

LEXINGTON MEADOWS SUBDIVISION
DESIGN GUIDELINES

These Lexington Meadows Subdivision Design Guidelines ("Guidelines") are promulgated effective this 1st day of October, 2006, pursuant to the Declaration of Covenants, Conditions and Restrictions of Lexington Meadows, as the same may be amended from time to time ("Declaration"). The following Guidelines set forth the standards for homes and other improvements to be constructed on each Lot within Lexington Meadows, including appearance, height, color and materials.

ARTICLE 1. - CONSTRUCTION

1.1 **Construction Authority.** An application for construction authority must be submitted to the Design Review Committee and approved in writing by the Design Review Committee. All plans must be approved by the Design Review Committee prior to commencement of construction. Owner agrees to submit one (1) full set of plans to the Design Review Committee prior to commencement of construction to be submitted with a Design Review Committee Plans and Specifications submittal sheet available from the Design Review Committee. At the Design Review Committee's discretion, plans may be required to be re-submitted with changes indicated.

1.2 **Construction Time.** The Owner shall commence construction of a Dwelling Unit on the Lot within twelve (12) months of the recordation of the deed conveying the Lot to such Owner and complete the Dwelling Unit within twelve (12) months of the commencement of construction.

1.3 **Building Location.** No building or structure, including, without limitation, Dwelling Units and garages, shall be located on any Lot nearer than thirty feet (30') from the front Lot or street line or nearer than ten feet (10') to any interior side Lot line or nearer than ten feet (10') to any rear Lot line, each distance respectively measured at the closest point of said structure to said front, street or side Lot line. Eaves, steps, open porches, and bays shall be considered part of the buildings, structures or Dwelling Units. Dwelling Units constructed on corner Lots may have the garage access from the side street. Notwithstanding the foregoing, the minimum set back for garages is thirty feet (30') from the side street.

1.4 **Minimum Square Footage of Dwelling Unit.** No Dwelling Unit shall be erected, altered, placed or permitted to remain on any Lot which contains less than two thousand (2,000) square feet of living area on the main level. Provided, however, a Dwelling Unit may have a second floor if the second floor contains a minimum of one thousand (1,000) square feet of living area for a total minimum living area on the main level and second floor of three thousand (3,000) square feet. The square footage of living area shall be based on the interior living space at or above the grade of the Lot, exclusive of basement, porches, patios and garages. In no event shall a Dwelling Unit include more than two (2) floors above the grade of a Lot. Further, no manufactured home shall be erected, placed or permitted to remain on any Lot.

ARTICLE 2. - EXTERIOR FINISH

2.1 **Dwelling Units.** Each Dwelling Unit shall have a minimum of twenty percent (20%) of the front elevation in brick, stone or stucco veneer and two foot (2') wrap on all corners. All other buildings or structures erected upon any Lot shall be of stone, brick, or frame construction and, if other

than brick or stone is used, such building or structure shall be finished, painted and maintained in good repair so as to be inoffensive to any other Owner.

2.2 Building Materials. All buildings or structures erected upon any Lot shall be of stone, brick, or frame construction and, if other than brick or stone is used, such building or structure shall be finished, painted and maintained in good repair so as to be inoffensive to any other Owners. Each Dwelling Unit will have a 6/12 roof pitch, with thirty (30) year minimum Architectural shingles in the colors of Weatherwood, Driftwood, or Black in brands of Elk or Pabco. Each home shall have a minimum of twenty percent (20%) of the front elevation in brick, stone or stucco veneer and two (2) inch wrap on all corners.

2.3 Dwelling Unit Colors. The Design Review Committee must approve the exterior and trim paint on all Dwelling Units, buildings and structures.

2.4 Covered Porch/Front Elevation. It is strongly encouraged that all Dwelling Units have a covered porch integrated into the front elevation to preserve the neotraditional architectural theme of Lexington Meadows. The design of each Dwelling Unit in Lexington Meadows shall endeavor to include aesthetic qualities on the front elevation, such as bay windows, broken roof lines, gables and hip roofs, etc. Front gables should include board and batt and/or shake siding.

2.5 Lighting. Exterior lighting and interior lights reflecting outside shall not be placed in any manner which shall cause glare or excessive light spillage on a neighboring Lot or Lots. In no event shall mercury vapor lights or omni directional lights be allowed.

2.6 Fences. Every fence shall be no more than six feet (6') in height and constructed of white vinyl.

2.7 Landscaping. Upon completion of the Dwelling Unit, each Owner shall have established lawn and landscaping and have grass all the way to the asphalt road (no gravel shoulders) and to have a yard light in the front of the Dwelling Unit. There shall be a minimum of (i) two (2) ornamental trees of at least 1.5" caliper or two (2) pine trees of at least six feet (6') in height, (ii) five (5) five-gallon plants, and (iii) ten (10) two-gallon shrubs, all of which shall have been pre-approved by the Design Review Committee. All portions of the Lot, excluding the Dwelling Unit or other paved areas, shall be sodded or hydro seeded and/or landscaped within six (6) months of occupancy. Berms and sculptured planting areas are encouraged. The front yard of all residences as well as the side yard of all corner lots shall be completed within thirty (30) days after completion of the residence, weather permitting. The Design Review Committee must approve all landscaping.

2.8 Driveways. Any driveway constructed on any Lot shall have a corrugated metal pipe ("CMP") thereunder at least twelve inches (12") inches in diameter near the street line of the Lot and at any point where the driveway crosses any ditch or pipe used for the conveyance of irrigation water for the purpose of permitting the movement of irrigation waters and for drainage. An alternative for CMP shall be a driveway approach with a two percent (2%) back slope from the exiting road (asphalt) approximately seven feet (7') toward the interior lot line and then the driveway may have an incline as seeded. Such CMP shall be paid for and installed by each Owner of a Lot.

2.9 Driveway Apron. Prior to occupancy of the Dwelling Unit or any building or structure by the Owner, the driveway apron shall be totally paved or concreted from the front edge of the garage driveway until it intersects with the existing paved street.

ARTICLE 3. - BUILDINGS AND STRUCTURES

3.1 **Shops & Sheds.** Any storage shed (excluding detached garages) must not be greater than thirty feet (30') by forty feet (40') by twenty six feet (26') in height from the ground to the top of the roof ridge and the surface materials, and the roofing and the color scheme shall match the exterior design of the Dwelling Unit and must be approved by the Design Review Committee.

3.2 **No Temporary Structures.** No structure of a temporary character, and no mobile home, trailer, basement, tent, shack, garage, barn, or other buildings or structures shall be used on any Lot at any time as a residence, either temporarily or permanently.

3.3 **Relocation of Building.** No building or structure shall be moved onto any Lot until the approval of the Design Review Committee has been given in writing as to the quality, style and type thereof.

ARTICLE 4. - PARKING AND STORAGE

4.1 **Off-street Parking.** All Lots shall be provided with a driveway and a minimum of two (2) off-street automobile parking spaces within the boundaries of each Lot.

4.2 **Storage of Vehicles and Equipment.** Parking of boats, trailers, motorcycles, trucks (but not including pickup trucks), truck campers, motorhomes, recreational vehicles, and like equipment, or farm or garden equipment, or junk vehicles or other unsightly vehicles shall not be allowed on any Lot nor on public rights of way or private roads adjacent thereto, except within a garage or other approved area. An approved area may be beside the house, but not on a street side, and consist of a six foot (6') solid fenced enclosure. If the height of the stored item is greater than the height of the front fence, the item must be stored two feet (2') farther from the front fence for each part of a foot the item extends above the fence, and the item must be stored two feet (2') away from any side yard fence for each part of a foot it extends above said fence.

ARTICLE 5. - ANIMALS AND RELATED STRUCTURES

5.1 **Animals.** No kennel or other area intended to restrain or enclose animals shall be constructed without the approval of the Design Review Committee and, if approved, shall not be located on the Lot in such a fashion as to create a nuisance for any adjacent Lot Owner and shall at all times be kept in a clean and odor free condition. Buildings, runs, pens, enclosures, stables, and corrals (not perimeter fencing) housing agricultural animals or their tack, feed, or equipment shall be setback at least seventy-five feet (75') from front property line(s) and shall be at least fifty feet (50') from any residential structures, and may not be located within any required front yard setback. Notwithstanding the foregoing, keeping or raising of horses, cows, hogs, goats, sheep or offensive smelling animals on the Property shall be prohibited, except not more than two (2) horses or two (2) llamas may be kept on a Lot containing a minimum area of 30,000 square feet of "open space." Open space shall be deemed to mean open pasture or grazing, including the square footage contained within barns, stables and/or similar structures used for animal husbandry.

ARTICLE 6. - MISCELLANEOUS

6.1 **Sewage Disposal.** All bathrooms, sink and toilet facilities shall be located inside the Dwelling Unit or other suitable appurtenant building or structure and shall be connected by

underground pipe, connected to a private sewage system, and placed at a depth and made of a type of construction approved by the Southwest District Health Department and State of Idaho health authorities.

6.2 **Pressurized Irrigation System.** Pressurized water will be supplied by the Nampa & Meridian Irrigation District. The Pressurized Irrigation System shall be stubbed on each Lot. The costs incurred in installing, operating, maintaining, repairing or replacing any components of the Pressurized Irrigation System located within a Lot and beyond the stub shall be the sole responsibility of the Owner thereof. The Owner of each Lot must install the Pressurized Irrigation System on such Owner's Lot within one hundred eighty (180) days of completion of the Dwelling Unit. Note: this is **not potable water**.

6.3 **Refuse Disposal.** No machinery, vehicles, appliances, structure or unsightly material may be stored on the Property, nor shall trash, garbage, ashes, or other refuse be thrown, dumped, burned or otherwise disposed of upon the Property. Contractors are responsible for any mud or dirt on the street and shall not dump grading material in the street. **Builders shall keep each site clean of excess debris at all times and are required to have a trash enclosure and a sanitation facility on site when construction commences. A three hundred dollar (\$300.00) Lot clean up fee will be assessed upon closing on the Lot.**

6.4 **Initial Assessment.** The Homeowners' Association set-up fee shall be four hundred dollars (\$400.00) and assessed at each transfer of title.

6.5 **Meaning of Terms.** Except as otherwise defined herein, all terms appearing herein initially capitalized shall have the same meanings as are ascribed to such terms in the Declaration.

Marketing Agent

Buyer