

5. Do not channel water (such as a pipe from roof down spouts, storm drain or man-made ditch) and discharge it onto another lot. If you channel water in any way, then this water must be channeled into the roadway ditches, underground pipes, or a well-defined natural draw or ditch. Underground drains are recommended.
6. Open drainage ditches adjacent to and parallel to the road are not permitted. Where drainage is required at the road, it must be done using buried drainpipe and open grids which allow water to enter drainpipe. City approval may be required.
7. Upon completion of the home, reflective numbers must be on the mailboxes. Numbers on house should be decorative. House numbers must be large enough to be seen from the street and must be installed somewhere on the front of the house. They must not be larger than 8 inches high. These house numbers and their location must comply with the 911 specifications.
8. As soon as possible after completion of home construction, the property is to be cleaned and landscaped in a manner that causes the exterior appearance to be very attractive to the owner, neighbors, and the ACC. Delays beyond one year from start of construction must have approval of the ACC, or the ACC can hire the work done and bill the owner for the work.
9. A paved driveway with a minimum width of the twelve (12) feet asphalt, concrete, or any other ACC approved surface is required. The driveway shall extend to any existing paved road surface. The driveway shall be flared to a minimum width of twenty-two (22) feet at the roadway from a point ten (10) feet from the end of the driveway. The flare should extend eleven (11) feet in both directions from the center line of the driveway. The elevation of the end of the driveway shall match the existing paved surface.
10. In order to keep the community more secure, and in order to minimize noise and nuisances during normal non-working hours, construction work will only be allowed Monday thru Saturday, between 7:00 am and 5:00 pm or sundown, whichever comes later. No contractor, subcontractor or their employees shall be driving around the project at night. If there is a very good reason for a contractor or subcontractor to work or be present after sundown, that contractor shall have obtained in advance a permit for working past sundown giving a specific location, all employee names that will be working, all vehicle descriptions that will be used and license numbers, time, etc. This will help our security department keep our community safe. Permits can be obtained from the Developer or any member of the ACC.

## XI SILT CURTAIN

The contractor / owner is responsible to provide adequate protection from silt and / or dirt being washed from his construction site. This includes lakes, rivers, streams, onto golf courses, roadside ditches, adjacent property, or drainage ditches. If any dirt or silt is washed from his construction site, such dirt or silt shall be cleaned up and returned to the site or taken to a dump site. The ACC or the Developer's representative will be the sole judge of the origin of silt and / or dirt in order to determine clean-up responsibility. All silt curtain protection must be maintained in condition to serve its intended purpose until the home is complete.

## XII. CONTRACTOR SPECIFICATIONS

### 1. STATE OF TENNESSEE LICENSED CONTRACTOR

The ACC requires that all general contractors building homes in the River Oaks area shall have a valid, current State of Tennessee Contractor's License. The estimated cost of building the home shall not exceed the maximum dollar value specified on the contractor's license.

### 2. HOMEOWNER ACTING AS OWN GENERAL CONTRACTOR

The ACC prefers that licensed contractors build all homes. However, the ACC will permit a homeowner to act as his own general contractor if he provides the ACC with proof of financial capability such as a signed copy of a home loan commitment from a recognized lending institution or other proof such as is referenced in Section II, paragraph # 9. A homeowner must also convince the



ACC of his ability to build and complete a quality home in the required 12-month time period. Licensed contractors are required to show evidence of construction liability insurance. Homeowners who will act as their own contractor must show evidence of a similar construction liability insurance sufficient to protect them financially in case of a worker injury lawsuit.

3. **If all work is not completed within twelve (12) months [six (6) months for exterior] beginning immediately, the contractor shall pay the Boardwalk P.O.A. One Thousand Dollars (\$1000.00) per week until all work is completed, and the ACC has issued a Certificate of Occupancy.** The contractor shall specify that all work be done in accordance with the Contract. The quality of the finished product shall be good, and all work shall be completed in accordance with the plan specifications submitted to and approved by the developer.

### XIII. INSPECTIONS

**A designated member of the ACC will routinely inspect the stages of construction to establish that the contractor is complying with the ACC requirements. The ACC can, and will, demand that all work ceases until the committee, contractor, and homeowner reach resolution of inspection variance.**

Approval or disapproval of the items inspected herein does not in any way relieve the architect, contractor, and / or homeowner of their responsibility for the structural integrity of the home, safety, or welfare of inhabitants. The ACC absolutely assumes no responsibility for the structural integrity of the home, safety, or welfare of the inhabitants. The ACC assumes no responsibility for errors in dimensions, surveys, corner stakes, setbacks or for the quality of construction. The ACC is not responsible for contractor deviations from contracted specifications or for the homeowner – contractor disputes due to lack of contracted specifications.

Periodically, other site inspections may be made by the ACC. These inspections will be unscheduled for such reasons as:

1. Check clean-up of site for trash and scrap building materials.
2. Check the silt curtain to assure that it is still secure and in place.
3. Spot check to see that the home is being built in accordance with the plans as approved by the Developer.

These check list items may change, as the ACC feels necessary, to protect the community.

When the contractor indicates the house and property are ready for occupancy, he will notify the ACC and the property owner. The ACC will then inspect the house and property with the owner as outlined in APPENDIX A. If the ACC finds no problem, the Developer will issue a Certificate of Occupancy which gives the homeowner the right to move in. Occupancy by the owner or anyone else will not be permitted until the Developer Certificate of Occupancy has been issued. Violation of this rule will be subject to a monetary penalty.

### XIV. APPEAL PROCESS

If a contractor or a homeowner wants to appeal a decision made by the ACC, the first appeal shall be to the full ACC in one of its meetings. Please call the Developer or the Developer's representative to make an appointment to appear before the ACC.

Any and all decisions made by the ACC may be appealed to the Developer or Board of Directors.

### XV. DRAINAGE

When, as a result of roadwork or other general construction work, water is directed onto a lot where there is no natural ditch or swale, the contractor or whomever is doing the construction work is responsible for diverting this water in an ACC approved manner. If there is a natural ditch or swale running thru a lot, it is the homeowner's responsibility to either build his home safely away from the ditch or swale or to divert this water to protect his home at his (homeowner's) expense. There is an easement on the side of all lots for drainage

and utilities. If there is a drainage problem on your lot, this problem shall be resolved, and the responsibility established before the ACC grants approval for home construction. Diverting water onto vacant or occupied property is not acceptable. The only use that may be made of the property within the area between the building set-back line and street and in the utility easement area is the maintenance of a lawn or landscaping.

No dwelling shall be erected upon said premises nearer the front or street line or the building set-back lines shown upon the plat of said subdivision without written approval by Developer.

## XVI

### LAKE FRONT LOTS

For homes on lake or river front lots, care should be taken not to set the elevations of the home too low in case of flooding. Normal water level is defined as the crest of the spillway or the elevation at which water starts to break over and flow down the spillway of the dam.

As a minimum, we recommend you set your lowest finish floor elevation above the approximate 100-year flood elevation and a minimum of seventy-five (75) feet from the lake.

Any and all boat dock plans must be submitted to the Developer (not the ACC) for approval prior to beginning boat dock construction. The ACC recommends approval of boat dock plans be obtained before starting the house construction. It may be difficult to get construction materials to the lake after the house is built.



XVII

HOMEOWNER RESPONSIBILITY

The following information is to be completely filled out by the owner. (typed or printed in ink)

1. OWNER'S NAME : (husband) \_\_\_\_\_

(wife) \_\_\_\_\_

Phone Number : \_\_\_\_\_

2. Mailing Address : \_\_\_\_\_

\_\_\_\_\_

3. Lot Number : \_\_\_\_\_ Map/Parcel: \_\_\_\_\_

Subdivision : \_\_\_\_\_

4. Proposed Start Date : \_\_\_\_\_

Anticipated Exterior Completion Date : \_\_\_\_\_

5. Total square feet of heated, finished, living area in the home not counting garage, decks, etc., is : \_\_\_\_\_

Heated square feet on main floor is : \_\_\_\_\_

6. Please read Section XIII before answering these questions.

a) Do you have any drainage problems on your lot that you feel are not your responsibility?

\_\_\_\_\_

If the answer to this question is yes, please explain : \_\_\_\_\_

\_\_\_\_\_

b) Is there a natural ditch or swale running across your lot that will possibly flood your home? \_\_\_\_\_

If the answer to this question is yes, please show this existing and proposed re-routed ditch or swale on your plot plan and explain either here or on the plans how you propose to divert the water to solve the problem :

\_\_\_\_\_

Do you assume responsibility for diverting this water in paragraph 6-b? : \_\_\_\_\_

We, the undersigned owners have read all the pages of the ACC requirements and the general rules (covenants and restrictions of both the Development and of the subdivision) of the River Oaks Community very carefully and we agree to abide by these specifications, rules and requirements, build our house according to the plans submitted, and complete the home within twelve (12) months as required.

HOMEOWNER'S SIGNATURE \_\_\_\_\_

HOMEOWNER'S SIGNATURE : \_\_\_\_\_

DATE : \_\_\_\_\_

MAILING ADDRESS : \_\_\_\_\_

PHONE NUMBER : \_\_\_\_\_

**CONTRACTOR RESPONSIBILITY**

Licensed prime contractors are responsible for the actions of any sub contractors they may employ. Failure to abide by any of the rules and regulations of the ACC outlined on these pages of requirements and the general rules of River Oaks, or failure to cooperate with the ACC will most definitely jeopardize a contractor's ability to obtain future approvals from the ACC. The ACC reserves the right to reject the owner's proposed prime contractor based on the ACC's prior experience with that contractor.

The contractor shall minimize the adverse effect the construction may have on the surrounding neighbors and the community. Parking of all vehicles (construction and employee) shall be on owner's property or one side of the road only. None of this parking shall block mailboxes, driveways garbage cans, or fire hydrants. Parking on or use of any part of neighbor's property is prohibited.

All construction employees, subcontractors and suppliers shall obey the stop signs and speed limits while driving inside the River Oaks Community. The prime contractor shall be responsible for insuring adherence to these rules.

The following information is to be filled out and signed by the contractor:

Are the following items included in your contract with the owner?

	Yes	No
1. Your guarantee that the Homeowner will receive the a certificate of occupancy within the specified 12-month period, and that all exterior house construction work will be completed according to plan	_____	_____
2. Sidewalks	_____	_____
3. Paved Driveway	_____	_____
4. Landscaping	_____	_____
5. Preservation of Trees	_____	_____
6. External Plumbing & Electrical	_____	_____

If the answer to any of these questions is yes, the ACC will hold the contractor accountable for completion of these items along with the owner. **If the answer to any of these questions is no, the homeowner is required to give the ACC one of the following three items before the ACC will approve the house to help assure completion of the home:**

- (a) Bond for the estimated amount to complete the work not in this contract.
- (b) Copy of signed contract with other well-known, reputable contractor for the work.
- (c) Direct payment to the BPOA for the estimated amount as set by the ACC to complete the work for this contract. The ACC will hold these funds in escrow. This payment will be refunded to the homeowner after the work is completed by the homeowner.

I, the undersigned contractor have read all the pages of requirements of the ACC and the general rules of the BPOA and any River Oaks Developer requirements very carefully and I agree to abide by these specifications, rules and requirements, build the home according to the plans approved by the ACC, and complete the home within twelve (12) months as required. I agree that the minimum quality of construction will satisfy the current locally adopted **International Residential Building Code** specifications.

CONTRACTOR'S SIGNATURE : \_\_\_\_\_

MAILING ADDRESS : \_\_\_\_\_

\_\_\_\_\_

PHONE NUMBER : (home) \_\_\_\_\_

(office) \_\_\_\_\_

(mobile) \_\_\_\_\_

DATE : \_\_\_\_\_



The Architectural Control Committee hereby recommends approval to proceed with construction of this house.

CHAIRPERSONS'S SIGNATURE : \_\_\_\_\_

DATE : \_\_\_\_\_

The ACC withholds approval to proceed with construction / clearing for the following reasons

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

CHAIRPERSON'S SIGNATURE : \_\_\_\_\_

DATE : \_\_\_\_\_

**XIX      ACC ASSIGNED CONTACT**

Contractor or Owner may contact \_\_\_\_\_ who will be the principal ACC inspector.

Address : \_\_\_\_\_

Telephone: (\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_

**XX      DISPOSITION OF THIS DOCUMENT**

1. Contractor and Owners must sign and return this document to the Developer.
2. Developer will:
  - A. Obtain the ACC chairperson signature and retain the Original
  - B. Return one signed copy to the ACC chairperson
  - C. Return one signed copy to the contractor
  - D. Return one signed copy to the owner.
  - E. Return one signed copy to the ACC assigned contact.

Before submission can be approved – Final Survey Pins Must be Placed at all Corners of House (Including Decks), and Property.

**ARCHITECTURAL CONTROL COMMITTEE (ACC)  
REQUIREMENTS FOR BUILDING A NEW HOME  
OR CHANGING THE EXTERIOR OF AN EXISTING HOME**

**RIVER OAKS COMMUNITY**

These requirements shall apply to all new homes to be constructed within the limits of the RIVER OAKS COMMUNITY. Also, they shall apply to future additions or modifications of existing homes.

I. HOMEOWNER AND ACC INSPECTION RESPONSIBILITY

The ACC will inspect new home construction from time to time as indicated in Section XI. The purpose of such inspection is to verify that all ACC requirements are being implemented. The homeowner is cautioned not to rely on ACC inspections to assure a quality job from his contractor. THE ACC ASSUMES ABSOLUTELY NO RESPONSIBILITY IN ASSURING THAT THE HOMEOWNER OBTAINS A QUALITY JOB FROM HIS CONTRACTOR. This must be done by careful selection of contractor, by including detailed specifications in the building contract, and by frequent inspection of the construction as it proceeds (do not expect quality construction if these suggestions are ignored).

II. ITEMS TO BE SUBMITTED TO THE ACC BY THE PROPERTY OWNER

All of the following signed documents and conditions are required before the ACC will review the plans and approve or disapprove the house to be constructed:

1. ELEVATION AND FLOOR PLAN

Complete floor plans are required. Elevation views of the front, both sides, and rear of the house are required. On all four of these elevation drawings, indicate the finish grade line and existing grade and give dimensions for both on all corners of the house. All roof slopes shall be specified on the plans and shall be a minimum of 5 to 12 inches. Square footage for heated and non-heated areas of the home must be listed on these plans. **Attention:** The ACC determines square feet of heated space using dimensions to the inside of exterior and interior walls in computing areas of rooms. (For basic specifications of exterior views, see Section V.)

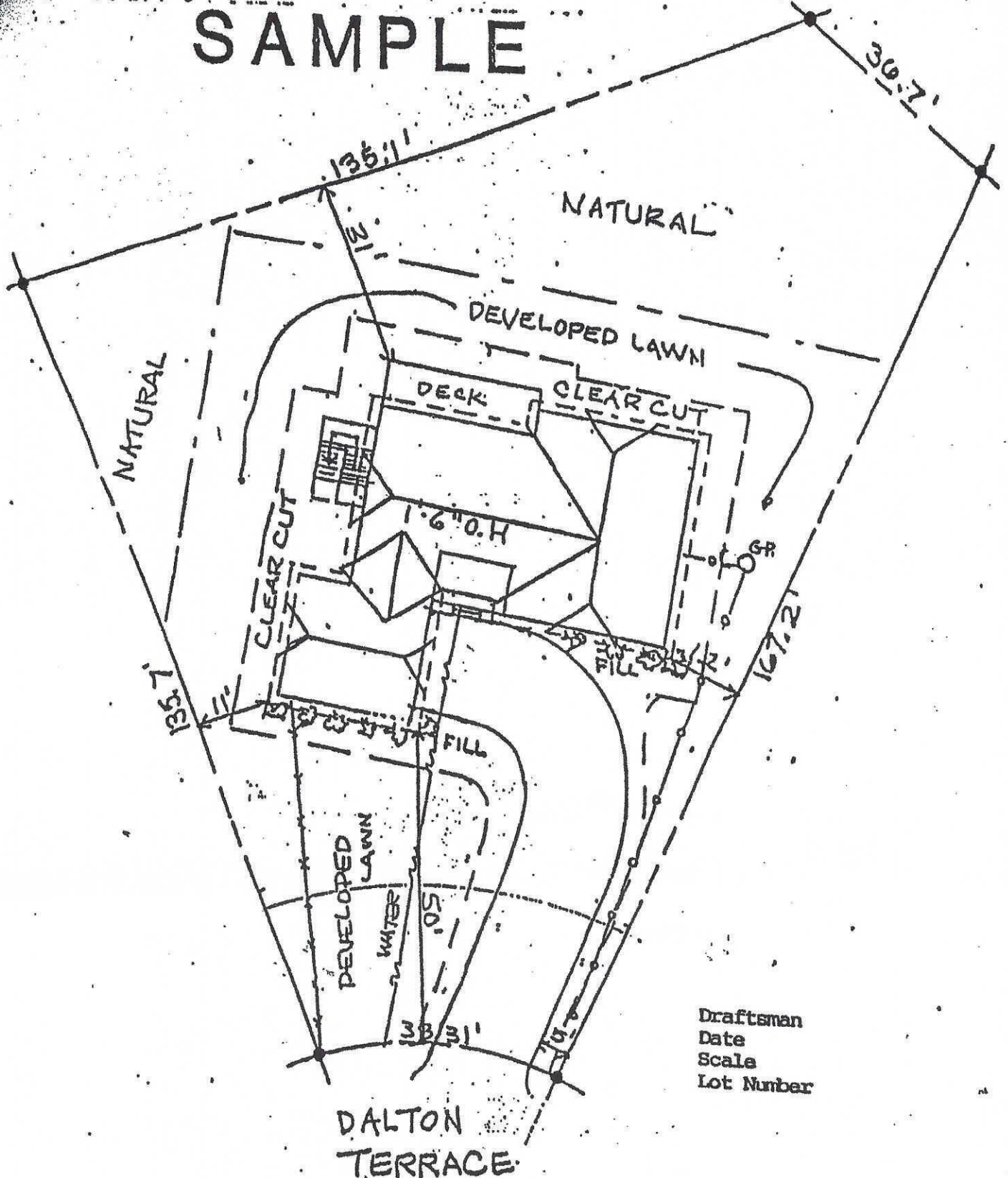
2. PLOT PLAN

- a) Submit a Geotechnical Investigation for Foundation Report, done by Tare Inc. The survey should indicate the depth of rock in the area of the proposed footings to tell if blasting will be required to maintain the intended finished grade.
- b) A plot plan is required showing the exterior perimeter (both building line and roof overhang line) of the home in relation to lot lines with dimensions from the property line to the roof overhang line on all sides. Show the relationship of adjacent houses. Refer to the setback requirements in Section III. Set-back lines from the Lake must be measured from the property survey line at the Lake by TARE, Inc. Specify on plot plan dimensions of lot, street names, lake, and golf course lines. Show roof ridges and valleys on the plot plan.
- c) Sidewalks, where needed, must be shown in detail on the plans.
- d) All items which are planned to be added to the lot or roadside berm, such as walls, drives, sidewalks, driveway and sidewalk lights, security lights, etc., shall be shown on the plot plan.
- e) Show locations of utility meter boxes on house. Also show electric, sewer, gas, water, telephone, and cable lines on the plot plan.
- f) Show drainage system plan on plot plan
- g) Show tree plan on the plot plan.

3. TREE PLAN AND LANDSCAPING PLAN  
(See Section VI).



# SAMPLE



Draftsman  
Date  
Scale  
Lot Number

DALTON  
TERRACE

1. Show building line and roof overhang line.
2. Show dimensions from overhang or closest point on all sides to property line.
3. Specify lot dimensions, street names, lake lines, and golf course lines.
4. All plot plans must be drawn to scale.
5. Show septic tank, field lines, and well location.
6. Specify draftsman, date, lot number, and scale.
7. Specify clearing terms, and landscaping to be added unless a separate tree and landscaping plan is submitted. See section V. for specifications.
8. Show roof ridges and valleys on the plot plan.
9. Show any other items proposed including, but, not limited to, fences, walls, driveways, sidewalks, lightposts, mailbox posts, driveway headwalls, and special cut and fill.



THUNDER HOLLOW DEVELOPMENT

I. DECLARATIONS OF COVENANTS AND RESTRICTIONS

1. ARCHITECTURAL CONTROL COMMITTEE (ACC)

a. The purpose, authority and responsibility -- Page 19 Section 1.

2. REVIEW BY COMMITTEE

a. All buildings, improvements or other structure associated with the permanent residence shall be reviewed by ACC for approval. Page 20 Section 2

II. SUPPLEMENTS DECLARATION

1. APPROVAL OF BUILDING PLANS

- a. All building plans showing size, location, type, style, materials of construction and color scheme shall be approved by the ACC in writing prior to construction.
- b. A true copy of the plans shall be retained by the ACC.
- c. A plot plan showing the proposed location on the lot with dimensions.

2. SET BACK LINES Page 3 Paragraph 7

- a. No dwelling shall be erected upon said premises nearer the front or street line or the building set-back lines shown upon the plat of said subdivision without written approval by Developer.
- b. The restrictions as to the distance at which the house shall be placed from the front, side and rear lines shall apply to and include roof overhang, porches, verandas and other similar projections of the house.
- c. The ACC may require dwellings to be farther from the street than the building set-back line.

3. DRIVEWAYS Page 4 Paragraph 9

- a. The location of any and all driveways shall be approved by the ACC in writing at the time of the approval of the plans.
- b. Complete specifications for construction of driveways shall be submitted to the ACC.
- c. The driveways to each residence shall be hard surfaced with asphalt or concrete.

4. LAWN AREAS Page 5 Paragraph 10

- a. Within six (6) months after a residence has been completed and occupied, the front yard of said lot shall be sodded from the front of the residence to the curb line.
- b. No fence, hedge, wall or enclosure of any kind for any purpose shall be erected without written consent of the ACC.

5. EXTERIOR COMPLETION Page 6 Paragraph 12

- a. Following the commencement of any structure on the lot, the exterior or said structure shall be completely finished within six (6) months from the date of commencement of construction.



## Easements

Lots in this offering are subject to utility easements as reflected on the recorded plat of Riverbend Subdivision, Plats 1-A and 1-B, and as reserved in the Supplemental Declaration for Riverbend Subdivision, Plats 1-A and 1-B. The Protective Covenants provide that no dwelling shall be erected, reconstructed or placed on the premises nearer the street than established by the building set-back lines on the plat of the subdivision. The building set-back lines from the street abutting each lot is fifty (50) feet. The Developer also reserves a utility easement on the face of the plat 6 feet to the left, right and parallel to all side lot lines and over the thirty (30) feet nearest the roadway abutting each lot for the purposes of installing and maintaining utilities. These building set-back lines and utility easements may affect where you can locate a dwelling on your lot, in that, no dwelling or permanent structure may be constructed nearer the street abutting the lot than established by the building set-back line, or over any of the utility easements reserved. The only use that may be made of the property within the area between the building set-back line and street and in the utility easement area is the maintenance of a lawn or landscaping. This subdivision is not subject to any flood control or flowage easement.

## PLATS, ZONING, SURVEYING, PERMITS AND ENVIRONMENT

### Plats

The subdivision plats for this subdivision, have been approved by the relevant regulatory authority, the Crossville Regional Planning Commission, and have been recorded in the public records of Cumberland County, Tennessee.

### Zoning

There are no local zoning authorities having jurisdiction over the subdivision. The lots in this offering will be restricted to residential use only by private restrictive covenants described above, beginning on Page 10. Certain areas in the development will be reserved on the recorded plats for recreational and common facilities. Certain other areas in the overall subdivision will be made available for commercial, multi-family, and time-share use.

There is an Architectural Control Committee which has been organized to insure the aesthetic development of the community. The Architectural Control Committee may alter your plans to