.

Exterior painting will be in soft, neutral tones not to include high gloss finishes. All exterior colors, including, without limitation, the color of all roof shingles, brick, stone, stucco, wood, trim, cornices, eaves, railings, doors and shutters shall be subject to the approval of the ARC. Painted bricks are prohibited.

All front and side yards of each Lot shall be sodded with grass, unless otherwise approved by the ARC as a natural area or unless the same is landscaped in accordance with plans approved by the ARC. All other disturbed areas must be seeded or strawed or have an approved ground cover or landscape treatment, which include, without limitation, wood chips and decorative bark. Each Owner shall be responsible for watering and otherwise maintaining its own yard.

No hedge or shrubbery planting which obstructs sight-lines of streets and roadways shall be placed or permitted to remain on any Lot where such hedge or shrubbery interferes with traffic sight-lines for any of the public or private roadways within the Property. The determination of whether any such obstruction exists shall be made by the ARC, whose determination shall be final, conclusive and binding on all Owners.

3: Maintenance

All Single Family Residences, landscaping and other improvements upon individual Lots shall be continuously maintained by Owner thereof so as to preserve a well-kept appearance, especially along the perimeters of any Lot.

No trash, garbage or other refuse shall be dumped, stored or accumulated on any Lot. Trash, garbage or other waste shall not be kept on any Lot except in sanitary (City of Hoover supplied garbage and/or recycle) containers or garbage compactor units. Garbage and recycle containers, if any, shall be kept in a clean and sanitary condition, and shall be so placed or screened by shrubbery or other appropriate material approved in writing by the ARC so as not to be visible from any road or within sight distance of any other Lot at any time except during refuse collection. No outside burning of wood, leaves, trash, garbage, or household refuse shall be permitted, except during the construction period, or except as specifically approved by the ARC.

No weeds, underbrush or other unsightly growth shall be permitted to grow or remain upon any part of a Lot and no refuse pile or unsightly objects shall be allowed to be placed or suffered to remain upon any part of a Lot, including vacant parcels. No Owner shall allow the grass on its Lot to grow to a height in excess of six (6) inches, measured from the surface of the ground. No exposed tree stumps or roots shall remain where tree or shrub removal has been performed.

Home exteriors, driveways and sidewalks must be free of mold, mildew, algae, vine growth and discoloration. Exterior finishes must be free of peeling or badly faded paint.

4: Temporary Structures No structure of a temporary character, trailer, basement, tent or shack shall be used at any time as residence either temporarily or permanently. No storage building of any type shall be permitted unless approved by the ARC.

5: Lighting All exterior lighting of Single Family Residences shall be in character and keeping with the general aesthetic design of the Subdivisions. Yard lighting shall be such that it does not shine toward and/or disturb adjoining Lot Owners.

6: Mailboxes Each Lot shall have a mailbox and mailbox post which shall be of a design as shall be proscribed by the ARC (all such mailboxes and mailbox posts shall match throughout the Subdivisions). Each Owner will be required to keep such mailbox and mailbox post in working order and repair. Mailboxes and poles must be free of peeling and rust, must be painted with a gloss black finish and have house numbers on both sides of the number plate located above the box. No numbers, covers or other decals should be affixed to the mailbox or post. No artificial or natural vines or shrubs shall be permitted to grow on or around the mailbox post.

7: Satellite Receiving Dish No satellite receiving dish or antenna system of any kind shall be located on any Lot, home or building within the Subdivisions except for a satellite receiving dish not greater than 39" in diameter. The dish must be installed in a location not visible from any street without the prior express, written permission of the ARC. The ARC shall have prior approval of the color of the satellite dish. No home shall have more than two satellite dishes.

8: Signs No sign of any kind shall be displayed to the public view on any Lot or Single Family Residence except the temporary professional sign of not more than six (6) square feet, advertising the Lot or Single Family Residence for sale. All signs shall comply with any design specifications adopted by the ARC. No signs of any kind shall be nailed to trees or attached to street signs.

9: HVAC Equipment Outside air conditioning units may not be located in the front yard. No window air conditioning units shall be permitted. No plumbing or heating vent shall be placed on the front side of the roof. No stacks or vent pipes are allowed on any Single Family Residence.

10: Storage of Boats, Trailers and Other Vehicles No motor homes, boats or other water vehicles of any kind, trailers, or service trucks or service vans can be parked or stored in any location that can be seen from the street for a period in excess of 48 hours. No wrecked, disabled, covered, tireless or other motor vehicles other than operating motor vehicles shall be stored or located on any Lot.

11: Fences All fencing must be compatible with the overall aesthetic theme of the development and in good repair. No chain-link fencing is allowed, and all fence styles, colors and locations must be approved in writing by the ARC. All fences must be constructed of wood and be between 5-6 feet tall.

12: Outdoor Furniture, Recreational Facilities and Clotheslines No furniture shall be placed, kept, installed, maintained or located in or on the front or side yards or areas of a Lot or Single Family Residence. Any furniture placed, kept, installed, maintained or located at the rear of or behind a Single Family Residence shall, to the greatest extent practicable, be located so that the same shall not be visible from any street. Furniture will be allowed on front porches, provided, such furniture, in the ARC's sole discretion, comports with any theme established for the Subdivisions.

Wood piles shall be located only at the rear of a Single Family Residence and shall be screened by appropriate landscaping from view from streets and, to the extent practicable, from adjacent Lots and Single Family Residences.

Children's toys, swing sets, jungle gyms, trampolines, pitching mounds, batting cages, soccer nets, goal posts and other outdoor and recreational equipment and appurtenances shall be allowed only at the rear or behind a Single Family Residence and shall, to the extent practicable, be located so that the same are not visible from any street.

Free-standing playhouses and tree-houses shall be permitted but only after ARC approval of the same.

Basketball goal backboards should be of clear plexiglass or acrylic. All basketball goals must be in "like new condition," as shall be determined in the sole discretion of the ARC. No goal shall be mounted to any part of a residence. Portable basketball goals shall not be located on any street within the Subdivisions, and must be stored within 5 feet of the top edge of the driveway when not in use.

Outside clotheslines or other outside facilities for drying or airing clothes shall be prohibited on any Lot or Single Family Residence. No clothing, rugs or other items shall be hung, placed or allowed to remain on any railing, fence or wall.

Barbecue grills or other types of outdoor cooking equipment and apparatus shall be located only at the rear of a Single Family Residence and, to the extent practicable, shall not be visible from the street.

Except as otherwise approved by the ARC, bird feeders, wood carvings, plaques and other types of home craft shall not be permitted in the front or side yards of any Lot or Single Family Residence nor shall any of the foregoing items be attached to the front or side of any Single Family Residence. Except as otherwise approved by the ARC, all bird feeders, wood carvings, plaques and other types of home crafts shall be located only at the rear of a Single Family Residence and shall not be visible from any street.

No bird baths, fountains, reflectors, statues, ponds, lawn sculptures, lawn furnishings, artificial plants, bird houses or other fixtures and accessories shall be placed or installed within the front or side yards of any Lot or Single Family Residence without the prior approval of the ARC.

13: Parking On-street parking of any kind is prohibited within the Subdivisions except in designated on-street parking spaces, provided, however, the Association, as necessary for the maintenance, construction or any other purpose deemed necessary, in the sole discretion of the ARC, is exempt from this provision. Additionally, parking on each Townhome Lot within Reilly Glen shall be limited to two (2) motor vehicles per Lot. For purposes of these architectural standards, a "motor vehicle" means a motor vehicle as defined in Ala. Code 8-20A-1(2). Parking on grass or sidewalks is prohibited.

ARCHITECTURAL REVIEW COMMITTEE (ARC)  
RULES OF ENFORCEMENT of THE ARCHITECTURAL STANDARDS

Adopted by the Board of Directors of the Deer Valley Homeowners Association, Inc. on \_\_\_\_\_

The Consolidated, Amended and Restated Declaration of Protective Covenants of the Deer Valley Homeowners Association, Inc. (DVHOA) entrusts the Board of Directors with the responsibility of establishing and enforcing the rules and regulations regarding the use and maintenance of all lots, dwellings, and common areas. The Board of Directors may adopt or amend rules that are in addition to the Covenants.

In general, the Association relies on each resident to act with good behavior and with a sense of respect for the rights of others. It is also expected that neighbors make the effort to get along with each other and to reasonably resolve any disagreements independently of the Association. An owner is responsible for the behavior of him or herself, anyone living in the dwelling, tenants, and any guests.

Some behavioral issues are regulated by municipal, county or state law, such as excessive noise or public consumption of alcohol, or drugs, animals, firearms, fireworks or any public nuisance. In those types of circumstances, the Association defers to the civic authorities for enforcement. The Association is not a substitute police force or municipal court.

These Architectural Standards have been designed to protect the value of the properties, to promote security and welfare, and to assure a better understanding among all the residents within our community.

Enforcement Remedies of the Architectural Standards are normally managed via a notification to a resident reminding and / or explaining the Covenants or Rules. In many circumstances this resolves the issue with no further action. However, the Board of Directors or its assigned agent has the discretionary authority to take more assertive action. For example, the Board may charge an owner for the replacement or repair costs for damages or neglect caused by the owner, an owner's tenant, or a guest of the owner. The Board may also issue fines and charges for architectural and / or improvement violations.

ENFORCEMENT REMEDIES

**Step One**        A notification will be sent stating the violation of noncompliance. Fifteen (15) days is allotted for correction of the violation or noncompliance to avoid the following fine schedule.

**Step Two**        If a violation or noncompliance is not corrected within the fifteen (15) days, a second notification will be sent with a \$50.00 fine added to the property account.

**Step Three**      If a violation or noncompliance is not corrected within the next (15) days, a third notification will be sent with a \$100.00 fine added to property account making a total of \$150.00 to the property account.

**Step Four**        If a violation or noncompliance is not corrected within the next (15) days, a fourth notification will be sent with \$200.00 fine making a total of \$350.00. A fine of \$200.00 each month will continue to be added to the account until the violation is corrected/resolved.

The owner has fifteen (15) days from the date of a fine notification to pay the fine or submit a written defense with appropriate evidence. The ARC will consider the appeal at the next scheduled ARC Meeting. Appeals that are not submitted in writing will not be considered. The ARC will respond in writing with the decision to rescind or enforce the fine. Fines must be paid within fifteen (15) days of the ARC's decision. Fines not paid are subject to legal charges including, but not limited to liens, and collection and / or attorney fees.