

**Additional Building Guidelines for the
Evans Mill Owners Association, Inc. (HOA)**

October, 2010

The directors of Evans Mill Owners Association, Inc. adopted the following resolution by majority vote at a regular meeting of the Board of Directors of the Corporation held on October, 6, 2010.

WITNESSETH

WHEREAS, Paragraph 15 of the Covenants for Evans Mill Subdivision recorded in Book 1629, Page 484 in the office of the Register of Deeds of Craven County (the "Covenants") provide that the Board of Directors may establish Rules for the use of any property within Evans Mill in order to protect the value of the lots, the aesthetic qualities of each lot and the tranquility of the owners; and

WHEREAS, Paragraph 4 of the Covenants provide that the Architectural Control Committee ("ACC") shall adopt building guidelines for utilization and evaluation of proposed landscaping and construction plans; and

WHEREAS, the HOA has established Building Guidelines which have been adopted by the ACC; and

WHEREAS, the Building Guidelines have been revised, as reflected in the second edition of the Building Guidelines; and

WHEREAS, the HOA does wish to revise, and the ACC does wish to adopt, the following additions to the second edition of the Building Guidelines;

NOW THEREFORE, BE IT HEREBY RESOLVED, that the following Building Guidelines are established by the Board of Directors and adopted by the ACC pursuant to the

Trees and Vegetation:

Evans Mill property owners shall, at all times, comply with all applicable local, state and federal laws, rules, regulations and ordinances, concerning the maintenance, installation and/or removal of trees and other vegetation on their property (inclusive of and not limited to grasses, forbs, herbaceous and woody plants). Owners shall indemnify and hold the HOA, its successors, agents, assigns, employees and contractors, harmless from and against any fines, penalties or expenses resulting from any actual or alleged violation thereof, including reasonable attorneys' fees.

The HOA may report any actual or potential violation of the Evans Mill Storm Water permit Evans Mill by a property owner to the North Carolina Department of Water Quality (DWQ). The HOA's failure to report any such violation shall not be deemed to imply or constitute a waiver of the same or the HOA's right to enforce the covenants and restrictions to which a property owner's property is subject.

Prior to removing a tree or trees from their property, Evans Mill property owners shall make a request for such tree removal by submitting an Architectural Change Request Form to the ACC. Upon receipt of the request, the ACC shall inspect the tree(s) identified for removal and shall, in its sole discretion, approve removal if the tree(s) are damaged as a result of disease, infestation, wind or lightning, or if any tree poses a risk to the homeowner's house, property or adjacent property.

If the ACC is unable to determine the extent of the damage to, or risk posed by, any tree, the ACC may request from the homeowner a written assessment from a certified arborist or other accredited professional accepted by the HOA. The ACC shall take such assessment into consideration in making its final determination of the request.

The ACC shall notify the homeowner of its final decision in writing.

Outdoor Swimming Pools:

No outdoor swimming pool shall be constructed in Evans Mill unless the same is completely enclosed by a fence, the construction and design for which shall be approved by the ACC in accordance with the protective covenants for Evans Mill. All pool fences shall include a self-closing and self-latching gate, also to be approved by the ACC.

IN TESTIMONY WHEREOF, these Resolutions were duly adopted by the Board of Directors of Evans Mill Owners Association, Inc. this the 6th day of October, 2010.

By: Kenneth A. Roosa
_____, Secretary

The above guidelines have been adopted by the Architectural Control Committee

By: Donald M. Elliott
_____, ACC Chair