

BK: 3968 PG: 495

**EXHIBIT "E" TO DECLARATION OF COVENANTS AND RESTRICTIONS
FOR HERITAGE OAKS**

Initial Architectural Control Committee Guidelines

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Initial ARC Guidelines

Heritage Oaks

Saint Johns, Florida

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Heritage Oaks
Saint Johns, Florida

Design Review Approval Process

For any proposed changes to exterior of home or landscape other than normal maintenance, please obtain written approval from the Architectural Control Committee.

Please photocopy the "Request for Design Review" form found in the back of this manual, attach it to the information needed to support your request, and send it to the address on the form.

Many proposed modifications will need just a little additional information in order for the committee to understand your request, while more extensive modifications will need full architectural and landscape drawings prepared by qualified Florida architects.

To help you prepare a request, refer to the following pages that outline information needed for particular types of modifications. Also, see the Exhibits that further illustrate information expected relative to various typical modification requests.

Please do not begin until you have the committee's written approval. Such approval by the committee is for aesthetic purposes only and does not address engineering or technical merits of plans, nor does it certify compliance with relevant building codes or ordinances for which the owner/builder is responsible.

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Two Step Process

If planning extensive landscape or structural modifications, we recommend following a two-step process:

Step One, Preliminary Concept Plans: The owner/builder may submit to the committee two (2) sets of plans with the "Request for Design Review" form completed and attached to each set. The committee will grant written approval, conditional approval, or deny approval. Any changes required by a conditional approval must be incorporated in subsequent plans; failure to do so will be grounds for denial of Final Plans. Any changes identified as "recommended" will not be mandatory, but should be given careful consideration prior to drafting Final Plans. Any denial of approval will be accompanied by a statement setting forth the reason(s).

Step Two, Final Construction and/or Landscape Plans and Specifications: The owner/builder must submit to the Architectural Control Committee two (2) sets of plans and specifications with a "Request for Design Review" form completed and attached to each set. The following items are required before final construction approval:

1. **Vegetation Survey:** Scale 1/8" = 1' or 1" = 10'. This plan must show the location, type and size of significant trees and shrubs on the home site. This information can be shown on the landscape plan. Any plant materials to be removed must be indicated and care should be taken to preserve suitable plants and shrubs. All vegetation to remain should be barricaded at the drip line of trees. No debris or construction materials will be stored within barricades.
2. **Landscape Plan:** Scale 1/8" = 1' or 1" = 10'. This plan must indicate perimeter walls of structure plus window or door locations. This plan must indicate the location, botanical name, size, quantity and specifications of all proposed and existing to remain plant material. Proposed plant material should follow, but not necessarily be limited to the recommended plant list in this manual. An irrigation system is also required.
3. **Site Plan:** Scale 1/8" = 1' or 1" = 10'. This plan must consist of the following components with specifications:
 - a) Building location.
 - b) Setbacks.
 - c) Existing vegetation.
 - d) Property boundaries.
 - e) Grading - to show all proposed and existing spot grades or contours, proposed site drainage and finished floor elevations.
 - f) Easements.
 - g) Paths, sidewalks.
 - h) Outdoor use areas (i.e., pool, deck areas, atriiums, etc.)
 - i) Screening elements – all mechanical equipment and trash containers to be located on the exterior of the building must be shown on floor plan, site plan and elevation drawings, including the proposed method of screening. If plant material is used, the minimum height of the plant must be forty-eight (48) inches.

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- j) Driveways, Patios and Parking Areas – all hard surface exterior materials (driveways, patios, sidewalks, entry walkways, pools or decks, etc.) must be noted by type, color, manufacturers' specifications or other descriptive detail. These specifications may be included in the landscape plan. An enriched surface material should be considered for the driveway such as: stamped concrete, interlocking pavers, exposed aggregate or some other decorative treatment. No asphalt, loose gravel or unpaved surfaces will be permitted.
 - k) Outdoor Lighting – including yard lighting, if any, should be noted by location, type, manufacturer and intensity.
4. Floor Plans: Scale 1/4" = 1'. To include balconies, decks, patios, atriurns, utility meter locations, garage, square footage of total living area of residence.
 5. Roof Plan: To show pitch, valleys, hips, etc.
 6. Exterior Elevations: Scale 1/4" = 1'. To include all exterior elevations of main walls, etc., with heights clearly indicated.
 7. Exterior Material Specifications Sheet: To include samples of exterior colors, paint brand, color number and name, and exterior materials proposed for use.
 8. Two Sets of Construction Plans: The committee retains one set on file and returns one stamped approved, to homeowner for use in obtaining a building permit.

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Typical Design Review Applications

Adding to Existing Structure such as a pool, room, extended lanai, etc. (Exhibit A) 1. See Set-Back Requirements below.

<u>Minimum Setbacks</u>	<u>Single Family</u>
Front Setback w/o sidewalk	20'
Side Setback (Principal & Accessory Structures)	5'
Rear Setback *	10'
Setback to Water body (Principal Structure)*	20'
Setback to Project Perimeter (Accessory Structure)*	10'

*Except no part of a structure may encroach into a drainage, lake maintenance or utility easement.

2. Need a site (plot) plan showing home as built on your lot indicating setbacks from lot boundary, lake-maintenance easement, utility easements, etc. A site (plot) plan was provided at closing, but if you need a copy, please contact your local municipality.
3. On a site plan drawn to scale, show where the new structure will be located.
4. Partial elevations; show tie-in of new roof to existing and elevations of room additions.
5. If adding a screen cage, frames must be dark bronze color with charcoal screen mesh.
6. Include drawing of screen cage roof; use a mansard roof style.
7. Show additional landscaping which will be required around pool screens, mechanical equipment, etc.

Landscape Modifications (Exhibit B, also Exhibits C, D and E)

1. Show footprint of residence and location on site. (Site Plan usually helpful)
2. Indicate existing landscaping and use a graphic technique to show what you intend to add or take away.
3. Include names (genus and species) and sizes of plant material. This manual includes a recommended plant list.
4. We recommend consulting with a landscape architect.

Re-Painting Existing Structure

1. Include paint brand, color name and color number. Attach a sample of each color to the request form and label which sample is for house body, trim, garage door, front door, fascia, etc.
2. Include color of roof (and driveway if other than cement) to insure compatibility with proposed new paint palette.

Driveway Pavers

1. Include manufacturer, pattern, color number and name. Prefer to have an actual sample or color picture. Also, need samples or photos of house paint and color of roof to assure compatibility.
2. When proposing any "change" in size of driveway, an as built site plan is necessary for us to see current driveway with proposed extension sketched in a different color or shading.

Solar Panels (Exhibit E)

Solar panels may require additional landscaping. Front-facing solar panels are prohibited. If installed on the side of the roof, the panels must be flush with the roof line (tilt is

prohibited), and they must be placed closest to the rear of the home to minimize view from the street and neighbors.

Playground Equipment (Exhibit C)

1. Show an as-built site plan and proposed placement of the play equipment. Play areas, gym sets, etc., should be buffered from neighbors' views. Therefore, show placement of any landscaping to be used to conceal from view.
2. Playground equipment should be placed in the rear yard, may not extend past the side wall line of the home and/or may require a fence or landscaping to minimize view from the street or neighbors.
3. Play equipment on water lots may require additional measures to minimize visibility of the playground equipment. Approval/denial is at the sole discretion of the Committee. Decisions may be appealed to the Board of Directors.
4. If you have a picture from a catalog, etc., of the equipment, please include with your request.

Fences (Exhibit D)

1. All fence installations must be approved prior to installation.
2. Fences should not encroach into drainage or lake maintenance easements.
2. Style: 6' White Vinyl on standard lots. On water front lots, a 4' black aluminum rail fence is the approved style.
3. General setback is 20' from the front corner of the house. This requirement may vary depending upon the placement of the adjoining lots and subject to ARC approval.
4. It is recommended that fences match color and line up with fences on adjoining lots to maintain a cohesive appearance in the community.
5. Landscaping of the exterior of the fence is required.

Holiday Decorations

1. Tasteful and appropriate holiday decorations are permitted and do not require ARC approval.
2. Decorations may be put in place 30 days prior to the holiday and must be removed no more than 10 days after the holiday.
3. Inflatable displays of any kind are prohibited.
4. Displays are prohibited from emitting sound or noise.
5. Roof displays are prohibited.

Screen Doors and Entries

1. Plain screen doors are approved – doors with no ornamentation, a small kick plate and a crossbar at or near handle for stability. Generally bronze is preferred to make it appear as a shadow, rather than a sharp contrast to architecture. Color still needs to be approved, however, as all neighborhoods and/or buildings can vary.
2. If using the Phantom Screen, frame should match the front door color as closely as possible. Appearance of "Phantom Screen" (trademark) is less obtrusive than a full screen door.

Storm Shutters (Storm Protection may have been provided for new construction as dictated by local/state law. If you wish to change from protection provided, review is required. See below.)

1. Need a footprint (sketch floor plan), of residence (for condos and villas a "cutaway" is usually found on sales literature) that shows exact location of shutter placement, i.e., outside bedroom window, across the lanai, etc. (helpful to number each location).
2. Include color of window trim and color of shutter slats and frame (white, off-white). Proposed storm shutter color should blend with wall color.

Statues, Fountains, Flags, Bird Baths, Gazebos, Satellite Dishes, etc.

Show proposed location on a sketch site plan. Provide a photograph or drawing; indicate size, color, material, etc. Additions such as statues and fountains should be integrated into landscape, and be a size appropriate to scale of home. Since aesthetic decisions regarding statuary are very subjective – generally, we encourage owners to find locations on lanais or within private area to lessen impact on public streetscape.

Signs: Temporary "for sale" and "open house" signs (Exhibit F)

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Recommended Landscape Plants

All plant material shall be Florida Fancy or Florida Grade #1 as defined in Grades and Standards for Nursery Plants, State Plant Board of Florida. Under extreme winter weather conditions, some of the listed plants will be susceptible to varying cold or freeze damage.

Canopy Trees & Palms:

Botanical Name	Common Name
<i>Acer rubrum</i>	Red Maple
<i>Pinus elliotti densa</i>	Slash Pine
<i>Quercus virginiana</i>	Live Oak
<i>Quercus laurifolia</i>	Laurel Oak
<i>Magnolia grandiflora</i>	Southern Magnolia
<i>Peltophorum pterocarpum</i>	Yellow Poinciana
<i>Jacaranda mimosifolia</i>	Jacaranda
<i>Gardonia lasianthus</i>	Loblolly Bay
<i>Juniperus silicicola</i>	Southern red Cedar
<i>Magnolia virginiana</i>	Sweet Bay
<i>Platanus occidentalis</i>	Sycamore
<i>Keolreuteria elegans</i>	Golden Rain Tree
<i>Sabal palmetto</i>	Cabbage Palm
<i>Taxodium distichum</i>	Bald Cypress
<i>Washingtonia robusta</i>	Washington Palm
<i>Wodyetia biforcata</i>	Foxtail Palm

Minimum height at planting shall be 12 feet.

Palms, 14 feet measured to the bud.

Canopy Trees: 2½ Inch caliper, minimum

Sub-Canopy Trees:

Botanical Name	Common Name
<i>Podocarpus macrophyllus maki</i>	Japanese Yew
<i>Nerium oleander</i>	Oleander
<i>Myrica cerifera</i>	Wax Myrtle
<i>Ligustrum japonica</i>	Ligustrum tree
<i>Psidium littorale</i>	Cattley Guava
<i>Lagerstroemia indica</i>	Crape Myrtle
<i>Myrsine guianensis</i>	Myrsine
<i>Ilex comuta 'burfordii'</i>	Burford Holly
<i>Ilex cassina</i>	Dahoon Holly
<i>Ilex opaca 'East Palatka'</i>	East Palatka Holly
<i>Podocarpus gracilior</i>	Weeping Podocarpus
<i>Phoenix roebellinii</i>	Pygmy Date Palm, Triple
<i>Sabal palmetto</i>	Cabbage Palm
<i>Taxodium distichum</i>	Bald Cypress
<i>Washingtonia robusta</i>	Washington Palm
<i>Wodyetia biforcata</i>	Foxtail Palm

Minimum height at planting shall be 5 feet.

Shrubs:

Botanical Name	Common Name
<i>Ligustrum spp.</i>	Ligustrum
<i>Podocarpus macrophylla</i>	Podocarpus
<i>Philodendron selloum</i>	Green Split Leaf Philodendron
<i>Schefflera arboricola</i>	Dwarf Schefflera
<i>Ixora coccinea 'Nora Grant'</i>	Nora Grant Ixora
<i>Lagerstroemia indica</i>	Crape Myrtle
<i>Podocarpus macrophylla 'maki'</i>	Japanese Yew
<i>Dracaena spp.</i>	Dracaena
<i>Syzygium paniculata 'compacta'</i>	Eugenia
<i>Myrica cerifera</i>	Wax Myrtle
<i>Pyracantha coccinea</i>	Fire Thorn
<i>Nerium oleander 'Petite Pink'</i>	Dwarf Oleander
<i>Ilex glabra</i>	Gallberry
<i>Myrsine guianensis</i>	Myrsine
<i>Tripsacum dactyloides</i>	Fakahatchee Grass
<i>Viburnum odoratissimum</i>	Sweet Viburnum
<i>Viburnum suspensum</i>	Sandankwa Viburnum
<i>Eleagnus pungens</i>	Silverthorn
<i>Leucophyllum frutescens</i>	Texas Sage
<i>Murraya paniculata</i>	Orange Jasmine
<i>Ilex cornuta</i>	Dwarf Burford Holly
<i>Serenoa repens</i>	Saw Palmetto
<i>Carissa 'Emerald Blanket'</i>	Dwarf Carissa
<i>Senna seurattensis</i>	Glaucus Cassia

Minimum height: 24 Inches

Minimum spacing: 24 to 36 inches on center

Minimum size: 3 gallons, larger if creating an immediate screen.

Shrubs for Screening Mechanical Equipment:

Plants must be dense enough and in sufficient quantity at the time of planting to screen off-site views to air conditioning, pool equipment, etc. Minimum height: 4 feet when installed. Recommended types are Wax Myrtle, Viburnum, Podocarpus, Ligustrum, Dwarf Schepfuera.

Ground Cover/Vines:

Botanical Name	Common Name
<i>Ilex vomitoria 'schillings'</i>	Dwarf Yaupon Holly
<i>Nephrolepis exaltat</i>	Boston Fern
<i>Ophiopogon japonicus</i>	Mondo Grass
<i>Heimerocallis flava</i>	Day Lily
<i>Lantana sellowiana</i>	Lantana
<i>Allamanda cathartica</i>	Allamanda
<i>Bougainvillea spp.</i>	Bougainvillea
<i>Mandevilla grandiflora</i>	Mandevilla
<i>Senecio confuses</i>	Mexican Flame Vine
<i>Raphiolepis indica</i>	Indian Hawthorn
<i>Juniper spp.</i>	Juniper
<i>Pentas lanceolata</i>	Egyptian Star Clusters
<i>Asparagus sprengen</i>	Asparagus Fern
<i>Liriope muscari (Evergreen Giant)</i>	Liriope
<i>Trachelospermum jasmine.</i>	Confederate Jasmine
<i>Pyrostegia ignea</i>	Flame Vine
<i>Lonicera japonica</i>	Honeysuckle
<i>Stenotaphrum secundatum</i>	Florata (Sand grown)
<i>Pennisetum setaceum</i>	Fountain Grass
<i>Jasminum simplicifolium</i>	Wax Jasmine

Plant materials not included on the above lists shall receive consideration on an individual basis. All plant material must meet required minimums for sizing and spacing.

Mulch plant beds with 2 to 3 inches of organic mulch.

Sod: Sod shall be complete from back of curb in front to rear setback line.

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Restricted Plants: These plants are not cold-hardy and should be considered only for private areas or protected locations.

Botanical Name	Common Name
<i>Chrysalidocarpus lutescens</i>	Areca Palm
<i>Cocos nucifera</i>	Coconut Palm
<i>Bucida buceras</i>	Black Olive
<i>Swietenia mahogany</i>	Mahogany
<i>Roystonea regina</i>	Cuban Royal Palm
<i>Schefflera actinophylla</i>	Umbrella Tree
<i>Citrus spp.</i>	Citrus Trees
<i>Vietchia merillii</i>	Manila Palm
<i>Ravenea glauca</i>	Majesty Palm
<i>Gardenia spp.</i>	Gardenia
<i>Hibiscus rosa-sinensis</i>	Hibiscus

Unacceptable Plants: Most of the plants listed below are on the Exotic and Invasive Species List and shall not be used.

Botanical Name	Common Name
<i>Casuarinas pp.</i>	Australian Pine
<i>Araucaria excelsa</i>	Norfolk -- Island Pine
<i>Grevillea robusta</i>	Silk Oak
<i>Acacia auriculaeformis</i>	Earleaf Acacia
<i>Cupressus sempervirens</i>	Italian Cypress
<i>Rhodomytus tomentosa</i>	Downy Myrtle
<i>Melaleuca quinquenervia</i>	Cajeput
<i>Schinus terebinthifolius</i>	Brazilian Pepper
<i>Dalbergia sissoo</i>	Rosewood
<i>Cupaniopsis anacardiopsis</i>	Carrotwood
<i>Bischofia javanica</i>	Java Bishopwood
<i>Albizia lebbek</i>	Woman's Tongue
<i>Eucalyptus camaldulensis</i>	Murray Red Gum
<i>Syzygium cumini</i>	Java Plum
<i>Thespesia populnea</i>	Cork Tree
<i>Sapium sebiferum</i>	Chinese Tallow
<i>Ficus species</i>	Ficus
<i>Syzygium jambos</i>	Rose Apple

EXHIBIT A-1

Pools and Pool Enclosures

Proposal must include:

- 1. Site Plan drawn to scale. Show location of pool and dimensions from property lines to pool cage. Show easements that exist. Show location of pool equipment such as pumps or heaters.

Note: Waterfront homesites are required to maintain a 20' rear setback from the property line to screen enclosure (Lake Maintenance Easement Area) unless otherwise approved in writing by the review committee. Pools and enclosures are not permitted to be constructed within drainage easements.

- 2. Screen Enclosure Elevations – show in relation to home. Color: Bronze only.
- 3. Planting is required around the pool enclosure. Landscape Plan showing how the pool will be buffered from off-site view. (Next Page)

For Example:

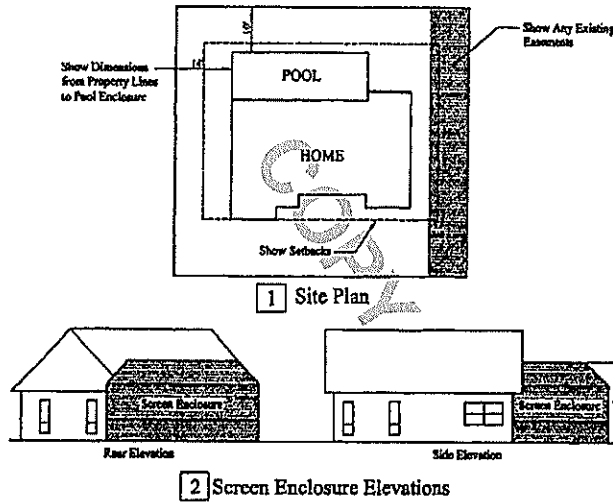
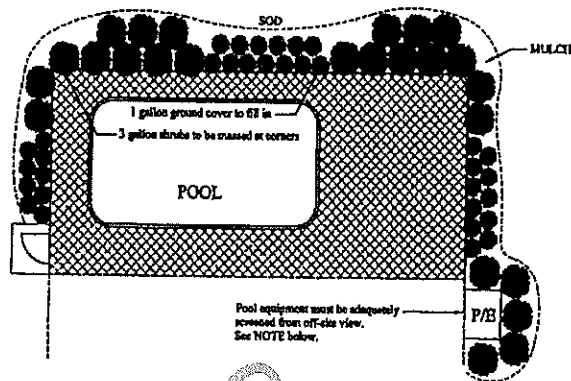


EXHIBIT A-2

Landscaping Pool / Patio Enclosure

Diagram below is an acceptable landscape plan to buffer a pool enclosure. Please adhere to minimum quantity/size and type of acceptable landscape material shown below.



Minimum Quality
For every 10 linear feet of Pool Cage there must be installed:

Two (2) 3-gallon shrubs; and

Three (3) 1-gallon ground cover

Type Shrubs
Pittosporum
Self-heading Philodendron
Wax Jasmine
Dwarf Schefflera
Nora Grant Ixora
Fakahatchee Grass
Sweet Viburnum
Dwarf Burford Holly
Thryallis

Type Ground Cover
Lantana
Bougainvillea
Mexican Flame Vine
Dwarf Indian Hawthorn
Juniper
Asparagus Fern
Liriope
Confederate Jasmine
Honeysuckle

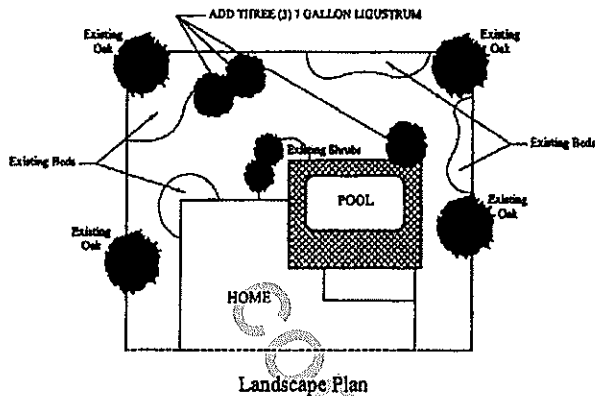
NOTE: Pool equipment must be screened from off-site view with sufficiently dense plant material, 48" minimum plant height when installed. Materials for this purpose would be in addition to the quantities listed above.

EXHIBIT B

Landscape Modifications

The proposal must consist of a landscape plan, to scale. Show existing material as well as the changes or additions being proposed, also the types and sizes. Refer to the landscape palette section of the manual for acceptable plant material.

For Example:



NOTE: Existing landscaping must not be removed from the property without being replaced immediately with material equivalent in size, height and quantity. Consult the landscape palette for acceptable materials.

EXHIBIT C

Play Equipment

A request for approval must consist of the following:

1. An elevation drawing (or preferably photo) of the equipment indicating what material, color and dimensions, i.e., height and width of all features.
2. A site plan, drawn to scale, showing exact location of proposed equipment.
3. A landscape plan showing plans to screen equipment from neighboring properties and streets.

For Example:

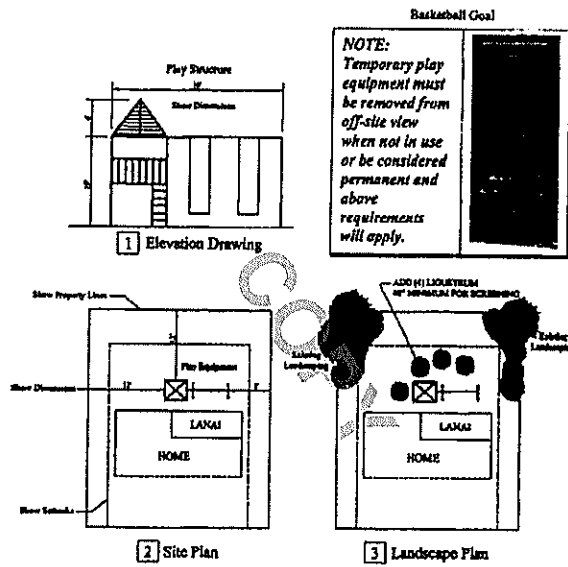


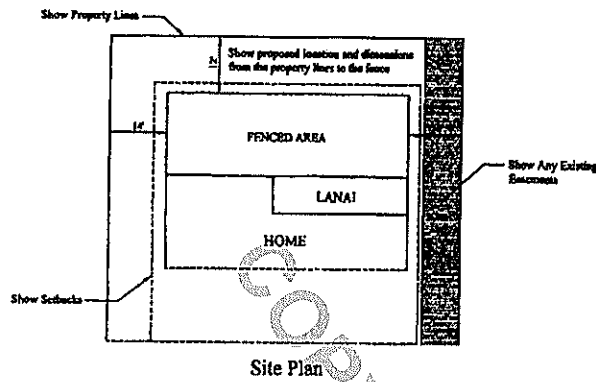
EXHIBIT D-1

Fences

All fences must have written approval from the review committee before installation.

Setback guidelines:

A fence 4' - 6' in height (depending upon lot type, see Fence guidelines above) - set in 1' from the property line minimum.



Landscaping outside the fence is required and must be completed within 90 days of installation.

EXHIBIT D-2

Landscape - Screening a Fence

Plant shrubs on the outside of the fence are required to soften off-site views. Your plan should follow illustrated guidelines below, submit for review and approval.

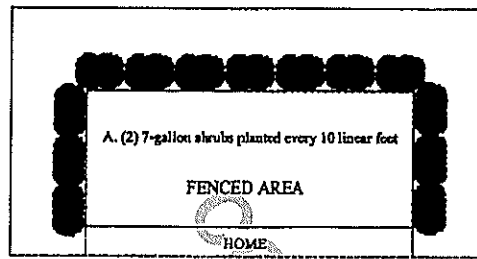
Minimum Quantity

A. Two (2) 7-gallon shrubs planted every 10 linear feet

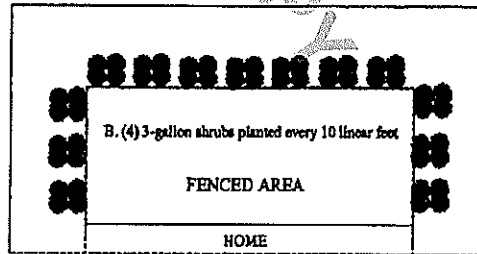
OR

B. Four (4) 3-gallon shrubs planted every 10 linear feet

Type of Shrubs: Ligustrum, Wax Myrtle, Mysine, Dwarf Burford, Cattley Guava



OR



Landscape Plan

EXHIBIT E

Solar Panels

The proposal must consist of the following:

1. A roof plan, to scale. Show the location, sizes and quantity of the solar panels.
2. Elevation drawings, to scale. Show how the panels will appear when installed.
3. A landscape plan. Show where landscape will be installed to screen the panels from offsite view. Be sure to choose plant material appropriate in height to adequately screen the panels from off-site view (see landscape palette, canopy trees, and palms). The roof plan and landscape plan may be combined.

For Example:

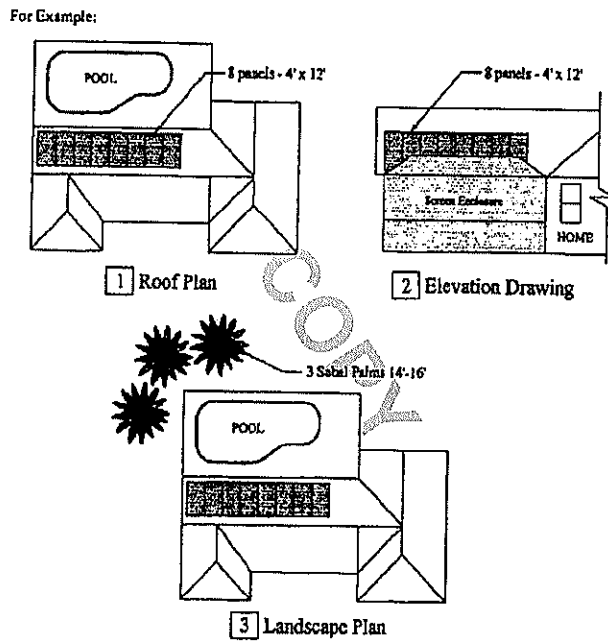


EXHIBIT F

Temporary Signs

**Standards for
Real Estate "For Sale" and "Open House" Signs**

- Signs not conforming to color and size standards below, or signs placed in medians or between the sidewalks and the road are subject to removal and destruction.
- Do not use attention-getting devices such as ribbons, banners, or balloons.

The only approved colors are:

Posts and sign panels (all sides):

FlexBon old number #5710W (Snickerdoodle) semi-gloss enamel paint.
Or FlexBon new number OW32-2P Victorian White (close match)

Lettering and the graphic line

Black, Computer Cut P.S. Vinyl

"For Sale" signs

One (1) wooden "for sale" sign, size 10 inches tall x 32 inches wide (10" x 32"), may be placed on a property for sale. Use 2x2 posts with points; total height of sign above ground = 24 inches. Sign colors, see above.

- Copy may include: (a) realty company name, (b) agent's name, (c) two phone numbers.
- "For Sale" signs may have one small attachment at top or bottom, such as "pool," or a "name rider," or an information box.
-

Temporary "Open House" signs

One (1) metal, step-type "open house" sign may be placed on the property during open hours. Realtor must remove sign by sunset. Limit size of the sign portion to 18 inches tall by 24 inches wide (18" x 24"). Instead of a metal step sign, realtor may use a wooden sign 9 inches tall by 14 inches wide (9" x 14"). Both types use standard Gateway colors, see above.

Any signage — other than the temporary "for sale" and "open house" signs described on page 21 — must be approved by the Architectural Control Committee.