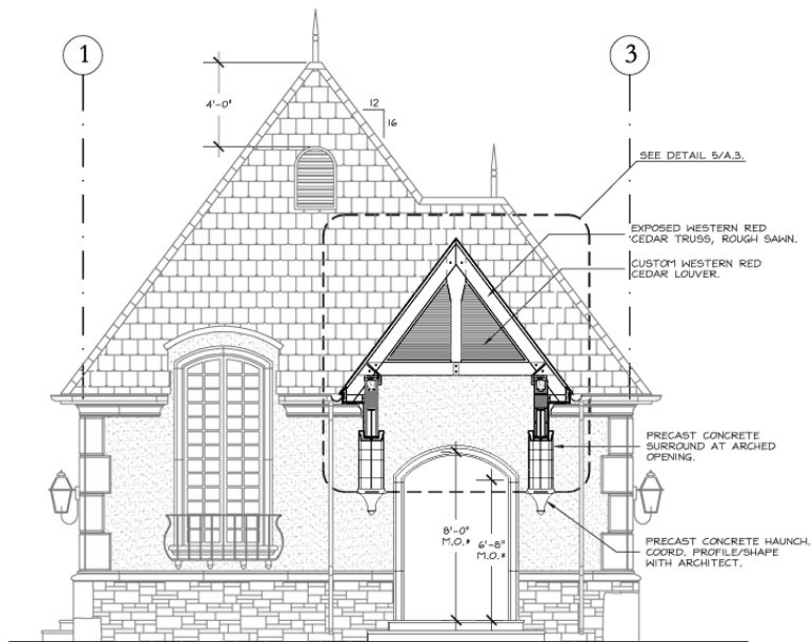


REFLECTION POINTE ARCHITECTURAL GUIDELINES

June 17, 2026 Edition



* TYPICAL DIMENSIONS OF (3) SMALL OPENINGS.

NOTE: SEE 2/A.2 FOR TYPICAL NOTES.

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GENERAL NOTE: FEATURED BUILDER AND OWNER MUST ACKNOWLEDGE THEIR UNDERSTANDING AND ACCEPTANCE OF THESE ARCHITECTURAL GUIDELINES ON THE SCHEMATIC REVIEW APPLICATION.

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REFLECTION POINTE ARCHITECTURAL GUIDELINES

The Reflection Pointe Architectural Control Committee (“**ACC**”) has established the following Architectural Design and Review Guidelines (“**Architectural Guidelines**”) on behalf of the Reflection Pointe Homeowners Association, Inc. (the “**Association**”) and in accordance with the recorded “Corrective Amended and Restated Declaration of Covenants, Conditions, and Restrictions for Reflection Pointe” (the “**Amended Declaration**”). All terms used in these Architectural Guidelines have the same meanings as in the Amended Declaration, unless specifically defined in these Architectural Guidelines. In an effort to be more colloquial, sometimes (a) the term “home” or the term “house” may occasionally be used instead of the term “Home” as defined in the Amended Declaration, (b) the term “homeowner” may occasionally be used instead of the term “Owner” as defined in the Amended Declaration, and (c) the term “structures” may occasionally be used instead of the term “Improvements” as defined in the Amended Declaration. If the more colloquial term is used at certain places in the Architectural Guidelines, it is intended to have the same meaning as the defined term in the Amended Declaration.

ARTICLE 1 - STATEMENT OF PURPOSE AND INTENT:

- 1.1 **Purpose:** These Architectural Guidelines provide an overall framework and comprehensive set of standards and procedures for the development of the Community in an orderly and cohesive manner. These Architectural Guidelines have been developed to provide direction for the planning, design, construction, landscaping, and modification of all Homes and Improvements within the Community. The Architectural Guidelines set forth criteria for the design, style, materials, colors, and location of site Improvements, landscaping, signage, lighting, and other structures. In addition, the Architectural Guidelines establish a process for review of all proposed construction and modifications to Homes and Improvements to ensure that all Lots within Reflection Pointe are developed with consistency and quality.
- 1.2 **Intent:** The ACC intends that all Homes and Improvements within the Community be of the highest design quality and be planned and sited to be aesthetically and architecturally harmonious with one another and with the natural features of the land. The design aesthetic of the Community is predicated on eclectic European Design. Section 8.3(e) of the Amended Declaration provides that Homes constructed on Lots 1, 12, 13, 176, 177, 193, 194, and 195 shall be in harmony as to color, design, and materials with the stucco and stone gated entrances to the Community. Section 5.1 of these Architectural Guidelines provides further guidance on the style of Homes that meet these criteria. These Architectural Guidelines contain the current design, materials, and aesthetic standards for Homes in the Community, which may be different from what exists on previously approved Homes in the Community (which may have complied with earlier versions of these Architectural Guidelines that are no longer in effect).

ARTICLE 2 – APPLICABILITY, AUTHORITY, AND AMENDMENTS:

- 2.1 **Applicability:** These Architectural Guidelines govern all Homes and Improvements within the Community in accordance with the Amended Declaration. Pursuant to the Amended Declaration, these Architectural Guidelines are not binding upon the ACC and may be revised and amended at any time by the ACC in its sole discretion. The ACC may also publish different Architectural Guidelines for different phases, sections, and portions of the Property.

- 2.2 **Authority:** The ACC has jurisdiction over all matters relating to the construction, architecture, and landscaping of new construction and modifications of the Property as set forth in the Amended Declaration. The Architectural Guidelines are intended to provide a framework for construction and modifications of Homes in the Community. However, the Architectural Guidelines do not constitute, in every instance, the basis for approval or disapproval of the plans, specifications, and other materials submitted to the ACC for approval. In its review process, the ACC may consider the quality of workmanship and design, the harmony of external design with existing structures, the location of the proposed Improvements in relation to surrounding structures, topography, and finish grade elevation, and many other factors associated with the proposed plans. The ACC reserves the right to reject any submittal and may disapprove plans, specifications, or other materials for any reason, in its sole discretion. The ACC's reasons for rejection may include purely aesthetic considerations, or because the submitted design is similar to an existing home in the Community in design and/or material selection, or any other reasonable basis in the ACC's sole discretion. The decisions of the ACC shall be final and binding.

NOTE: Lot Owners who intend to sell their undeveloped Lots are strongly cautioned that marketing materials which include a drawing, sketch, photo, or other rendering of a home which "could possibly be built" on their Lot are not "automatically approved," and both the design and the potential builder are still subject to ACC approval and all the terms and conditions of these Architectural Guidelines.

- 2.3 **Governmental Permits:** To the extent that the North Carolina State Building Code, Gaston County Ordinances, City of Belmont, the North Carolina Department of Environmental Quality ("**NCDEQ**"), or any other government ordinance, building code, or regulation requires a more restrictive standard than the standards set forth in these Architectural Guidelines or the Amended Declaration, the government standards shall prevail. To the extent that any government standard is less restrictive, the Amended Declaration and these Architectural Guidelines (in that order) shall prevail.
- 2.4 **Responsibility for Compliance:** The Owner and the Featured Builder are jointly responsible for ensuring that all Applications and the subsequent construction of the Home and Improvements are in accordance with the applicable zoning requirements, building code requirements, and the requirements of any other laws, regulations, ordinances, and applicable deed restrictions. The ACC does not review submittals for compliance with these requirements. Approval of plans and specifications by the ACC shall not be deemed or construed to mean that the Home and Improvements constructed in accordance with such plans will comply with applicable zoning requirements, building code requirements, and the requirements of any other laws, regulations, ordinances, and applicable deed restrictions as to the structural soundness, quality, durability, suitability, fitness, habitability, or proper functioning of the Home and Improvements; and the ACC expressly disclaims responsibility for compliance and has no liability whatsoever if the Home and Improvements do not comply. IF YOU HAVE QUESTIONS CONCERNING THE SCOPE OR MEANING OF THIS DISCLAIMER, PLEASE SUBMIT YOUR WRITTEN QUESTIONS TO THE BOARD OF THE ASSOCIATION.

Owners are also governed by the requirements and restrictions set forth in the Amended Declaration and these Architectural Guidelines and are ultimately responsible for the actions of the Featured Builder that the Owner has selected. Both the Owner and the Featured Builder shall be responsible for violations of those requirements and restrictions caused by subcontractors and employees of the Featured Builder. Violations that are not promptly remedied may result in reductions to the Compliance Security Deposit, the imposition of Fines, as set forth in Section 9.2 of these Architectural Guidelines, or the levying of Special Individual Assessments against the Owner's Lot.

- 2.5 **Amendments:** Pursuant to the Amended Declaration, these Architectural Guidelines may be revised and amended at any time by the ACC, in its sole discretion, to serve the needs of an evolving Community.

ARTICLE 3 – PROCEDURES AND FEES:

- 3.1 **Approval and Payment of Fees:** Before any clearing, grading, or sitework is performed, the ACC must give written approval of plans for construction. In addition, the Owner must be current in payment of Association Assessments, and all other fees must have been paid before the ACC will review any submittals.
- 3.2 **Three-Step Review Process:** The ACC has developed a three-step review process. After filing the Initial Application and receiving access to the Review Portal as described in the first bullet below, the Owner or Featured Builder shall complete and submit the Schematic Review Application (Preliminary Review) (the “Schematic Review Application”). Once the Schematic Review Application has been reviewed and approved by the ACC, the Featured Builder shall complete and submit the Final Building Plans Application (Construction Documents Review) (the “Final Building Plans Application”). The ACC charges a Processing Fee in the amount of Six Hundred Dollars (\$600.00) for the Schematic Review Application and Thirteen Hundred Dollars (\$1,300.00) for the Final Building Plans Application, which includes the cost of four (4) on-site inspections listed in Section 3.11, which are each One Hundred Seventy-Five Dollars (\$175.00) or Seven Hundred Dollars (\$700.00) in total. The Owner may also choose to submit a single Processing Fee in the amount of Nineteen Hundred Dollars (\$1,900.00) for the Schematic Review Application, the Final Building Plans Application, and all four (4) on-site inspections listed in Section 3.11.
- To begin the review process, the Owner or the Featured Builder should first complete and sign the fillable form entitled APPLICATION, REVIEW AND CONSTRUCTION FEES (the “Initial Application”) and submit the relevant Processing Fee to the Property Manager. The Initial Application and Processing Fee can be sent by mail, overnight mail, or hand-delivery. The Property Manager will input the information contained in the Initial Application into the ACC’s review portal (the “Review Portal”) and the system will automatically generate an email with a link to access the Review Portal and instructions for use of the Review Portal. By submitting the Initial Application, the Owner agrees to follow the Architectural Guidelines and represents that their proposed construction project will conform to the Architectural Guidelines. Initial Applications that are submitted without the Processing Fee are deemed incomplete and will not be processed until the Processing Fee is received. If the Owner has not yet selected a Featured Builder, the Compliance Security Deposit will be collected later.
 - The Owner shall be the “Registrant” in the Review Portal unless the Owner has selected a Featured Builder. If the Owner has selected a Featured Builder, the Featured Builder will be considered the Registrant. All communication to the ACC must come from the Registrant (i.e., the Featured Builder, if selected, or the Owner, if no Featured Builder has been selected). Both the Owner and the Featured Builder will receive notification of messages posted in the Review Portal and both can view those messages. However, only the Registrant can reply to posted messages on the Registrant and Committee Member Channel within the Review Portal. The Owner should be aware that if the Featured Builder is the Registrant, the Owner is still responsible for ensuring that all information and representations submitted by the Featured Builder are true and accurate.
 - Once the Registrant has received the instruction for accessing the Review Portal, the Schematic Review Application should be submitted. After the ACC has completed its review of the Schematic Review Application, the ACC will determine if the Schematic Plans are approved, approved with

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conditions, or disapproved. If the Schematic Plans are approved, the Registrant may go on to the third phase of the review process by submitting the Final Building Plans Application and the relevant Processing Fee. If the Schematic Review Application was approved with conditions, those conditions must be addressed by the Registrant in the Final Building Plans Application. If the Schematic Review Application is not approved by the ACC, the Registrant must resubmit the Schematic Review Application with a new set of Schematic Plans that address all of the ACC's conditions, along with an additional Processing Fee listed on the current Fee Schedule. The resubmitted Schematic Review Application must go through the Schematic Review process again. If the ACC again does not approve the re-submitted Schematic Review Application, the Registrant must resubmit a new set of Schematic Plans that address all of the ACC's conditions, along with an additional Processing Fee listed on the current Fee Schedule and must go through the Schematic Review process a third time. If there are any additional architectural or professional fees incurred by the ACC in reviewing the resubmitted Schematic Review Application at any point in the review process, those fees will be billed to the Registrant.

- If the general contractor selected by the Owner is not currently a Featured Builder, there is the Featured Builder Application and an additional fee for the general contractor to apply to become a Probationary Builder. The Featured Builder Application and the fee must be submitted at the same time, and the Featured Builder Application must be reviewed and approved by the ACC **before** the ACC will begin review of the Final Building Plans Application.
- **PLEASE NOTE:** Whenever the words “Featured Builder” occur in these Architectural Guidelines, they also apply to builders who are building their first Homes in the Community (“**First-Time Builders**”) who will be considered Probationary Builders if approved by the ACC. Please see Article 8 for more information concerning the Featured Builder Program.
- No construction activity of any type (including, without limitation, site clearing, grading work, tree cutting, or tree removal) can commence on a Lot until the ACC has approved the Final Building Plans Application with the Final Building Plans and Construction Specifications Form, and the Contractor Information Form.

3.3 **Schematic Review Application (Preliminary Review):** The Initial Application is the first phase and the Schematic Review Application is the second phase of the three-step review process. The Schematic Review Application is mandatory for all Homes.

- The Owner is responsible for the making all the inspections that the Owner deems appropriate during the due diligence period of their Lot purchase contract.
- The ACC generally will review the Schematic Review Application within fourteen (14) to twenty-one (21) calendar days after receipt, but has up to forty-five (45) days under Section 8.6 of the Amended Declaration to act. Owners and Featured Builders should understand that the ACC does not begin its review until the Schematic Review Application is fully completed with all required attachments, and the relevant Processing Fee is paid. Incomplete submissions do not start the review period.
- The Owner and the Featured Builder should also contact the City of Belmont and its building inspection department to ensure that the Owner and the Featured Builder understand the rules, regulations, and standards of the City of Belmont. Compliance with all governmental rules, regulations, and standards is the responsibility and obligation of each Owner and the Owner's

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Featured Builder. Owners and Featured Builders should not assume that compliance with all of the rules, regulations, and standards of the City of Belmont will satisfy all of the requirements of the ACC and these Architectural Guidelines. The ACC, the Board, and the Association do not bear any responsibility for the lack of knowledge by an Owner or the Owner's Featured Builder concerning any permitting or regulatory requirements, approvals, or permits relating to construction on the Owner's Lot.

- A topographical survey showing the placement of the proposed Home on the Lot with contours shown in two-foot increments is required to be submitted with the Schematic Review Application. The topographical survey should be labeled as **Survey. The ACC will not begin its review until the Survey is submitted.**
- Submit elevations showing all sides of the proposed Home, adapted to the existing contours, and include all floor plans and a roof plan. **The ACC will not begin its review until the elevations are submitted.**
- All of the Schematic Plans should be bundled into one set when uploading to the Review Portal. Submitting individual files for each drawing will result in the submission being rejected and will require resubmitting. The bundled set should be labeled **Schematic Review Set.**
- The Registrant acknowledges by signing the Schematic Review Application, that the ACC will use good faith efforts to review the Schematic Plans, but that the ACC review is not a guarantee that the Home will be approved when the Final Building Plans Application is submitted. The Registrant acknowledges that additional conditions may be required and additional construction costs may result when the ACC later reviews detailed Construction Documents in the Final Building Plans Application. Even if the Featured Builder completes the Schematic Review Application as the Registrant, the Owner is still responsible for verifying all of the information and representations contained in the Schematic Review Application.

3.4 **Final Building Plans Application (Construction Documents Review):** The Final Building Plans Application is the third phase in the review process. To ensure any comments provided by the ACC with respect to the Schematic Review have been incorporated into the Construction Documents and Final Building Plans, the Registrant must resubmit in digital format the ACC approved the Schematic Review Application (in its entirety) when it submits the Final Building Plans Application via the Review Portal. If the Featured Builder is the Registrant, the Owner is still responsible for verifying all the information and representations contained in the Final Building Plans Application. The Final Building Plans Application shall contain all of the following in digital format (PDF only, and not in a ZIP file):

- (1) **Plan Sizes:** Unless otherwise noted, all plans should be submitted using a minimum scale of 1/8"=1'-0", and a minimum sheet size of 24"x 36".
- (2) **Floor plan:** Indicate all rooms, dimensions, along with square footage of the total enclosed living area. Show the finished floor elevation of the first floor relative to the site plan grade elevations. **Applications submitted without finished floor height indicated will be rejected.**
- (3) **Roof plan:** Indicate slopes, pitches, hips and gables. Show finish materials for each roof area.
- (4) **Elevations:** Provide front, rear, and side elevations showing building materials, gutters, downspouts, along with locations and finishes. Indicate maximum height of the principal structure and proposed

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finished grades. A rendered elevation depicting material and colors of the primary façade may be requested by the ACC for more complicated elevation schemes.

- (5) **Typical Wall Section(s):** The section should be made in a location that shows all floor to ceiling heights and window head heights for all occupied spaces. (Two or more wall sections may be required.) Indicate foundation condition, building materials, window headers, roof overhang, fascia, decorative elements, and other details as needed to convey the design. Ceiling heights must be indicated for all occupied levels of the Home. One wall section must be cut through a typical window and a typical door.
- (6) **Final Site Plan:** Minimum scale of 3/32"=1'-0" or 1"=10', and a minimum sheet size of 24"x 36". (To avoid rejections, please advise the surveyor of the minimum scale and sheet size.) Indicate the required setbacks (See Section 4.1), easements and horizontal dimensions that locate the proposed Home on the Lot. Show all driveways, driveway aprons, walkways, patios, decks, Pools, Therapy Spas, recreational areas, recreational equipment, HVAC units, etc. (Include proposed screening details for HVAC units, and equipment installations for Pools and Therapy Spas.) Show all existing contours and proposed finish contours at two-foot increments and show the planned floor elevation of the main floor of the Home. Curb elevation and elevation at rear property line should be clearly shown. **The Final Plans Review Application will be rejected and you will not receive approval if correctly shown proposed finished contours are not noted.**
- (7) **Detailed Landscape Plans:** Minimum scale of 3/32"=1'-0" or 1"=10', and a minimum sheet size of 24"x 36". (To avoid rejections, please advise the landscape designer of the minimum scale and sheet size.) The landscape plans should include site grading, and the location, size, species, quantity, spacing, and quality of all plant material, percentage of native plant material, protection of existing vegetation, and other landscaping details, and shall be submitted for approval prior to the Staking Inspection. Extent of the planting beds should also be noted on the landscape plans.
- (8) **Erosion Control Plan:** Minimum scale of 3/32"=1'-0" or 1"=10', and a minimum sheet size of 24" x 36". The Erosion Control Plan should show the location of erosion control devices and the direction of stormwater flow. (See Section 4.2 and Section 4.10.) Note: Reflection Pointe requires more silt fencing than is required by the City of Belmont to prevent run-off onto the Roads and subsequently into Lake Wylie.
- (9) **Samples in electronic format** of all exterior materials and finishes, including paint colors, siding materials, roofing, shutters, medallions, chimneys, doors, lighting scheme, and other details affecting the exterior appearance.
- (10) **Construction contract:** An executed copy of the construction contract (with costs redacted if desired).
- (11) **Photographs** in digital formats documenting the existing conditions of the Lot and adjacent Lots prior to clearing/construction. Photos shall be provided showing the following:
 - a. Road surface, including all pre-existing damage to curbing, the shoulder, and drainage ditch abutting the Road along the entire width of the Lot, the Lots to either side of the Lot, and the Lot across the Road from the Lot. **Be sure to capture any cracks or damage in the curbing in any areas where construction equipment may eventually be parked or staged.**
 - b. The entire width of the Lot and its trees/vegetation as viewed from the Road and as viewed from the approximate center of the Lot facing the rear of the Lot.

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- c. Water meter and cover and low-pressure sewer system cover.
 - d. The entire width of the Lot and its trees/vegetation, and shoreline, as viewed from the Lake. (Waterfront Lots only).
 - e. As stated below in (14), all photographs should be labeled to clearly show what they are capturing.
- (12) A completed **Featured Builder Application** in digital format, if the First-Time Builder is not already listed as a Featured Builder on the Community website.
- (13) Submit via the Review Portal the Construction Specifications Form and the Contractor Information Form.
- (14) **Other data:** The ACC reserves the right to require the submittal of other information, data, drawings, and samples as deemed necessary by the ACC.
- (15) **Labels:** The following is a list of labels for the required site and landscape drawings:
- a. **Survey**
 - b. **Landscape Plan**
 - c. **Drainage Plan**
 - d. The architectural set of drawings should be bundled into one set when uploading to the Review Portal. Submitting individual files for each drawing will result in the submission being rejected and will require resubmission. This bundled set should be labeled **Construction Document Review Set**.
 - e. All samples in electronic format should be clearly labeled to show what they represent.
 - f. All photographs should be clearly labeled to show what they are capturing.

3.5 **Review Period:** Properly completed Applications which consist of all required submittals, fees, deposits, and Assessments, will be reviewed and a written response to the Registrant will be issued within thirty (30) calendar days of the ACC's receipt of all materials. The "time clock" for review re-starts whenever material is requested from the Registrant by the ACC and submitted by the Registrant. The Registrant understands that additional architectural and professional fees may also be incurred by the ACC when additional materials are requested and that these architectural and professional fees will be passed on to the Registrant. Please note that the ACC has up to forty-five (45) days to review and act upon submissions under Section 8.6 of the Amended Declaration.

The letter will give the status of the submittal as follows:

- **"Approved"** – The entire Application is approved as submitted.
- **"Approved With Conditions"** – The Application is not approved as submitted, but approved with the ACC's suggestions for curing objectionable features or segments as noted. The Registrant must correct the plan's objectionable features or segments, and the Registrant may be required to resubmit the Application to receive approval prior to commencing the construction or alteration. If there are any additional architectural or professional fees incurred by the ACC in reviewing the resubmitted Application at any stage of the review process, those fees will be billed to the Owner.
- **"Disapproved"** – The Application is not approved. The ACC will provide comments. If the Application is not approved by the ACC, the Registrant must resubmit the Application with a new set of Plans that address all of the ACC's conditions, along with an additional Processing Fee listed on the current Fee Schedule. If the ACC again does not approve the re-submitted the Application, the Registrant must resubmit a new set of Plans that address all of the ACC's conditions, along with an

additional Processing Fee listed on the current Fee Schedule and must go through the review process a third time. If there are any additional architectural or professional fees incurred by the ACC in reviewing the resubmitted Application, those fees will be billed to the Owner.

3.6 **Applications should be Retained by Owner:** Copies of all Applications and approvals should be retained by the Owner for future reference and made available to the ACC if needed for future modifications. The ACC should not be relied upon as a source of storage for personal documents.

3.7 **Compliance Security Deposit, Road Impact Fee, and Sewer Tap Fee, and Sewer Grinder Pump Installation Costs:** Compliance Security Deposits, Road Impact Fees, and Sewer Tap Fees must be paid to the ACC at the time that the Final Building Plans Application is submitted.

Note: Sewer Grinder Pump installation costs may be paid at any time, but history has shown these costs can increase during the construction period. See item 16 of the APPLICATION, REVIEW, AND CONSTRUCTION FEES Fillable Form for current sewer grinder installation costs.

- **Compliance Security Deposit.** A Featured Builder that is already on the Featured Builder List (as described in Section 8.1) is required to pay a \$5,000.00 Compliance Security Deposit. If an Owner is building with a First-Time Builder that has been designated as a Probationary Builder by the ACC, a \$10,000.00 Compliance Security Deposit is required. The Compliance Security Deposit is fully refundable if no fines or other charges are levied by the ACC. **Owners should not pay or provide the funds for the Compliance Security Deposit to the Featured Builder. If the Featured Builder asks the Owner to supply the funds for the Compliance Security Deposit, the Owner should promptly notify the ACC or the Property Manager.**
- **Road Impact Fee.** Because all of the Roads in the Community are private, the Association is responsible for their care and maintenance. The Owner is required to pay a \$5,000.00 non-refundable Roads Impact Fee prior to starting construction. The Owner should make the check payable to Reflection Pointe Homeowners Association, Inc., and shall deliver the check to the Property Manager at the address noted on the form.
- **Sewer Tap Fee.** The Owner is required to pay a non-refundable Sewer Tap Fee in the amount of \$1,850.00. The Owner is also required to pay an additional non-refundable \$250.00 fee for Sewer Top Protection for the low pressure sewer contractor to remove the top of the can so that it isn't damaged during construction. The Owner should contact the Property Manager for the current fees for purchasing low pressure sewer grinder pumps, because pricing changes frequently and the entire Community uses a low pressure sewer system. (See also Section 3.16.)
- **Additional Compliance Security Deposits.** There are also refundable Compliance Security Deposits for Rip Rap installed across Roads, heated or unheated additions to existing Homes, Pools, Therapy Spas, Gazebos, Cabanas, and Docks. The Compliance Security Deposit for each of these items is Three Thousand Dollars (\$3,000.00). This type of Compliance Security Deposit should be paid by the Featured Builder or licensed general contractor, however, the Owner is ultimately responsible for ensuring that all fees and deposits are paid.
- **Supplemental Deposits.** If the ACC assesses fines against a Compliance Security Deposit and/or the available balance of the Compliance Security Deposit falls below fifty percent (50%) of its initial amount, a Supplemental Deposit must be made by the Featured Builder to bring the balance back to

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the initial level. The Supplemental Deposit must be submitted within seven (7) days of written notice from the ACC. If the Supplemental Deposit is not received within the required time frame, the ACC will remove the Featured Builder from the FBL with respect to all future projects in the Community.

Compliance Security Deposits are intended to provide the Association with a ready source of funds to quickly correct any careless or negligent construction practices by the Featured Builder or the Featured Builder's subcontractors. Here is the process that the ACC follows with respect to assessing fines against the Compliance Security Deposit.

- A. **Process:** If a problem arises during construction which requires the Association to take action to correct, the process described in the following paragraphs will be implemented:
- (1) **For problems the Featured Builder is permitted to correct:** Before the Association begins a repair that uses funds from the Compliance Security Deposit which will reduce the refundable portion, the Owner and the Featured Builder will receive one written notice from the ACC via the Review Portal stating the specific violation that must be corrected and the timetable required for the correction. Where damaged areas are fully restored to the pre-construction condition by the Featured Builder within the prescribed time period, as determined by the ACC in its sole discretion, no deduction will be made to the Compliance Security Deposit for that violation. An onsite inspection by the Property Manager or a member of the ACC will be done in order to verify the quality of the repair.
 - (2) **For problems the Featured Builder is not permitted to correct or is unwilling to correct:** The ACC will instruct the Property Manager to notify the Owner and the Featured Builder that the repair is being outsourced, will deduct the cost from the Compliance Security Deposit, and will send the Owner and the Featured Builder a copy of the invoice. The Featured Builder is required to add the amount of the deducted funds to the Compliance Security Deposit at the time the invoice is received. When a Featured Builder causes damage to an adjacent Lot, the Owner of the Lot that sustained the damages may undertake their own repairs and send an invoice to the ACC for the cost of performing the repair work. The ACC will reimburse that Owner for the cost of the repairs from the Compliance Security Deposit, which should then be replenished by the Featured Builder.
- B. **Construction activities that may reduce Compliance Security Deposit refund:** Any and all costs incurred by the Association to remedy violations that occur during construction activities may reduce the amount of the refund from the Compliance Security Deposit. Examples include, but are not limited to the following: Association expenditures to re-seed or clean up areas within the Road rights-of-way; to repair the Roads, including pavement, shoulders, and drainage swales near and in front of the subject Lot; to perform maintenance on utility services and irrigation systems damaged by construction activities; to repair silt fences; to correct deficiencies in the construction of the Home (including deficiencies caused by non-compliance with these Architectural Guidelines); to secure the Home or the Lot during construction; to place a fine or lien on the Lot; or to supplement an incomplete landscape plan. **Damage to some systems may require repair by specific maintenance or repair personnel (and not the Featured Builder) (for example, utility providers, city water system, sewer system, surfaces of Roads, curbs, gutters, and as described above for adjacent Lot Owners).** In those cases, the Property Manager will arrange for the repair by the appropriate maintenance personnel as described above.

- C. **Approval of final amount of refund:** The ACC will instruct the Property Manager to refund the Compliance Security Deposit to the Featured Builder in full or in part following Final Inspection described in Section 3.11. The final amount of the Compliance Security Deposit refund will be determined by the ACC. If any portion of the Compliance Security Deposit is withheld, the ACC will provide a written reason for the deduction. Featured Builders who wish to appeal the amount of a partial refund may present a letter describing their reasons to the Association's Board via the Property Manager. The Board may consult with the ACC, but the Board shall make the final determination and shall notify the Featured Builder of its decision in writing.

ALSO SEE ARTICLE 9 – NOTIFICATIONS - FINES FOR VIOLATIONS

- 3.8 **Variances:** For the provisions concerning the ACC's authority to grant variances, please see Section 8.7 of the Amended Declaration.
- 3.9 **Implementation of Approved Plans; Noncompliance:** All work must conform to approved plans. If the ACC determines that work was completed or that work is in progress on any Lot that is not in compliance with the approved plans, these Architectural Guidelines, or any other approval issued by the ACC, the ACC shall send written notice to the Owner and the Featured Builder describing the noncompliance in reasonable detail, and shall require the Owner and the Featured Builder to promptly remedy the noncompliance. If the Owner and the Featured Builder fail to promptly remedy the noncompliance or fail to promptly commence and continue diligently toward achieving compliance within the time period stated in the notice, then the noncompliance shall be considered in violation of the Amended Declaration and these Architectural Guidelines, and the ACC and the Association Board may pursue appropriate remedies, including without limitation, the imposition of a Special Individual Assessment against the Owner, as provided in the Amended Declaration.
- 3.10 **Sample Board:** The Lot Owner shall have installed a sample board by the time of the on-site Staking Inspection. The sample board shall be maintained through completion of the construction and on-site Final Inspection, unless specifically approved for earlier removal by the ACC. The sample board shall demonstrate the approved material palette for all exterior walls, roof, and trim materials. The sample board shall (a) be located near the curb facing the Road; (b) be constructed of a single piece of plywood mounted vertically on posts that measure four feet (4') by four inches (4"); and (c) show the Lot number in numerals that are three inches (3") high on a post facing the Road. The sample board shall be at least thirty-two inches (32") wide and of adequate height to devote sixteen inches (16") vertically to each material being used on the Home. The upper part of the sample board shall be reserved for the roofing materials which shall be installed at a 12:12 pitch with a twelve inch (12") overhang distance for installation of the fascia and soffit materials. If the Home has multiple wall materials, larger materials such as stone should be installed at the bottom of the sample board. The Featured Builder may display on the rear of the sample board a sign written in English and in Spanish to notify workers of the permitted construction hours shown in Section 4.32. The sign shall not exceed the width and height of the sample board and shall not be visible from the Road. Failure to have a complete sample board in place at the time of the Staking Inspection will result in an additional inspection by the ACC and an additional fee of Two Hundred Fifty Dollars (\$250.00) before construction may begin. Prior to starting final landscape work, the Registrant should contact the ACC via the Review Portal to obtain permission for removal of the sample board prior to taking it down. The ACC will use good faith efforts to provide a decision within seven (7) days, but does not guarantee that more time may be needed to get to the site.

In addition to the sample board, the following information must be displayed on the Featured Builder sign (as described in Section 8.4) or on the sign which displays the building permit:

- All of the information required by N.C.G.S. §44A-11.1 and N.C.G.S. §44A-11.2, including the name and contact information for the Lien Agent appointed by the Owner; and
- The QR Code assigned to the project by www.liensNC.com; and
- All other information required by North Carolina statute (collectively, the “**NC Lien Agent Information**”).

3.11 **On-site Inspections:** The Featured Builder must request four (4) separate on-site inspections via the Review Portal from the ACC during the construction of the Home: Staking Inspection, Lot Clearing Inspection, Dry-In Inspection, and Final Inspection at Construction Completion. If the Featured Builder has called for a site inspection and the results require an additional inspection, a fine of \$250 may be assessed.

- **Staking Inspection:** The Featured Builder shall complete all of the following prior to requesting the Staking Inspection:
 - Using 2” minimum polyethylene flagging tape, mark the location of the Lot lines, the major walls of the Home, and the proposed finished driveway;
 - Clearly mark all areas to be cleared;
 - Flag all hardwood trees to be saved that are larger than six inches (6”) in diameter, measured at the base that are fifteen (15) feet outside the boundary of the Home, for inspection/approval by the ACC. **Exception:** On Waterfront Lots, all hardwood trees within the 50’ Riparian Buffer, trees that are larger than five inches (5”) in diameter measured 4 ½ feet from the base, must be saved;
 - Mark with tape the location of the silt fencing;
 - Install the sample board;
 - Display the NC Lien Agent Information on the Featured Builder sign or the sign which displays the building permit (see [Section 3.10](#) and [Section 8.4](#));
 - Install a silt containment screen in the nearest catch basin downstream of the construction site; and
 - Notify the ACC via the Review Portal to schedule the Staking Inspection, allowing a minimum of fifteen (15) business days’ notice.

Members of the ACC will meet with the Owner and/or Featured Builder at the Lot. After the ACC approves the staking, markings, flagging, sample board, NC Lien Agent Information, and silt containment screen in the nearest downstream catch basin, Lot clearing may commence. No Lot clearing, grading or construction can begin until the ACC has given its approval after the Staking Inspection.

- **Lot Clearing Inspection:** The Featured Builder shall complete all of the following prior to requesting the Lot Clearing Inspection:
 - Using 2” minimum polyethylene flagging tape, mark all of the major walls of the Home;
 - The commercial portable job toilet facing the proposed Home and the dumpster have been installed;
 - The silt fencing has been installed;
 - The stone construction drive with 2”-3” surge stone, measuring 50’ long x 20’ wide x 6” deep has been installed (which should be the first step after clearing the site);
 - Notify the ACC via the Review Portal to schedule the Lot Clearing Inspection, allowing a minimum of fifteen (15) business days’ notice.
- **Dry-In Inspection:** Once the Home has the roof, windows, and doors installed, the Featured Builder shall request the scheduling of a Dry-In Inspection via the Review Portal, allowing a minimum of fifteen (15) business days’ notice. The Featured Builder shall retain manufacturers’ labels on all windows and

doors and shall keep on site roofing material packaging for verification of the proper shingles. Do not stop construction while waiting for the Dry-In Inspection.

- **Final Inspection at Construction Completion:** Once the Home is complete and landscaping is installed, the Featured Builder shall notify the ACC via the Review Portal for a final site inspection (“**Final Inspection**”), allowing a minimum of (15) fifteen business days’ notice.

Note: At any time during construction, members of the ACC may inspect the building site to ensure compliance with these Architectural Guidelines. Pursuant to the Amended Declaration, prior notification of these inspections is not required. Additional inspections may result in additional fees, as determined by the ACC.

- 3.12 **Time to Complete:** If no maximum time period is specified in the approval or any other agreement, construction shall be completed within twelve (12) months of the Lot Clearing Inspection. The Owner or the Featured Builder may request an extension of such maximum time period not less than thirty (30) days prior to the expiration of the maximum time period. The ACC may approve or disapprove this request for an extension in its sole discretion.

If construction is not completed on a project within the period set forth in the approval or within twelve (12) months of the Lot Clearing Inspection, or within any time extension approved by the ACC, the ACC may withdraw approval, and the incomplete construction may be deemed to be in violation of the Amended Declaration and these Architectural Guidelines. The ACC has the ability to assess a fine of Five Hundred Dollars (\$500.00) for failing to complete construction within the twelve (12) month period or within the approved time extension, if applicable. Exceeding an approved extension by thirty (30) days will result in recurring monthly fines of Five Hundred (\$500.00) per month.

- **Inactive File Submissions:** For Schematic submittals which have had no activity for a period of three (3) months either before or after approval, the file will be considered inactive and will be archived. After the file has been archived, all approvals are void and are deemed to be rescinded.
- **Construction Document Submissions:** If a Home design has been approved and the Staking Inspection has not been requested within three (3) months, the file may be archived at the sole discretion of the ACC. The file may be reactivated later, but will be bound by any changes made to the Architectural Guidelines during the period it was archived.

- 3.13 **Changes During Construction After ACC Approval:** All proposed changes to structures, including changes that affect the exterior of any building, colors, windows, doors, grading, paving, utilities, landscaping, or signage, made after the final approval of plans and while still under construction must be submitted to and be approved in writing by the ACC prior to implementation. The ACC will determine, in its sole discretion if an architect’s review is needed. If the ACC determines that an architect’s review is needed, the fee charged by the ACC for an architect’s review of changes during construction will be billed to the Registrant. Close cooperation and coordination among the Owner, the Featured Builder, and the ACC will ensure that changes are approved in a timely manner. If the City of Belmont or any other authority having jurisdiction requires that changes be made to final construction plans previously approved by the ACC, the Featured Builder must notify the ACC of such changes and receive approval from the ACC prior to implementing such changes.

- 3.14 **Minor Projects:** Minor projects are described on the Minor Projects Application in a separate set of documents under Forms. The fees for each category of Minor Project are noted on that form.

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There are additional review fees for pools, cabanas, gazebos, outdoor kitchens, docks, and other types of Improvements, so please consult the Fillable Forms for those amounts. If additions or Improvements are being added to an existing Home after its initial construction, consult the Forms for the amount of the fees and the requirements for on-site inspections. Currently, the ACC is also assuming the functions of the Architectural Changes Committee to review Improvements that are added to an existing Home after its initial construction. However, in the future, the ACC may shift that responsibility to a separate Architectural Changes Committee.

3.15 Review of Modifications to Existing Homes (initial construction is complete and the footprint of the Home is being altered and/or there is a significant renovation):

- A. Currently, the ACC is also assuming the functions of the Architectural Changes Committee to review Improvements that are added to an existing Home after its initial construction. However, in the future, the ACC may shift that responsibility to a separate Architectural Changes Committee. Except for those types of modifications shown under subsection C of this Section 3.15 which do not require an ACC review, modification or construction of Improvements on any Lot will require the submission of Construction Documents. The Construction Documents must include the applicable elements of Section 3.4, as determined by the ACC. The Owner is encouraged to submit a preliminary sketch of the design prior to creating a full set of working drawings for significant modifications, and may do so after applying for review of the submitted Construction Documents. The review and approval of modifications shall take place within the same time periods as required for new construction. Modifications must be scheduled and completed within a timeframe agreed upon by the ACC. The review fee for modifications and other Improvements is stated on the fee schedules.
- B. Minor Projects which the ACC Determines Need Full Construction Documents: The ACC reserves the right, in its sole discretion, to determine that any project submitted as a Minor Project under Section 3.14, is actually a major project that will require Construction Documents (“**Major Project**”) and a Compliance Security Deposit (CSD) that should be paid by the licensed general contractor but may be paid by the Owner. Article 3.7 refers. An example of a Major Project is the addition of a heated or unheated addition to an existing Home. The Processing Fee for the review of a Major Project, including three (3) on-site inspections, is One Thousand Seven Hundred Fifty Dollars (\$1,750.00). If the ACC has made this determination, then the Major Project will require the same fee review standards as the ACC requires for construction of a Home. The Construction Documents for a Major Project must include the applicable elements of Section 3.4, as determined by the ACC. All Major Projects should be accompanied by professionally prepared drawings prepared by a licensed architect or professional engineer. Exception: Major Projects do not need to be constructed by a Featured Builder, which means that the ACC will allow a licensed general contractor who holds an intermediate license which is valid for individual construction projects of up to \$1,000,000.00 to construct a Major Project. Major Projects will require three (3) on-site inspections: (i) the Initial Inspection, at the beginning of the Major Project to determine the placement of the addition and extra project support considerations which may be required (including, without limitation, silt fencing, portable job site toilet, or other requirements); (ii) the Dry-In Inspection, when the addition is under roof and sealed to the elements; and (iii) the Final Inspection, to assure that the Major Project has been constructed in accordance with the approved Construction Documents. Owners should contact the ACC via the Review Portal to request each of these on-site inspections at the appropriate time. The process described in article 3.7 (1) and (2) for the CSD for Featured Builders applies to the CSD for the licensed general contractor of approved Major Projects. The Homeowner is to acknowledge in the Review Portal that the licensed general contractor overseeing the project has read and will comply with these Architectural Guidelines.

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C. Pre-Approved Modifications to Existing Homes: Except for modifications made within the Riparian Buffer Area which must be reviewed by the ACC, the following types of modifications can be made without obtaining ACC approval to any Home that is fully constructed in accordance with plans that have received final approval by the ACC:

1. Irrigation Systems: New irrigation systems, extensions of existing irrigations systems, or tying a new underground drainage system into an existing system, providing that there is not an addition or a relocation of a grade level discharge point, in which case ACC approval is required.
2. Outside Fireplaces: An outside masonry fireplace on the patio or at the rear of the Home is pre-approved provided that it is at grade level, and does not extend across the side or rear setbacks. The masonry must match the masonry of the Home and the fireplace's dimensions may not be greater than eight (8) feet wide and eight (8) feet high.
3. Masonry Garden Walls less than three (3) feet high: Garden walls that match the masonry of the Home (or material similar to Belgard in complementary color) may be installed in the rear or side yards, provided that they do not face the Roads or Common Area. The masonry garden walls must be installed according to manufacturer's recommendations with masonry or stone top cap and water proofing to prevent efflorescence. All retaining walls or masonry garden walls that face the Roads or Common Area, walls that are more than three (3) feet high, or walls within the side yard setback lines must be submitted to and approved by the ACC.
4. Fencing: Black aluminum simulating wrought iron fencing not exceeding five (5) feet in height may be installed in the rear yard and side yards. Fences are not permitted in yards in the front plane of the Home.
5. Landscape Elements: Landscape Elements may be changed providing they conform to the Landscape Guidelines of the Community at the time the change is made.

3.16 **Low Pressure Sewage System Installation Fee and Administration of the Service:** In accordance with the Section 5.3 of Amended Declaration, the construction, operation, and maintenance of the wastewater collection system in Reflection Pointe must conform to the rules and regulations established by the NCDEQ and the North Carolina Environmental Management Commission. To conform to these rules and regulations, the Association has contracted with Carolina Low Pressure Sewer Systems (“CLPSS”) to install a wastewater grinder pump unit on each Lot at the time a Home is constructed. Installation of sewer grinder pumps by CLPSS is mandatory and Featured Builders are to contact CLPSS at (980)722-1802 before trenching sewer or water lines. To cover the costs of materials and labor of the installation of the sewer grinder pump, a check in the amount determined by Property Matters Realty as indicated in item 16 of the APPLICATION, REVIEW, AND CONSTRUCTION FEES Fillable Form and payable to the Reflection Pointe Homeowners Association, Inc., may accompany the submission of the Final Building Plans or may be paid at a later date. Either the Owner or the Featured Builder may provide this payment. If the cost of installation exceeds the amount originally submitted (for example, because drilling or heavy equipment is required to remove rock), the Owner's account will be assessed the full amount of the additional cost, which must be paid within thirty (30) days.

Administration: The work of CLPSS is provided by an Owner supplied contractor. The Featured Builder is responsible for coordinating this work as they would any Owner supplied vendor in terms of scheduling their work, agreeing on the placement of the equipment, coordination with other trades, and ensuring clean up after the work. The Featured Builder may recommend to the Property Manager to withhold payment to CLPSS if there is damage caused by CLPSS which must be covered by the Owner, the Featured Builder, or their subcontractor.

ARTICLE 4 – SITE REQUIREMENTS:

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4.1 **Setbacks:** Setback requirements from property lines are established on the recorded plat for each Lot, as well as in these Architectural Guidelines and by Specific Site Zoning. Setbacks are subject to recorded public utility easements, drainage easements, landscape easements, and rights-of-way.

A. Front and Rear Setbacks: Front setbacks are thirty (30) feet and rear setbacks are forty (40) feet. Front setbacks are measured from the right-of-way of the Road, not the Road's curb. The ACC reserves the right to consider granting a variance for a setback as close as twenty-five (25) feet from the right-of-way under special circumstances because of streetscape requirements and site contours, but the variance must be approved in advance by the ACC.

B. Side Setbacks: Side setbacks are twelve (12) feet.

C. Surveyors should confirm all setback and right-of-way dimensions and shall show them on the Survey. All Homes must meet minimum setback requirements as set forth in the recorded plat, deed restrictions, and governmental regulations. For Homes located on the Lake, the ACC protects the 50-foot Riparian Buffer of the Lake and these lines must be shown, as well as the 135 degree protective view of neighboring Lots. Owners must conform to the Riparian Buffer Rules established by the NCDEQ, which is the authority governing the Catawba River Riparian Buffer along with Duke Energy Lake Management. Any work within the 50-foot Riparian Buffer must be submitted for prior approval to the ACC (see [Section 6.9](#) and [Section 6.10](#)). The Riparian Buffer Rules are detailed in [15A NCAC 02B .0614](#) CATAWBA RIVER BASIN: PROTECTION AND MAINTENANCE OF EXISTING RIPARIAN BUFFERS and those Riparian Buffer Rules and other information is available at this link:

<https://deq.nc.gov/about/divisions/water-resources/water-quality-permitting/401-buffer-permitting-branch/riparian>

D. The ACC reserves the right to require alternate setbacks, to be determined at time of the ACC review, to preserve particular view corridors, or to account for unusual topography, natural site features, or other extenuating circumstances.

4.2 **Construction Fencing:** Before construction commences on any Lot, an Erosion Control and Site Management Plan must be approved by the ACC (the “**Erosion Control Plan**”). The Erosion Control Plan should include erosion control measures such as silt fences, hay bales, diversion swales, stone filter dams, street catch basin screens, sediment filter socks, or other measures, as appropriate, and should indicate the areas where silt fencing will be installed immediately after the Lot is cleared and graded. Featured Builders should use at least 36-inch silt fencing material and install it in accordance with the North Carolina Erosion and Sediment Control Planning and Design Manual. Depending on the topography of the Lot, the ACC may require that other erosion control measures should be considered to prevent runoff into the storm drains or onto neighboring Lots, Common Areas, or Riparian Buffer Areas. Where downward slopes of 2:1 or greater (e.g., a slope of 1:1) are present at the property line or clearing limit as approved by the ACC, a double silt fence is required and each fence must be backed with 4”x 4” or 4” x 2” welded wire fencing (WWF) secured between steel fence posts. Where the downward slope is 3:1 or less at the property line or approved clearing line, but is not as steep as a 2:1 slope, a single 4” x 4” or 4” x 2” WWF reinforced silt fence is required. During construction on Waterfront Lots, the Riparian Buffer shall be protected by placing a double row of high hazard silt fencing or a single row of “super silt fencing” (silt fencing backed with chain link fencing) along the Riparian Buffer line prior to requesting the Lot Clearing Inspection. After clearing the Lot, this required silt fencing should be extended to all side Lot lines.

Catch basin screens as required in Section 4.31 and construction fencing must be maintained throughout the construction period until Final Inspection, unless the ACC authorizes earlier removal. Catch basins and construction fencing must be inspected every week by the Featured Builder and after each rainfall of one (1) inch or more. The Featured Builder must immediately make repairs, which include replacing damaged or ineffective fabric or WWF backing, removing sediment deposits as necessary to provide for adequate future storage, and to reduce pressure on the fence.

The ACC reserves the right to require additional erosion control measures on a case-by-case basis at any location where silt run-off is present or likely in the reasonable opinion of the ACC. The ACC may make this determination at plan review, site review, or at any time after construction commences if there is a silt fence failure or excessive runoff.

If the Featured Builder does not install construction fencing that complies with the approved Erosion Control Plan following Lot clearing, then the Association will install the fencing and bill the cost to the Owner as a Special Individual Assessment. Catch basin screens and construction fencing must be maintained throughout the entire construction period and may only be removed at the time of the ACC's Final Inspection, unless the ACC specifically authorizes earlier removal of the catch basin screens and construction fencing.

NOTE: If mud is observed being tracked onto the Roads from the Lot on which construction is occurring, orange construction fencing will also be required by the ACC along the curb and along all other disturbed areas.

- 4.3 **Sewer and Water Caps:** The Featured Builder shall be responsible for protecting sewer and water caps. If there is damage to either sewer or water caps on a construction site, the Association may make repairs and deduct the cost from the Compliance Security Deposit as described in Article 3. If there is damage to sewer or water caps on Lots in proximity to the building site, the Featured Builder may be held responsible for that damage. In the case where there is more than one construction site in the area of the damage, all of the Featured Builders will collectively bear the responsibility of their pro-rated share of the cost of repair. The ACC has the power to determine who is responsible for the damage in its sole discretion and what the allocation of responsibility should be if there are multiple Featured Builders involved with the damage.
- 4.4 **Construction Entrance and Parking:** The Featured Builder is responsible for placing and maintaining a stone driveway which will serve as a construction entrance and parking area on the Lot. The stone driveway shall be located in the same location as the finished drive and shall be comprised of an area that is six inches (6") deep by twenty feet (20') wide by fifty feet (50') feet long, and shall be composed of aggregate surge stone which is two to three inches (2"-3") in size. The stone should be placed in a manner to provide off- Road parking for construction vehicles. No materials or heavy equipment of any nature are to be unloaded or stored in the Roads or Road rights-of-way. This stone driveway is to be used before and during construction to minimize damage to the Roads and Road shoulders caused by the repeated parking of vehicles, heavy equipment, and trucks. All vehicles must park in a way that doesn't impede traffic or damage vegetation. Parking in cul-de-sacs must be done in a way to allow room for construction and delivery vehicles to pass by safely. Parking for construction vehicles should be on the Lot where construction is occurring, but in the case of overflow, additional parking is permitted on the Road only along the front property line of the Lot, and not in front of adjacent Lots. Professionally made signs must be placed on posts inside the curb on the corner of both front Lot lines stating, "Construction Parking ONLY Between Signs." These signs must be in place at the Lot Clearing Inspection. Alternate provisions may be discussed with the ACC on a case-by-case basis, and ACC shall have the sole authority to decide what will be required.

NOTE: Unless the photographs required in Section 3.4 (11) show damage to Roads or curbs that was evident before construction began, any damage to Roads or curbs that occurs during construction in areas where construction equipment was parked or moved shall be deemed to have been caused by that equipment. The ACC has the authority to charge Featured Builders for repairs which will be completed by contractors selected by the ACC or the Board, and may deduct those charges from the Compliance Security Deposit.

- 4.5 **Material Storage:** All construction materials must be kept within the property lines of the Lot. The Road rights-of-way must be kept open for vehicular access to all sites. Temporary storage structures must receive approval by the ACC prior to their use. Temporary storage structures shall not be used as living or office quarters.
- 4.6 **Vegetation Protection:** All existing trees or other vegetation shown on the plans or required by the ACC to be preserved must be left undisturbed during construction. Before beginning construction, the Featured Builder must erect wire or plastic environmental barriers to protect these natural areas. It will be the financial responsibility of the Featured Builder to mitigate or restore any disturbed areas and to keep the barriers in good repair during construction.
- 4.7 **Dumpster:** A commercial trash dumpster is required on site to keep a neat and clean construction site. No dumpster shall be placed on neighboring property without the written permission of that Owner which has been submitted to the ACC. Fabricated wood or wire bins will not be permitted. The Featured Builder is encouraged to use the services of a disposal company that is environmentally friendly by using recycling and composting techniques. In addition, the following clean-up rules shall apply:
- At the end of each day on which work occurs, all construction materials must be neatly stored, and all lightweight construction debris, such as roofing paper, insulation bags, and any polyethylene or sheathing must be placed in the trash dumpster.
 - At the end of the day on Friday, all construction debris must be picked up and scraps such as shingles, wood, drywall, bricks, etc. must be put in the trash dumpster.
 - Nails should not be left on the construction site, the stone driveway, or on the Roads. All nails should be put in the trash dumpster.
 - Dumpsters must be emptied when full.
- 4.8 **Toilet Facilities:** Each construction site is required to have a commercial portable job toilet placed prior to the Lot Clearing Inspection. The portable job toilet must be placed within the boundaries of the Lot and the side yard setbacks with the door facing toward the proposed Home and away from the Road. The portable job toilet must be cleaned, sanitized, and the waste tank emptied on a regular basis as needed to keep the portable job toilet from smelling or becoming a nuisance.
- 4.9 **Fires and Blasting:** Fires and burning are not permitted on construction sites under any circumstances. Using any explosive materials during construction (for example, to remove rock) is prohibited.
- 4.10 **Drainage:** Water runoff for each individual building site must be handled by adequately sloping all areas so that runoff is directed to the natural drainage areas or storm drainage facilities of each Lot.
- Surface Water Runoff: No discharge from downspouts is permitted within twenty-five (25) feet of an adjacent Lot.
 - Exception: On the sides of Homes, which have twelve (12) foot setbacks, no discharge should occur within eight (8) feet of the Lot line.
 - Methods for dispersing water across the lawn may be required for Lots with steep side yards to prevent fast flow onto a neighboring Lot. See Article 6 for requirements for drainage swales.

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GENERAL NOTE: FEATURED BUILDER AND OWNER MUST ACKNOWLEDGE THEIR UNDERSTANDING AND ACCEPTANCE OF THESE ARCHITECTURAL GUIDELINES ON THE SCHEMATIC REVIEW APPLICATION.

4.11 **Mailbox:** Only the mailbox type, size, and color approved by the ACC may be used. The mailbox must be installed according to United States Postal Service (USPS) regulations. Information on the correct mailbox can be obtained by contacting the Property Manager or by contacting Carolina Mailboxes at 704-334-3393 (the mail post system is Imperial Mailboxes model 888K-6 - black). Owners may not install more than one mailbox per Lot.

4.12 **Driveways/Walkways:** Final finished driveways must be constructed of broom finished concrete with the first fifteen feet (15') having an apron of pressed concrete, brick or stone pavers, or pavers made of cast concrete. Asphalt, gravel, and plain concrete driveways are prohibited. A concrete culvert must be installed where the driveway crosses the drainage swale. With respect to any driveways constructed before April 1, 2008 which have a fifteen foot (15') apron made of broom finished concrete, they shall be deemed to be grandfathered and will be considered in compliance with these Architectural Guidelines. However, if these grandfathered driveways are ever replaced, they must have the driveway apron added in order to comply with these Architectural Guidelines. Driveway reflectors and markers are prohibited.

Walkways: To maintain the aesthetic appeal and harmony of the Community, all Homes are required to have a walkway leading to the front door from either the Road or the driveway. Walkways or patio areas must be constructed of concrete, brick, flagstone, stepping-stones, pavers made of cast concrete, or pavers made from natural materials. Walkway materials shall be selected to match the appearance and style of the Home. Semi-pervious pavers are encouraged over impervious pavers where practical, but must be well maintained at all times. Walkways at the sides of Homes are permitted within the setbacks to allow access to the rear yard.

4.13 **Exterior Lighting:** ACC approval is not required for exterior lighting if the lighting is installed in accordance with the following guidelines:

- Exterior lights shall be conservative in design and as small in size as is reasonably practical.
- Exterior lighting shall be directed toward the Home and be of low wattage (limited to 2,000 lumens) to minimize glare sources to neighbors and other Owners.
- Exterior lights shall be warm colors, 3000 degree Kelvin or less.
- Exterior lights for walkways generally must be directed toward the ground.
- Exterior fixtures shall be dark colored so as to be less obtrusive.
- Exterior fixtures must complement the architectural style of Reflection Pointe and the specific Home and landscaping.
- Exterior lighting of walls may be achieved by use of eave or ground recessed fixtures.
- Exterior landscape lighting should be concealed where possible by recessing the lighting in the ground and/or recessing or placing the lighting in shrub beds.
- Colored lights are prohibited, except as temporary holiday decorations.
- Post mounted light fixtures will be considered on an individual basis.
- Spillover of light onto neighboring properties should be avoided, and lights should be shielded where necessary.

Any deviation from these Architectural Guidelines or the use of high-wattage bulbs, spotlights, floodlights, or ballasted fixtures (sodium, mercury, multi-vapor, fluorescent, metal halide, etc.) will require ACC approval. The ACC may consider the visibility and style of the fixture on the Home in its sole discretion.

4.14 **Flags and Flagpoles:** Yard-mounted flagpoles are not permitted on any Lot, except for flags and flag poles installed by or for the Association at amenity sites. Flags of the United States of America, the State of North

Carolina, and flags of the Armed Forces of the United States may be attached to Owners' Homes, flown from flag poles on docks, and displayed in accordance with federal regulations. Flag size not to exceed 4' x 6' is recommended. No other flags are allowed.

- 4.15 **Fountains:** ACC approval is required for all fountains. Photos and dimensions of fountains must be provided to the ACC for review.
- 4.16 **Therapy Spas:** The Amended Declaration provides that the installation of hot tubs, therapy spas, or Jacuzzis (collectively, "**Therapy Spas**") require ACC approval. The ACC requires that any Therapy Spa shall be an integral part of the deck or patio area and/or the rear yard landscaping. A Therapy Spa shall be installed so that it is not immediately visible to adjacent Owners or the Road, and shall not create an unreasonable level of noise for adjacent Owners. All mechanical equipment necessary for the operation of any Therapy Spa must be located in the rear or side yard and shall be screened from the Road and neighboring Lots and Homes by a fence, wall, or landscaping. Screening shall be in accordance with these Architectural Guidelines and must be approved by the ACC. All applications for installation of a Therapy Spa shall include a screening plan and a survey of the Lot with the location of the proposed Therapy Spa, related equipment, and proposed screening measures. By submission to the ACC of plans for installation of a Therapy Spa, the Owner agrees to be solely responsible for all issues of safety and liability associated with having a Therapy Spa on the Owner's Lot, and agrees that the Association, the Board, the ACC, and the Property Manager shall have no responsibility whatsoever for the use or operation of the Therapy Spa.
- 4.17 **Pools:** No above-ground swimming pools are permitted on any Lot in the Community. If an Owner wishes to install an in-ground swimming pool or lap pool (each, a "**Pool**" and collectively "**Pools**"), the Owner must first obtain ACC approval. Permits from Gaston County and two inspections by Gaston County are also required in addition to ACC approval and inspections by the ACC. Pools, decks, Pool equipment, and related equipment enclosures must be located in the rear yard, not encroach on the Lot's setbacks, and must be architecturally consistent with the Home and the Lot's landscaping. The Owner must submit landscaping and screening plans for the ACC's review and approval at the same time as the plans are submitted for the Pool, so that the screening and landscaping are integral parts of the overall landscape plan for the Lot and the equipment screened is not visible from the Road or adjacent Lots. By submission to the ACC of plans for installation of a Pool, the Owner agrees to be solely responsible for all issues of safety and liability associated with having a Pool on the Owner's Lot, and agrees that the Association, the Board, the ACC, and the Property Manager shall have no responsibility whatsoever for the use or operation of the Pool. Pool construction, whether included in a new home construction or as an addition to an existing home, is to be submitted as a separate project with the fee listed on the APPLICATION, REVIEW, and CONSTRUCTION FEES Fillable Form for the ACC review of the pool plans. The fee is to be paid by the Owner. In both cases, the Owner is responsible for uploading the pool plans, permits, and the name of the contracted pool company to a separate Review Portal designation as a pool submission, i.e., lot number -P. In the case of new home construction, the Final Site Plan and Landscape plan submitted with the Construction Documents must include the pool. If the Owner is adding a pool to an existing Home, the Owner is responsible for uploading the pool plans, any landscape plans, permits, and the name of the contracted pool company to the Review Portal.
- 4.18 **Landscape Elements:** Lawn ornaments, statues, sculptures, yard art, figurines, gnomes, yard decorations, and other natural or man-made objects ("**Landscape Elements**") must be submitted for ACC approval before installation. Landscape Elements should be placed in the rear yard, but may be permitted in the front and side yard areas of a Lot if they are concealed within a privacy wall that has also been approved by the ACC. The ACC may approve a reasonable number of Landscape Elements on each Lot. The Landscape Elements must be well maintained and should not fall into disrepair or become unsightly.

- 4.19 **Antennae and Satellite Dishes:** No exterior satellite dish, disc, or antenna may be placed by an Owner on any portion of the Common Area without the prior written approval of the ACC. An Owner may install in his or her Home or on the patio or deck of his or her Home or within the backyard area of his or her Lot, (a) a satellite dish, disc, or antenna no larger than one (1) meter diagonally or in diameter, and/or (b) a mast which is twelve (12) feet or less in height and does not extend higher than the upper boundary of the Home or beyond the boundary of the patio and over the Common Area. The ACC may require that a satellite dish, disc, or antenna be appropriately screened from view from Roads, provided that (i) the cost of screening is reasonable, (ii) the screening does not impair reception, and (iii) the screening requirements are the same as for HVAC units, Pool equipment, Therapy Spa equipment, or similar installations. The Owner shall also be responsible for any damage to the Common Area caused by the installation, repair, maintenance, or removal of the satellite dish, disc, or antenna. Any Owner installing a satellite dish, disc, or antenna shall indemnify, defend, and hold harmless the Association, the Board, the ACC, and the Property Manager from and against any loss, damage, claim or other liability resulting from the installation, maintenance, repair, use and/or removal of the satellite dish, disc, or antenna.
- 4.20 **Exterior Wires and Cables:** No exposed exterior wires or cables of any kind are permitted on a Lot.
- 4.21 **Propane Tanks:** Propane tanks must be installed underground, except for portable tanks with a capacity of less than five (5) gallons which are typically used for grilling or for recreational use.
- 4.22 **Garbage Containers:** Garbage containers shall be stored inside of the garage or screened so they are not visible from the Roads or adjacent properties with screening approved by the ACC. See Section 10.20 in Amended Declaration.
- 4.23 **Walls and Retaining Walls:** Walls should reflect the architecture of the Home. Maximum retaining wall height is six (6) feet and must include a cap composed of similar material to the wall, with flashing below the cap to limit the potential for water migration into the wall and development of efflorescence. The ACC may authorize retaining walls greater than six (6) feet and up to ten (10) feet so long as the provisions of Section 11.9 of the Amended Declaration are met. The ACC may not approve walls in every case based on aesthetic considerations within the neighborhood, and, in the case of retaining walls over six (6) feet in height, certification of the plans and job site supervision by a licensed civil engineer will be required. Retaining walls shall also have foundation drains and weeps incorporated when subjected to hydrostatic pressures. Special consideration should be given to the design and placement of the wall from neighboring Home sites. All walls, including description of materials, must be approved by the ACC prior to installation. All walls to be installed shall be shown on the site plan. NOTE: Retaining walls or a series of retaining walls that retain more than four feet (4') of fill are required to be designed by an appropriately licensed North Carolina civil engineer or architect. Copies of the design and the inspection results by either the Gaston County building inspectors or an independent inspector shall be made available to the both the Owners and the ACC.
- 4.24 **Patios and Decks:** See Section 5.18.
- 4.25 **Accessory Buildings:** Owners shall obtain ACC approval prior to construction of any accessory building or permanently installed playhouses, playground equipment, doghouses, gazebos, green houses, etc. whether built during initial construction or after. Accessory buildings shall meet the following criteria:
- (1) An accessory building must be of the same color, material, and architectural style as the Home or of color, material, and style that is generally recognized as complementary to the Home. Roofing materials on an accessory building shall match those of the Home.
 - (2) Any utilities servicing accessory buildings shall be installed underground.

- (3) Accessory buildings generally shall be located in the rear one third of the Lot, as long as it does not front onto a Road. Accessory buildings shall be incorporated as an integral part of the landscape plan, shall not unreasonably obstruct any adjacent neighbor's views of the ponds, open areas, or other amenities, and must be screened by a fence or vegetation.
- (4) Freestanding metal utility sheds or storage sheds are not permitted.
- (5) A playhouse shall be considered an accessory building if it measures more than thirty (30) square feet, is more than six (6) feet high from peak to ground, or is constructed on a concrete slab or footing. All playhouses must be located in the rear yard and screened from view from adjacent properties and the Road. Playhouses must be constructed with natural colors, with no bold primary colors permitted. Tree houses are not permitted.
- (6) Dog houses shall not be visible from the Road or adjacent properties. ACC approval may require screening or landscaping. Dog Lots, dog runs, and dog kennels are not permitted.
- (7) **The ACC reserves the right to require formal drawings, plans, and specifications for any accessory buildings.**

4.26 **Recreational Equipment/Areas:** Section 10.12 of the Amended Declaration governs recreational equipment. All recreational equipment, including, but not limited to, tennis courts, basketball backboards and hoops, swing sets, children's climbing or play apparatus, playground equipment, pickleball courts, tennis courts, sport courts, and any other equipment or area associated with leisure, sports, or recreation must be approved by the ACC prior to installation on any Lot. The ACC may require photographs or other means of illustrating the appearance of the proposed recreational equipment or recreational areas. Recreational equipment or recreational areas may not be located within the front yard of any Lot, or within fifty (50) feet of the Lake. Except for basketball goals, no recreational equipment may be located forward of the back plane of the Home. Basketball goals may not be located forward of the front plane of the Home, and the plane of the backboard shall be perpendicular to the Road. Recreational equipment visible from the Road will be subject to screening on a case-by-case basis.

4.27 **Recreational Vehicles:** All boats and recreational vehicles (i.e. campers, motorhomes, etc.) must be kept in a garage or in the boat storage area. No outside storage on an Owner's Lot will be allowed. Exception: No more frequently than once in a six (6) month period, visiting guests of Owners who travel in live-in recreational vehicles (e.g., campers or motorhomes), may park that vehicle in the Owner's driveway during the visit for no longer than seven (7) days.

4.28 **Birdbaths, Birdhouses, and Birdfeeders:** ACC approval is not required for the installation of a birdhouse, a birdfeeder, or a birdbath in the rear yard or in a side yard behind the front plane of the Home. Placement of birdbaths, birdhouses, or birdfeeders in an Owner's front yard requires ACC approval.

4.29 **Clotheslines:** North Carolina is a "Right to Dry" state. Clotheslines are permitted when on a fully retractable system which can be fully concealed behind a Home and placed no more than ten (10) feet from the Home.

4.30 **Signs:** Owners may place one Lot marker on a vacant Lot to identify the Lot number. A Lot marker must be made from a 4" x 4" x 4' treated lumber post and may not be stained or painted but may be sealed with a clear sealant. The top of the marker shall have a decorative copper cap. The numerals on the Lot marker must be metal, each 3" tall, black in color, and run vertically down the post. Markers are to be placed at the cut line (where mowing stops) at the approximate center of the Lot and extend two feet above the ground. No Lot numbers may be painted on Road curbs over the original Lot numbers. Existing Lot numbers on the curbs will be removed.

Owners may display one security sign (e.g., “Protected by ABC Security”) in the front yard in a location either adjacent to the driveway or in general proximity to the front entrance of the Home. An additional security sign may be displayed at the rear of the Home and, for Homes on the Lake, a similar sign may also be displayed on a dock. In accordance with Section 10.22 of the Amended Declaration, no signs of any kind shall be placed or displayed in the public view on any Lot or on the Common Area without the prior approval of the ACC. Political signs shall not be allowed as provided in Section 10.22 of the Amended Declaration. For Sale and Realtors signs will not be approved for display. Exceptions:

- (1) Featured Builders may erect one sign each (in addition to a permit board) on a Lot at the start of construction. Please refer to Section 8.4 for specifications.
- (2) Owners whose Homes or Lots are on the market may:
 - a. Display one "For Sale" sign (no larger than 2' x 2') inside the Home in a window facing the Road.
 - b. Place an information box at the curb from which prospective buyers may access information about the property.
- (3) Article 8 explains the term “Featured Builder” and sets forth specifications for their signs and Lot markers.

- 4.31 **Street Cleaning:** Builders are to ensure the Roads and the curbs adjacent to the construction site are cleared of gravel from the temporary driveways at the end of each workday. When work is done for the week, the Roads shall be cleared of any dirt and mud that may have accumulated near their site. Any concrete spilled must be removed immediately. To uphold the aesthetic integrity of the Community, Roads subject to construction traffic will be cleaned on an as-needed basis as determined by the ACC. The Lots under construction at the time of cleaning will bear the responsibility of their pro-rated share of the cost of such cleaning where it is observed that dirt, mud, or concrete is tracked from the area on or near a site where construction is performed.

The most proximate catch basin downstream of the construction site must be provided with a silt containment screen by the Featured Builder. The screen should be inspected each Friday and cleaned or replaced as needed. A fine will be assessed for each day silted water runs past a blocked screen due to lack of maintenance or if silt runs into an unprotected catch basin. See Section 9.2. The ACC requires that Roads need to be cleaned each day of driveway gravel and trackable mud.

FINES MAY BE ASSESSED BY THE ACC AGAINST THE FEATURED BUILDER'S COMPLIANCE SECURITY DEPOSIT WITHOUT PRIOR WRITTEN OR VERBAL NOTIFICATION.

- 4.32 **Permitted Hours of Construction:** In keeping with the need to maintain a safe and desirable neighborhood, construction is limited to the following hours:
- Monday thru Friday: 7:00 am -7:00 pm
 - Saturday: 7:00 am - 5:00 pm
 - Sunday: No construction is permitted on Sunday on the exterior of Homes. Interior work on Sundays between the hours of 8:00 am to 5:00 pm is permitted. However, if interior work results in noise being heard on the exterior of the Home or any construction activity of any nature occurs on the exterior of the Home, the privilege of working on Sundays will be revoked.
 - No construction of any kind will be permitted on the following holidays: New Year's Day, Martin Luther King Day, Memorial Day, Independence Day, Labor Day, Veterans Day, Thanksgiving, Christmas Eve, and Christmas Day.

Quitting time is the time at which construction personnel are expected to depart the site. Cleanup and storage of materials for the day should occur prior to quitting time. Working outside of permitted hours on any given

day will result in a fine in the amount of Two Hundred Dollars (\$200.00) per hour or fraction of an hour (or higher amounts if on a Sunday or holiday as described in Section 9.2).

- 4.33 **Gate Access to the Community:** Gate access for material delivery is through the use of a Featured Builder's gate access code which is different from the Owner's gate access code. The Featured Builder is responsible for giving the gate access code to delivery companies for Saturday or Sunday delivery. No material delivery that uses trucks over two axles will be permitted on Saturday or Sunday, except for residential moving vans delivering or removing household goods and furnishings.
- 4.34 **Adjacent Lots:** Featured Builders must NOT stage any equipment or park any vehicles on adjacent Lots or nearby Lots without the prior written consent of the respective Lot Owners. A copy of this consent will be uploaded on the Review Portal. Construction vehicles shall park on the construction site or on the Road adjacent to the site. Once construction is complete, any adjacent Lot used for such purposes will be returned to pre-construction condition.
- 4.35 **Delivery Trucks:** Loaded delivery trucks are limited to a speed of 15 mph to minimize damage to the Roads. Concrete truck loads are limited to eight (8) yards of concrete.

Each Featured Builder shall be given one gate access code for entrance into the Community that shall be used by all of its subcontractors, no matter how many Homes the Featured Builder is building at any one time. The Featured Builder must complete Featured Builder Application which will list all subcontractors to be used on a job before the gate access code will be issued. The Featured Builder will be responsible for notifying the ACC of the contact information for any additional subcontractors receiving the access code. The ACC reserves the right to change and reissue gate access codes at any time for control purposes.

- 4.36 **Wells:** All Owners are required to connect to the Water System to provide potable water to their Homes and the Water System shall be the sole source of potable water for the Community. No Owner shall be permitted to drill a private individual well to provide potable water. An Owner may apply to the ACC for permission to drill for a single well for irrigation purposes on a Lot where irrigation from the Lake is not practicable. If the ACC approves a single well to be drilled on a Lot for irrigation purposes only, the well must not penetrate the bedrock and must be located at the ACC approved location on the Lot. The well must not be connected to the Home, but must be used strictly for irrigation purposes on the Lot and not for potable water usage. The ACC requires that wellheads must be screened with an approved cover and appropriate landscaping, as determined by the ACC.
- 4.37 **Exterior Surface Stain Prevention:** All soil staining along the home's perimeter must be fully prevented and must not be visible upon completion of the residence. Within one week of commencing installation of the primary exterior materials (including brick, stone, stucco, or siding), the builder is required to place an adequate amount of straw around the perimeter of the residence to areas where needed to prevent soil from staining the exterior surfaces. Reliance on pressure washing or the addition of extra foundation plantings to conceal staining are ineffective and do not adequately prevent staining.

ARTICLE 5 – BUILDING REQUIREMENTS:

- 5.1 **Architectural Standards:** The exteriors of all Homes and Improvements must be designed to be compatible with the natural site features and to be in harmony with their surroundings. The design of all structures shall be predicated on an eclectic European Design. The ACC may disapprove plans if, in its sole judgment, the

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massing, architectural style, roofline, exterior materials, colors, or other features do not meet these standards. No mobile home, modular home, or manufactured home construction shall be permitted in the Community. Environmentally contained off-site construction may be approved. No slab-on-grade construction shall be permitted.

- Some qualifying architectural elements of the eclectic European Design are:
 - Asymmetrical massing
 - Broken roof lines (see [Section 5.7](#) for roof pitch guidelines)
 - Front facing gables or clipped gables with hip acceptable at the main body of the Home
 - Front doors with multi-pane glass
 - Multi-pane glass on front-facing windows with vertical orientation
 - Minimum six inch (6”) frieze band
 - Minimum overhang of twelve inches (12”) with boxed eaves
 - Window and door trim with headers
 - Window heads are flat or shallow arch
 - Cove mold sills
 - Stone detail for Homes that are wider than sixty (60) feet
 - Carriage style garage doors
- Architectural styles that meet these Architectural Guidelines and are acceptable to the ACC are: French Country, Tudor, English Revival, Châteauesque, and Norman.
- Architectural styles that do not meet these Architectural Guidelines and are not acceptable to the ACC are: Mediterranean, Spanish, Country, Colonial Revival, Florida, Log Cabin, Second Empire, and Modern.
- Architectural styles that **may** be acceptable to the ACC are Craftsman and Tuscan (if consistent in all aspects of the design).
- [Section 8.3\(e\)](#) of the Amended Declaration provides that Homes constructed on Lots 1, 12, 13, 176, 177, 193, 194, and 195 shall be in harmony as to color, design, and materials with the stucco and stone gated entrances to the Community.

5.2 **Minimum Area Requirement:** Any Home erected upon any Lot shall contain not less than the following heated living areas, exclusive of garages, basements, decks, porches, and other non-heated areas:

	<u>Minimum Total Heated Living Area</u>	<u>Minimum Ground Floor Heated Living Area</u>
1 Story	2,000 sq. ft.	2,000 sq. ft.
1½ story, split level, tri-level	2,200 sq. ft.	1,400 sq. ft.
2 story, 2½ story	2,400 sq. ft.	1,400 sq. ft.

Square footage shall be measured in accordance with the definition of “AREA” stated in the International Building Code (IBC) with North Carolina amendments, to the inside face of the finished walls of the Home, which is the painted side of sheetrock or finished side of wall paneling or tile. Wall structures, cavities or interior finishes do not count in area calculations.

- 5.3 **Maximum Height:** No Home shall be over two and one-half stories in height as viewed from the Roadside. However, rear elevations of sloped Lots and side elevations may be higher if permitted by the ACC.
- 5.4 **Roof Slope:** The minimum roof slope over the Home shall be at least six (6) vertical inches to (12) horizontal inches.
- 5.5 **Exterior Wall Treatments:** The materials listed below are acceptable exterior wall treatments for vertical and horizontal surfaces, except where noted as prohibited. When used in combination, transitions from one material to another shall be made in an aesthetically sensitive manner such that the appearance and style of the Home are consistent on all sides. Note: Long walls (typically fifty feet (50') or more in length) must have some break in the wall plane and roof.

Only hard surfaced materials, brick, stone or cement stucco may be placed on sides of Homes facing Roads, walkways, Common Area, or the Lake. At least two (2) hard materials are required on these elevations. There must be a mix of materials with no more than sixty percent (60%) being composed of any one material. All hard materials must wrap corners and terminate at a logical point at an intersecting wall. Proportional wing walls are permitted in front to serve as a termination point. With respect to Homes with a width of sixty (60) feet or greater, one of the two primary materials shall be at least forty percent (40%) stone.

- Traditional Portland concrete stucco in muted colors, natural, tinted, or painted is allowed.
 - No white colors in the white family or primary colors may be used on any exterior wall surface, door, window or trim.
 - Painted brick, whitewashed brick or light screed coatings of cement/stucco will not be approved.
 - Vinyl, aluminum siding and compressed wood (Masonite) are prohibited.
 - No straight, lapped siding on the main body or the gables of the Home will be allowed. If it is used as an accent piece, on a dormer for example, the ACC may consider it on a case-by-case basis.
 - Nichiha Sierra Premium shakes or equal will be allowed if less than fifty percent (50%) of a non-Lake/pond/common area/walkway facing rear or side walls. Typical application locations would be gables, dormers or second story walls in these locations.
 - Anodized, copper, or paint finishes are required on all metal surfaces including windows, flashing, drips, and caps in colors matching the approved trim colors.
 - Soffits are preferred to be of wood, stucco, MDF (wood fiber in phenolic resin), or cementitious materials (James Hardie soffit and fascia). If vinyl soffits are used, they must have a minimum thickness of 0.044". For example: <https://www.certainteed.com/products/siding-products/invisivent-soffit>
 - Aluminum soffits and fascia may be used when supplied in thickness of 0.019" and 0.024" respectively, or heavier. They shall be installed to prevent "oil canning" or other irregular surface conditions. Fastening details and edge treatments must be submitted with material specifications for review, and must be so displayed on the required sample board. Face nailing must be used minimally.
 - Synthetic/foam products (EIFS) are prohibited, except on trim treatments in a limited capacity. Synthetic/foam products (EIFS) are not to be used on full walls.
 - Gutters and downspouts shall be used at all eave lines unless deemed inappropriate and should be either aluminum or copper. Galvanized material is not permitted. Gutter color, if aluminum, should closely match the trim color or if contrasting, shall have a sample installed on the sample board for approval. See drawing requirements for termination of roof drains.
 - The use of wood shall be limited to trim, accent materials, and approved decks only.
- 5.6 **Exterior Colors:** The ACC requires that color selections for all exterior materials shall be in warm earth tones. No white colors in the white family or primary colors may be used. Owners must submit color samples of all exterior surfaces to the ACC for review and approval. Exterior colors selected for Homes should be contrasting as opposed to monolithic. The ACC has determined that no color should be lighter

than a color having a Light Reflectance Value (LRV) higher than 65. Where a material does not have an LRV designation, a known paint color similar to that color should be identified and used as a reference.

PRIOR TO APPLYING THE FINISHED COLOR ON THE HOME: On the sample board, in the center of the stucco or paint color, paint or coat a 12" x 12" area of the sample board with the actual color so that a comparison can be made between what is approved and what is being applied. If there is a substantial difference, do not apply the paint or coating until the color is corrected.

- 5.7 **Roofing:** Roof pitches and overhangs shall be designed for compatibility with adjacent roof profiles in front, side, and rear elevation, and may vary as dictated by architectural design. All proportions of the main body of the Home, as determined by the ACC, shall have a minimum roof pitch of six (6) inches over twelve (12) inches slope; however, accent roofs (i.e. porches, dormers, etc.) may be a minimum of four (4) inches over twelve (12) inches slope, but must be consistent with the architectural style of the Home. A minimum overhang of twelve (12) inches is required. The ACC has determined that acceptable roof materials are as follows: natural or synthetic slate, copper, dimensional asphalt shingles (architectural grade and style, minimum 260 pounds per square and a minimum of 4 bundles/square), standing seam metal (24 gauge is recommended but no less than 26 gauge will be approved), clay or concrete tile. Barrel tile is not approved. Special considerations may be made for metal roofing shingles (24 gauge minimum). No fasteners may be exposed.
- 5.8 **Roof Accessories and Equipment:** ACC approval is required for all rooftop equipment and accessories. All rooftop equipment must be placed as inconspicuously as possible and complement the color and materials of the Home. All chimneys and stack pipes shall be enclosed with brick, stone, or stucco. Spark arrestors must be enclosed by a clay pot or other decorative chimney element to conceal the metal. Exposed flashing, other than copper, must be painted to match the fascia and trim of the structure. No exposed attachment straps will be allowed.
- 5.9 **Windows, Doors, and Trim:** The ACC has determined that full vinyl windows are prohibited and will not be approved. The ACC has determined that aluminum clad, vinyl clad, or all wood windows are the only type of windows permitted. Fiberglass windows are not permitted. The ACC will not approve large picture windows or multiple ganged large windows. Windows should be clear glass or a tinted glass in gray or smoke colors. Samples shall be submitted for gray and smoke glass colors for approval by the ACC. Window screen fabric must be dark bronze or charcoal color. Windows shall have casing, headers, and sills, or otherwise similarly treated on all elevations. Where arched headers are used, the windows below must be arched to conform to the framing. Filler panels are not permitted. The ACC must approve security treatments for doors and windows; however, no "burglar bars," steel or wrought iron bars, or similar fixtures shall be installed on the exterior of any windows or doors of any Home. Running bond brick headers on window and door openings is prohibited. Ganged windows shall be separated by a minimum of one and one-half inch (1.5") mullions. Pre-mulled windows are acceptable. All doors that are forty-two inches (42") or taller shall be paneled.
- 5.10 **Screen Doors and Storm Doors:** Front screen doors and storm doors are not permitted. Screening is not allowed at any exterior garage door, and ACC approval is required for all other exterior screen door or storm door applications. If approval is requested, the design and color must match and be generally accepted as complementary to that of the actual entry doors of the Home.
- 5.11 **Vents and Chimneys:** Plumbing vents, mechanical vents and fans, turbine type attic vents, and other similar types of vents must be painted to match the roof/wall. No vents (other than dormer vents) shall be located on the front elevation. All gas and wood burning fireplaces must be vented to the exterior with a side wall vent or a chimney. Exposed stacks for fireplaces are not permitted and a chimney must be used unless a wall

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vent is provided on the side or rear walls. Chimneys must be clad with brick, stone or stucco. A chimney pot or shroud must be used to screen spark arrestors from view.

- 5.12 **Skylights and Solar Collectors:** Skylight trim must be painted and glass must complement or match roof color. Solar Collectors are subject to the terms of Section 10.32 of the Amended Declaration and may be submitted for approval. Solar Collectors shall lie flat against the supporting roof and be consistent with the architecture of the Home. Solar Collectors must be appropriate to residential use and not recreational vehicle grade or capacity. The ACC will require specifics as to the design, construction, and placement of Solar Collectors in order to consider them for approval.
- 5.13 **Ceiling Height:** To add to the aesthetic exterior appearance of the Home, ceiling heights must be a minimum of nine feet (9') on all floors. Single-story Homes must have minimum ten-foot (10') ceilings. Wall sections must demonstrate ceiling height on all floors.
- 5.14 **Utilities:** Meter boxes, gas regulators, conduit, electrical panels, etc. are to be fully screened from view from the Road with evergreen shrubs or approved fencing. See Section 6.4.
- 5.15 **HVAC Units and Pool Equipment:** HVAC units and Pool equipment must be located to minimize the transmission of noise to adjacent Lots and Homes, and should be appropriately screened from view from the Road. Window air conditioning units and through-wall units are not permitted.
- 5.16 **Awnings and Overhangs:** The installation of awnings or overhangs requires ACC approval. The awning or overhang color must be the same as or generally recognized as complementary to the exterior of the Home. Metal awnings are prohibited, except that a standing seam metal roof over a framed awning structure may be approved by the ACC under certain circumstances.
- 5.17 **Glass Block:** The use of glass block on the exterior of a Home shall be subject to ACC approval. Glass block shall not be a dominant feature for the Home or elevation. All glass block located on the Home shall be treated similar to windows with banding and/or architectural trim. Glass block located at the front and/or rear of the Home shall provide a privacy wall and/or sufficient landscaping that simulates a wall to diminish the impact on the elevation.
- 5.18 **Decks, Porches, Patios, and Other Enclosures (Covered/Uncovered or Screened):** Covered or uncovered porches, patios, and other enclosures, structures, their supports and/or railings shall be substantial in appearance and reflect the style and architectural detail of the Home. Homes on Lots that adjoin Common Areas or are visible from the Roads shall have metal railings; provided, however, that the ACC may approve Trex for rear decks, porches, or patios that are not visible from the Roads. Except as approved by the ACC, these structures shall be constructed of materials that are substantially similar to those used on the Home, and as complementary to the design of the Home as possible. They should be designed and installed as an integral part of the Home with rooflines that complement the rooflines of the Home. Any such structure must be located so as not to obstruct or diminish the view of or create an unreasonable level of noise for adjacent Owners. The façades of Homes visible from the Road shall be in keeping with the approved architectural theme. Construction shall not occur over easements unless specifically approved by the ACC and the utility company having jurisdiction and must comply with the applicable governmental requirements. Screens shall be either dark bronze or charcoal. All decks must have underpinning of brick, stone, or stucco to complement the Home, except where the deck is elevated over a walk-out basement. Decks backing onto South Point Road must have brick or stone foundations/underpinning to match the Home. All deck posts from grade to deck at walk-out basements must be clad with a finished material of brick, stone, stucco, or wood trim. Natural

cedar timber framing may be left unclad with approval of the ACC. Approval of Grade C Clear timber or better is typically approved by the ACC.

- 5.19 **Garages:** All Homes shall have a fully enclosed garage designed to accommodate at least two (2) vehicles when the garage doors are in the closed position. Garages shall be compatible with and complementary to the Home in architectural style, material, and color. The garage and specifically the garage door(s) shall not be the focus of the main front façade. Front entry garages are prohibited except where the garage is an additional detached garage set back toward the rear of the Lot, which complements the architecture of the Home.

Garages shall be finished on the inside. Garage doors shall have a “carriage house” appearance and may be made of wood or metal. Access to the garage shall include a minimum of twenty-four (24) feet (as measured at a perpendicular angle) for back-out space from the garage door to the pavement edge. Detached garages are allowed only on Lots designated with an asterisk on the recorded plat. (See [Section 10.3](#).) Porte cochères are permitted to attach a garage to a Home; provided, however, the garage connected by the porte cochère cannot be heated occupied space for recreation or for living accommodations. Garage doors shall be no closer than twenty-six (26) feet to the Lot line. The twenty-four (24) inch space closest to the Lot line must not be paved.

- 5.20 **Additions, Modifications, and Expansions:** Any addition, modification, expansion, or similar alteration, including changes to the color scheme of a previously approved Home before construction is complete, is subject to the requirements of these Architectural Guidelines and must be submitted to the ACC for final approval. [Section 3.15](#) addresses modifications after initial construction of a Home.

- 5.21 **Shutters and Window Treatments:** Where shutters are used, they should match the configuration and dimension of the window they serve, even if only decorative; i.e. if the decorative shutters could be closed, they would completely cover the opening. Shutter colors should be submitted for ACC review with the color represented on the sample board. Where interior window treatments are visible from the exterior, they should be backed by a white or neutral color material so that colors do not detract from the exterior appearance of the Home but rather compliment the exterior of the Home as determined by the ACC. **BLACKING OUT OF WINDOWS IS NOT PERMITTED.**

- 5.22 **Landscape Walls, Screen Walls, and Fences:** All landscape walls, screen walls, and fences are governed by [Section 10.6](#) of the Amended Declaration and must be approved by the ACC.

- Landscape walls shall be used to retain earth and shall be constructed of Keystone Block, concrete faced with stone, stone, brick, or other permanent non-organic material approved by the ACC.
- Screen walls shall be walls attached to the Home to screen areas as required by the ACC or the Architectural Guidelines (e.g., HVAC and pool equipment, garbage cans and in some instances, garage doors). See [Section 4.23](#) of the Architectural Guidelines for wall specifications.
- Fences are not permitted in yards in the front plane of the Home. Fences shall be iron or aluminum rail. Wood and plastic fences or screening is not permitted. Fences are not permitted to be higher than six (6) feet. Fences shall not contain chain link, barbed wire, razor wire, or exposed electrical wire. Fencing within an adjacent Home’s “view corridor” (135 degrees off the back plane of the Home on both sides) where the view is of Common Areas, the Lake, or ponds shall be visually permeable so as not to restrict the field of view from neighboring Homes onto these amenity areas. No fencing will be erected or permitted to remain between the Road right-of-way and the applicable minimum building setback line, except as approved by the ACC. No double fencing is allowed. Fencing samples must be submitted digitally to be approved by the ACC. Approved fencing must be finished on all sides and edges.

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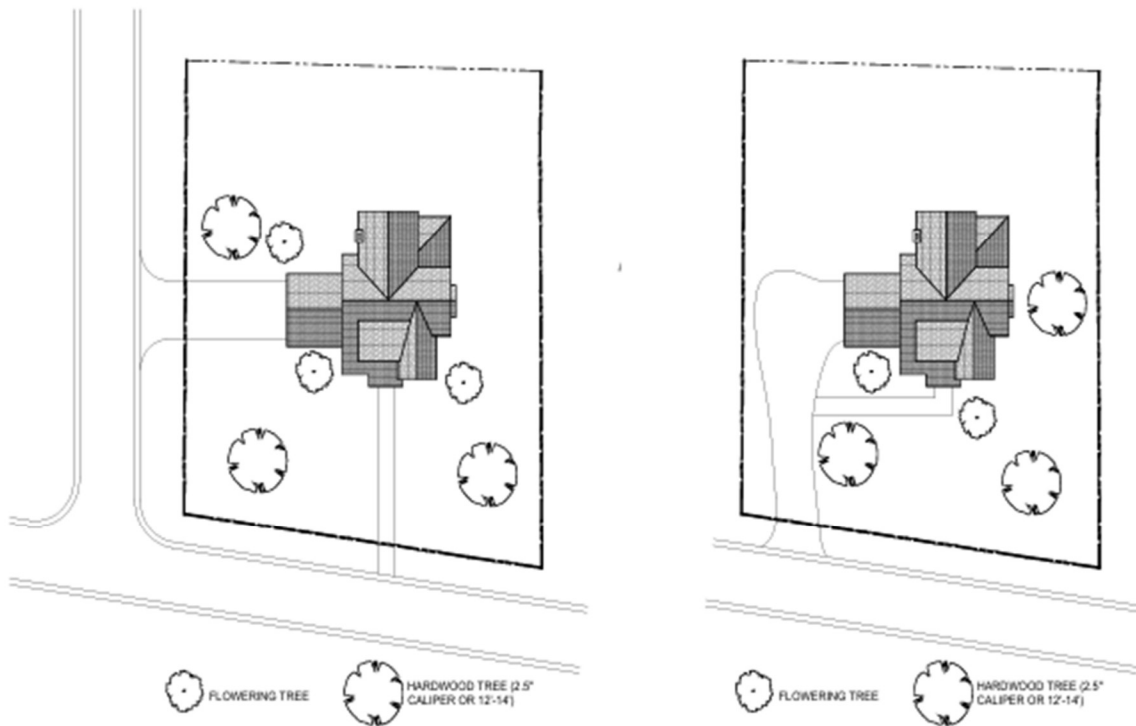
- 5.23 **Deer Screening:** Screening is allowed for the purpose of protecting plantings from deer, with the following requirements, restrictions, and limitations:
- Stakes must be no larger than 3/4" diameter.
 - Stakes cannot be more than 6" taller than the tallest plant(s) being protected, with a maximum height of 72".
 - Stakes must be placed as close to the plants as practicable.
 - Stakes must be green or brown so as to blend in with the vegetation they are designed to protect.
 - Only standard, black or green deer netting or clear monofilament fishing line may be attached to stakes.
 - Netting may be draped over the plants.

ARTICLE 6 – LANDSCAPING REQUIREMENTS:

- 6.1 **Purpose:** These landscape requirements have been established to maintain the high standards of Reflection Pointe and reflect the Community's emphasis on the value of open spaces, natural landforms, and landscapes to provide a positive impact on property values, quality of life, and the overall enjoyment and benefits of outdoor living. There are three (3) categories of trees to be planted: (a) hardwoods to replace forest canopy; (b) flowering trees to create interest and for bird habitats below the canopy; and (c) evergreens to give year-round color and recreate the appearance of the Carolina forest that the Community wishes to maintain. Section 6.6 lists the minimum requirements for landscaping. NOTE: All plantings shall be placed in accordance with the guidelines provided by the North Carolina State University Horticulture Information website.
- 6.2 **Shade and Canopy Trees:** The ACC may require that the Owner establish trees in open areas and the re-vegetation of wooded Lots to restore over time the natural forest canopy lost during construction. Specific requirements will be reviewed on a Lot-by-Lot basis. Any tree removed from a landscaped Lot must be replaced unless the remaining trees meet the minimum requirements set forth in Section 6.6.
- 6.3 **Evergreen Foundations:** Evergreen foundation plantings are required to provide year-round accents and softening of foundations as well as to provide a backdrop for ornamental and flowering plants. Shrubs are required continuously along foundations and under windows, with exceptions for lower windows, porches, patios, and in areas where the foundation's materials are an important architectural accent. Quantities will be decided on an individual basis.
- 6.4 **Evergreen Screening:** Evergreen screening is required to conceal service and utility areas. These areas include HVAC units, electrical connections on the sides of Homes, Pool equipment, Therapy Spa equipment, and, in some instances which will be considered on a case-by-case basis, garage doors. Fencing may be used to screen some of these areas (see Section 5.14). If evergreen screening is used, quantities and sizes will be considered on an individual basis but should provide immediate screening (e.g., HVAC units should be concealed by plantings that are 4-6' tall at time of installation).
- 6.5 **Lawn and Groundcover:** Areas should be established to control erosion in compliance with these Architectural Guidelines and all environmental rules and regulations of the City of Belmont, Gaston County and the State of North Carolina. Front and side lawn areas that are adjacent to Roads shall receive sod. Grass areas must be seeded and maintained in accordance with the North Carolina State University Guidelines for turf grass in "high profile home lawns," as described on their website: <https://www.turffiles.ncsu.edu> for Gaston County, North Carolina.

6.6 **Minimum Plant Quantities and Sizes:** The official reference for the measurement of plant sizes and heights shall be the American Standard for Nursery Stock, ANSI Z-60.1-2014.

- **Ground Covers:** 1 gallon size: 12-18" spread; 3 gallon size: 18-24" spread.
- **Hardwood Trees (including ornamentals):** 2.5" caliper (or 12 -14') There is a requirement of one hardwood tree per 8,000 gross square feet of the Lot size or any portion thereof. Types of hardwood trees that are approved include magnolia, oak, hickory, walnut, maple, and similar native hardwood trees, and shall be restricted to no more than two (2) trees of the same species. At least two (2) trees shall be planted in the front yard and one (1) tree in the side yard visible from a Road; provided, however, on a corner Lot, at least three (3) trees are required in the front yard instead of two (2) trees. Existing healthy hardwood trees may be credited toward the required amount. More than two (2) trees of the same species may be planted but are not counted toward the required total number of trees. Do not include the Riparian Buffer Area in calculating the Lot area or in the required tree count, since the Riparian Buffer Area should be left in as natural a state as possible.
- **Evergreen Trees:** Native evergreen trees include Cedars, Hollies, Spruce, Junipers, Arborvitae, Laurels, and similar trees. 6-8' height minimum
- **Evergreen Foundation Shrubs:** Minimum of 5 gallons or 24-36" tall planted 24-30" on center. 7-gallon plants may be placed 36" on center.
- **Evergreen Screen Plantings:** Minimum 4-6' for utilities or service areas; larger for garage door screening when such screening is specified by the ACC.
- **Flowering trees:** Dogwoods, Weeping Cherry trees, Crape Myrtles, and Redbuds - minimum of two (2) flowering trees planted in the front yard and one (1) flowering tree in the side yard visible from the Road.



6.7 **Exterior Lighting:** Refer to Section 4.13.

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6.8 **Ornaments and Statues:** Refer to Section 4.18.

6.9 **Riparian Buffer Area:** The NCDEQ's Division of Water Resources is the governing agency for the 50-foot Riparian Buffer Area located on Waterfront Lots on the Lake and has created rules that must be followed (the "**NCDEQ Rules**"). The Riparian Buffer Rules for the Catawba River Basin can be found at the following link: [15A NCAC 02B .0614](#).

The NCDEQ Rules address, among other concerns, the size and type of paths allowed to the Lake, the vegetation allowed to be installed or removed from the Riparian Buffer, and the restoration of disturbances to the Riparian Buffer as a result of dock or path construction. During construction, the Riparian Buffer shall be protected by placing a double row of high hazard silt fencing along the Riparian Buffer line prior to requesting the Lot Clearing Inspection. The Riparian Buffer serves as a filter for debris and fertilizer into Lake Wylie, and the NCDEQ Rules must be followed. The ACC has no authority to permit work or disturbance in the Riparian Buffer Area, and may disapprove of any planned modifications or work in the Riparian Buffer Area for any reason, including purely aesthetic reasons. NCDEQ approval must be submitted to the ACC for consideration before work in the Riparian Buffer begins.

6.10 **Thinning of Underbrush on Undeveloped Waterfront Lots:** Owners desiring to clear underbrush from an undeveloped Waterfront Lot must follow the NCDEQ Rules and adhere to the same restrictions that pertain to the protection of the riparian buffers of the Catawba River Basin which can be found at the following link: [15A NCAC 02B .0614](#). Specifically, thinning of underbrush, shrubs, and limbs up to fifty percent (50%) of individual tree height is permitted, providing soils are undisturbed, diffuse flow of runoff is maintained, and no stems of woody vegetation greater than 3 inches diameter at chest height (measured at 4.5 feet above the ground surface level) are removed.

6.11 **Thinning of Scrub Trees and Shrubs on Developed Lots:** In the front yard or Road facing side yards of all Homes approved for construction, scrub trees and shrubs existing in thickets shall be removed completely and standard ground cover, mulch, or sod should be installed in their place. Where mulch is installed to maintain the natural look of a forest bed, low height evergreen shrubs shall be placed on no less than four-foot centers. Trees installed in these areas should be placed at a distance to allow for mature canopy development for that species. Otherwise, sod with irrigation shall be installed. Where there are existing healthy hardwood trees in the thicket with a caliper of 3 inches in diameter or greater (measured at 4.5 feet above the ground level) they may be retained provided they are no closer than would be reasonable for their mature development in the future. See Section 6.09 and Section 6.10 for any work or disturbance in the Riparian Buffer Area (50-foot buffer). The ACC has the power to determine, in the exercise of its reasonable discretion, whether an Owner is maintaining scrub trees on the Lot for the purpose of not planting sod.

6.12 **Irrigation:** All turf areas and shrubs shall be covered by a professionally installed automatic irrigation system. Rain sensors should be considered in order to conserve water usage and prevent excessive runoff. As provided in Section 4.26, with respect to Lots that are serviced by a well, all well locations shall be approved by the ACC. The ACC will also consider water conservation systems.

6.13 **Drainage Swales:** The landscape architect or civil engineer will determine the need for and location of drainage swales and include any needed swales in the Erosion Control Plan.

ARTICLE 7 – DOCK AND BOAT FACILITY REQUIREMENTS:

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Docks, piers, boat slip structures, or other Shoreline Improvements within the Riparian Buffer Area of a Waterfront Lot must be approved by the ACC and constructed in compliance with Section 10.15 of the Amended Declaration. In addition to the requirements set forth in Section 10.15, the following provisions also apply:

- 7.1 **Construction Period:** All docks must be constructed by a licensed marine contractor and must have permits to construct issued by Duke Energy Lake Management and Gaston County. The ACC requires that docks be constructed only during construction of the Home, or after construction of the Home has been completed. Commercial portable toilet facilities and off-Road parking are required on the Lot prior to using the docks before the Home is occupied. During Home construction, commercial portable toilet facilities are adequate to meet this requirement, provided that they do not conflict with Section 10.16 of the Amended Declaration which prohibits marine toilets.
- 7.2 **Character:** Boat houses should be single level; no roof top decks are permitted. Vertical posts should be pressure treated wood. Roof material shall meet the requirements of Section 5.7, applied over wood frame construction, and attached to meet the minimum wind load required by the applicable Building Code. The roof and any finishes shall match or complement the Home, as well as blend with the natural colors of the tree-lined shore. If a metal roof is chosen for the boat house, specify the color under “Other” on page 3 of the Final Building Plans Application.
- 7.3 **Roof Structure:** The roof structure shall have hurricane clips securing the roof structure to the pile driven posts. Uplift design for the setting of the posts shall be confirmed by the contractor to meet local codes.
- 7.4 **Roof Pitch:** The pitch of the roof of a boat house shall be no less than 4:12 nor greater than 8:12.
- 7.5 **Solar Collectors:** Solar Collectors may be applied to the roof when set flush against the surface of the roof. The solar collectors may provide heated water to pools. Where piping and pumps are required for this purpose they shall be concealed vertically in a chase to match columns and buried in the ground where applicable. Pumps shall be placed in containers to prevent noise disturbance to neighboring properties. Section 10.32 of the Amended Declaration provides additional information concerning Solar Collectors.
- 7.6 **Location – Centering on the Lot:** Shoreline Improvements should be centered as much as possible on the shoreline length of the Lot they serve.
- 7.7 **Length:** The outermost point of construction should be no more than fifty (50) feet from the shore, but may be extended to a point further out to achieve a draft of five (5) feet at the Lake water’s mean high elevation. Confirmation of below water contours is required for docks set greater than fifty (50) feet from the shore.
- 7.8 **Lighting:** Lighting shall be indirect and provide a low level of warm white light. Positioning spotlights so that they cast a direct beam more than 45 degrees from the straight down position is prohibited (consideration shall be given to the full spread of the beam). Lights shall be on a timer or switched off no later than 11:00 pm each evening except for times permitted by the Board. A light at the end of the dock that is concealed from view from adjacent land may remain on during the night hours. Reflectors are encouraged for placement at the end of the docks.
- 7.9 **Shoreline Stabilization:** Shoreline stabilization shall conform to the NCDEQ Rules, and an Owner may elect to stabilize the shore on a Waterfront Lot before construction on the Home begins. In this instance, the plan for the stabilization is to be submitted to the ACC for review in accordance with Section 3.3. If the stabilization material is to be delivered by truck, photographs of the curbing in accordance with Section 3.4

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(11) should be submitted, and an additional Compliance Security Deposit in the amount of Three Thousand Dollars (\$3,000.00) will be required.

- 7.10 **Approval for Construction:** All proposals for dock construction shall be approved by the ACC and may be denied simply because the dock or structure may block the view corridor to the Lake from neighboring properties. The Architectural Guidelines require that all fees for the construction of the Home must be submitted to the Property Manager prior to issuing approval for construction.
- 7.11 **Dock Construction:** Dock construction, whether included in a new home construction or as an addition to an existing home, is to be submitted as a separate project with the fee listed on the APPLICATION, REVIEW, AND CONSTRUCTION FEES Fillable Form for the ACC Review of the dock plans. The fee is to be paid by the Owner. In both cases, the Owner is responsible for uploading the dock plans, permits, and the name of the dock company to a separate Review Portal designated as a dock submission, i.e., lot number -D. A licensed, marine dock contractor approved by the ACC is responsible for the dock construction. For a dock constructed in conjunction with a new home build, the Final Site Plan and Landscape plan will include the dock. The Featured Builder is responsible for blending the dock construction into the landscape plan for the Home, and for ensuring that any walkway to the dock is completed in accordance with Article 6.9, Riparian Buffer Area. If the Owner is adding a dock to an existing Home, the Owner is responsible to have the dock and landscape drawings, permits, and other associated documents uploaded to the Review Portal. In this case, the Owner is responsible to ensure that any walkway to the dock is constructed in accordance with Article 6.9, Riparian Buffer Area.

ARTICLE 8 – FEATURED BUILDERS: DEFINITION AND BENEFITS.

- 8.1 **Adding a Builder to the Featured Builders List (FBL):** As described in Section 8.9 of the Amended Declaration, the ACC has established a list of “Featured Builders” that are permitted to construct Homes within the Reflection Pointe Community. Though neither the ACC nor the Board endorses or promotes any Featured Builder on the Featured Builders List (“**FBL**”), the ACC wants to encourage and retain quality builders in the Community. Any builder who is building its first Home in the Community is considered a First-Time Builder. Both the Board and the ACC have the discretion to add a First-Time Builder to the FBL on its own initiative or in response to a request from an Owner. If an Owner wishes to build their Home with a First-Time Builder that is not currently a Featured Builder on the FBL, the Owner may submit the First-Time Builder for consideration if the First-Time Builder meets all of the requirements listed below. If the ACC finds that the First-Time Builder meets all of the requirements, the ACC will allow the First-Time Builder to construct the first Home in a probationary status as a Probationary Builder. Once the first Probationary Builder has completed construction of its first Home to the satisfaction of the ACC, the ACC may designate the Probationary Builder as a Featured Builder and may add them to the FBL. The newly designated Featured Builder will not be approved for a second project until the first Home is given final approval by the ACC at the end of construction. For clarification, other than the Board and the ACC being able to add a builder to the FBL, only an Owner building the Owner’s personal Home in the Community can ask the ACC to consider allowing the First-Time Builder to be a Probationary Builder. **The FBL is not open to Owners or builders who wish to build Speculative Homes. See Article 11 of the Architectural Guidelines which provides that Reflection Pointe is a “Custom Home Community.”**

Here are the six (6) criteria that a First-Time Builder must meet in order to be considered as a Probationary Builder for inclusion on the FBL:

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- (1) A First-Time Builder who is building its first Home in the Community may not do so for a relative or for themselves. This requirement is to ensure that the ACC can obtain unbiased comments from the Owner with respect to the First-Time Builder's performance, which will be used in part to determine the First-Time Builder's potential eligibility for inclusion by the ACC on the FBL after the First-Time Builder has successfully completed its first Home in the Community.
- (2) First-Time Builders who are being recommended by Owners for consideration as Featured Builders must complete the Featured Builder Application and submit the required fee. The First-Time Builder must show that they have, within the past four (4) years fully completed three (3) fully custom Homes in residential communities that have similar requirements and standards to those in the Community. A fully custom Home is defined as follows: (a) a single-family residence that has been designed for a private client; (b) constructed from a unique set of construction documents that are prepared by a licensed architect or a residential designer; and (c) contain finished materials which are custom built.
- (3) The First-Time Builder must be a residential custom home builder and must possess an unlimited general contractor's license issued by the North Carolina Licensing Board for General Contractors. The First-Time Builder shall also provide the name of the "Qualifier" (i.e., the person who actually holds the general contractor's license) if it is different from the person identified in the firm name.
- (4) The First-Time Builder must carry the types of insurance coverage listed in Section 8.2.
- (5) The First-Time Builder shall warrant that all work performed on the Home in the Community is performed under its direct supervision, but may elect to have a qualified job superintendent (the "**Superintendent**") manage the day-to-day activities of the project. The identity and qualifications of the Superintendent shall be provided to the ACC with each build.
- (6) The First-Time Builder is approved to build only the first Home on a probationary basis as a Probationary Builder and is not considered to be an approved Featured Builder who can contract with additional Owners until the first Home is completed and the First-Time Builder has been approved to be added by the ACC to the FBL as a Featured Builder who is able to construct other Homes in the Community.

After the ACC has designated a First-Time Builder as a Featured Builder and added them to the FBL:

- A. The Featured Builder may build Homes for any other Owner in the Community, including for themselves if the Featured Builder owns a Lot.
- B. Featured Builders are not required to make a new submittal for the FBL at the beginning of each project if the Plans for the Home are submitted on behalf of an existing Owner who has selected them as their Featured Builder, provided that the Featured Builder meets all of the following requirements:
 - the Featured Builder has built at least one (1) Home in the Community during the previous thirty-six (36) months;
 - there is no change in the structure or ownership of the Featured Builder's company or in the named professional that qualified for the general contractor's license; and
 - the Featured Builder verifies continuation of insurance coverage each year and provides the ACC with information concerning any change in their licensure status.

- C. If the named professional who qualified for the general contractor's license is not serving as the Superintendent of the project, the name and qualifications of the Superintendent shall be submitted for ACC review. All Featured Builders are expected to provide knowledgeable persons to manage and coordinate daily on-site work of the project. Subcontractors are not allowed to work without the supervision of the Superintendent or another employee of the Featured Builder who is qualified to supervise on-site work.

NOTE: The selection of a Featured Builder by an Owner shall be conclusive evidence that the Owner has completed his/her due diligence and is independently satisfied with regard to any and all concerns such Owner may have about the Featured Builder's work product, knowledge, skills, abilities, reputation, and/or specifications to complete the Home to the Owner's satisfaction. Owners shall not rely on the advice or representations of the ACC, the Board, or the officers, consultants, or Members of the Association.

8.2 Insurance Requirements for all Featured Builders: Featured Builders are a crucial element in the integrity of the Community. Section 8.9 of the Amended Declaration provides that the ACC has full authority to regulate the selection of Featured Builders and the terms and conditions under which the Featured Builder can build in the Community. The ACC will confirm that Featured Builders are licensed as required by Section 8.1 and meet the minimum insurance requirements required by this Section 8.2. Evidence of insurance shall be provided with the Schematic Review Application and Featured Builder Application.

- With regard to all activities conducted under these Architectural Guidelines, Featured Builders shall carry public liability insurance (including products and completed operations liability) with an insurance carrier licensed by the State of North Carolina and rated by AM Best with a minimum score of B+ (or equivalent). The limits of public liability coverage (including products and completed operations liability) shall not be less than \$2,000,000.00 per occurrence, combined single limit for bodily injury and property damage, subject to an annual aggregate of \$4,000,000.00 applicable to products and completed operations liability. The Featured Builder will arrange for the Association, the Board, the ACC, the Property Manager, the Owner, and the Owner's lender (if any) to be listed as Additional Insureds on such liability insurance.
- During construction, the Featured Builder shall also keep all Homes under construction fully insured against loss or damage by "all risk" perils, including but not limited to fire, vandalism, malicious mischief, casualty, and all other available extended coverage insurance in a sum not less than 100% of the full replacement value of the Home under construction. The policies are to be written by insurance companies licensed to do business in the State of North Carolina and rated by AM Best with a minimum score of B+ (or equivalent). All proceeds from any loss shall be used by the Featured Builder to replace or restore the Home to its original condition.
- If a Home is destroyed or damaged in whole or in part, and if there are insurance proceeds in excess of the costs needed and used to restore the Home to its original condition, then the excess shall become the sole property of the Featured Builder. Similarly, if there is any deficiency in the amount needed to restore a Home to its original condition, those additional amounts shall be paid by the Featured Builder.
- The Featured Builder shall secure and maintain in effect, at its sole expense, insurance of the following kinds and limits to cover the Featured Builder's employees and all locations of the Featured Builder's operations in connection with work on the Featured Builder's projects:
 - Worker's Compensation coverage with Statutory limits of liability; and
 - Employer's Liability coverage with limits of liability of at least \$2,000,000.00 per accident.

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8.3 **Removal from or failure to be added to the Featured Builder List (FBL):** The ACC has the authority, in its sole discretion, to remove a Featured Builder from the FBL and/or to not add a Probationary Builder to the FBL (which means that the Probationary Builder will not be permitted to build a second Home in the Community), for any reason, including without limitation, the following reasons:

- If the ACC loses confidence in the Featured Builder's ability to perform in the best interests of the Community.
- At the request of an Owner.
- A Featured Builder that does not have an unlimited general contractor license and is not in good standing with the North Carolina Licensing Board for General Contractors.
- A Featured Builder who is found guilty by a court of law or in an Alternate Dispute Resolution hearing (e.g. Mediation, Arbitration, Neutral Evaluation) and is required to pay damages to an Owner of a Home, shall advise the ACC within thirty (30) days of the findings or judgment. Failure to do so, unless the case is under appeal, may be cause for removal from the FBL.
- If the ACC receives a complaint from any Owner about the Featured Builder, the ACC may investigate the Owner's claim and may meet with the Owner if necessary to ensure the allegations are fully understood.
- If a Featured Builder takes any action to prevent or prohibit an Owner from disclosing concerns or complaints to the ACC, the Featured Builder may be removed from the FBL or in the case of a Probationary Builder, not permitted to build a second Home in the Community.
- If an Owner advises the ACC that a Featured Builder has asked the Owner to supply the funds for the Compliance Security Deposit, the ACC may remove the Featured Builder from the FBL.
- A Featured Builder removed from the FBL may complete the projects for which the Featured Builder had been previously approved, but will not be approved for any further projects. Any advertising that states the builder is a Featured Builder in the Community must be discontinued immediately (signs, website, advertisements, etc.).
- The ACC may remove a Featured Builder from the FBL if the Featured Builder has not built a Home in the Community during a period of thirty-six (36) months or the Featured Builder is no longer in the construction business.
- Builders who have been previously denied admission to the FBL may reapply twelve (12) months after their rejection by the ACC. In order to reapply for consideration as a Featured Builder, the builder must have again been chosen by an Owner of a Lot as their preferred builder, must not be related to the Owner, and they must otherwise meet all the requirements to become a Featured Builder.

8.4 **Featured Builder Sign Specifications:** The Featured Builder may erect a company sign that states their respective company name and contact information and it may also display the company logo. The sign shall be no larger than three (3) feet by three (3) feet. The Featured Builder sign (or the sign on which the building permit is displayed) shall also contain all of the NC Lien Agent Information described in [Section 3.10](#). No subcontractor signs or vendor signs are permitted and no signs may be placed on trees. A Featured Builder sign must be removed within sixty (60) days after issuance of the Certificate of Occupancy for the Home.

ARTICLE 9 – NOTIFICATION – FINES FOR VIOLATIONS

- 9.1 **Notification:** If a violation of any provision of the Architectural Guidelines or Amended Declaration occurs, the ACC will notify the Owner and the Featured Builder by letter, by email, or via the Review Portal regarding the violation or non-compliance.

If the Owner is in violation and no contractor is involved, the notifications will state the violation and give the Owner ten (10) days in which to remedy the violation. If the violation is not cured within the ten (10) day period, the Association may convene a hearing in accordance with Section 4.5 and Section 13.2 of the Amended and Restated Declaration to determine if fines or other sanctions should be imposed for the suspected violations.

For violations by Featured Builders, the ACC will notify the Featured Builder and the Owner via the Review Portal or by email. The notice should include information concerning the nature of the violation and the amount of the fine. If the ACC determines that there are no reasonable, mitigating circumstances, the amount of the fine will be deducted from the Featured Builder's Compliance Security Deposit. The ACC may use funds from the Featured Builder's Compliance Security Deposit to correct a deficiency if the Featured Builder fails to do so in a timely manner.

Note: A courtesy phone call, text, or email may also be sent to the Featured Builder at the discretion of the ACC to advise the Featured Builder of a violation, but a courtesy phone call, text, or email is not required. All fines will be posted on the Review Portal prior to close out of construction on a job site.

- 9.2 **Fines for Violations:** Section 13.2 (j)(i) of the Amended Declaration describes the procedures for administrative hearings for levying fines with respect to Owners who violate the provisions of the Architectural Guidelines. The proceedings shall be in accordance with N.C.G.S. §§ 47F-3-102(11) or (12) and N.C.G.S. § 47F-3-107.1 of the North Carolina Planned Community Act.

If an Owner occupies a Home or uses an Improvement for which a letter of violation or non-compliance has been issued by the ACC, and the violation or non-compliance has not been resolved to the reasonable satisfaction of the ACC within ten (10) days, the Association may, after notice and the opportunity to attend a hearing, levy fines or a Special Assessment of up to One Hundred Dollars (\$100.00) per day for each day of such occupancy or usage.

If a Featured Builder continues to work on a Home or Improvements for which a letter of violation or non-compliance has been issued by the ACC, and the violation or non-compliance has not been resolved to the reasonable satisfaction of the ACC within ten (10) days, the ACC may levy a fine up to One Hundred Dollars (\$100.00) per day for each day of such use and may deduct the amount of the fine from the Compliance Security Deposit.

If the ACC determines that a Featured Builder is violating provisions of the Architectural Guidelines, the ACC shall assess fines against the Featured Builder's Compliance Security Deposit as follows:

- Allowing trash to accumulate on the Lot and or spill over onto neighboring properties, or for leaving mud, gravel or debris on the Road at the end of the day: \$250.00 per day.
- Failure to maintain the silt fence: \$500.00 per day (which amount may be increased if additional remediation is required as a result of the silt discharge).

- Working outside of permitted hours on any given day (other than a Sunday or a holiday): \$200.00 per hour or fraction thereof.
- Violating the Sunday or holiday working restrictions: \$250.00 per hour, minimum \$500.00.
- Storing equipment on adjacent Lots without written permission of the Owners of the adjacent Lots: \$250.00 per day.
- Storing equipment on Common Area without written permission of the Association: \$250.00 per day.
- Use of gate code by personnel other than Featured Builder and Subcontractors: \$500.00 per incident.
- Commencing any construction activities prior to the review and written approval of the Schematic Review Application by the ACC: \$1,000.00. Note: Additional fines could be assessed if construction continues without ACC approval.
- Spilling of concrete onto Roads: \$500.00, plus the cost to repair the asphalt.
- Failure to complete construction within the twelve (12) month time to complete (or within an approved extension): \$500.00, plus recurring monthly fines of \$500.00.

ARTICLE 10 – COMMUNITY OBSERVANCES

- 10.1 **Common Areas:** Except with the prior written permission of the ACC, Featured Builders and subcontractors are not allowed in the Common Areas or allowed to cross any Common Areas that are not paved Roads.
- 10.2 **Speed Limits:** The speed limit in the Community is 25 miles per hour (MPH). To minimize damage to the Roads, the speed limit for loaded concrete trucks, large material delivery trucks, and loaded moving vans is 15 MPH.
- 10.3 **Asterisked Waterfront Lots (as noted on the recorded Plats):** Certain Waterfront Lots shown on the recorded Plats indicate that the Lake is considered the front of the Lot. According to Zoning Ordinances in the City of Belmont, the front of a Home must be no greater than two (2) stories and cannot have screened enclosures. The ACC was able to obtain a concession for these asterisked Waterfront Lots to permit three (3) story construction and screened porches on Lake front sides, so as long as the lower floor is no higher than three (3) feet above grade and there are no other accessory structures placed on the Lake front side except for an approved dock. Also, the Home must not appear to be a slab on grade from the Road. See also Section 5.19 for considerations given garages on these Waterfront Lots.
- 10.4 **Protection of View Corridors:** Waterfront Lots on the Lake or Lots adjacent to Common Areas will be limited with respect to the placement of Homes and Improvements in order to protect the view corridor of neighboring Lots (including without limitation, Lots on which a Home has not yet been constructed). The limitations are intended to protect the interest of all Owners in these areas by ensuring that an Owner who builds first will not place their Home to restrict other Owners' view of the Lake or Common Area. Generally, the view corridor will extend from the corner of each Home at an angle of 135 degrees off the back plane of the Home. Fences and landscape encroaching into the view corridors will be restricted as well in terms of types and locations. Generally, the first Home in an area will be used to set the standard for subsequent Homes. In the case where Lot lines are not perpendicular to Roads or Lake, the ACC reserves the right, in its sole discretion, to not apply strict rules, but will endeavor to preserve view corridors as fairly as reasonably possible.

ARTICLE 11: HOMES BUILT FOR SPECULATIVE SALE WILL NOT BE APPROVED

Reflection Pointe is a "Custom Home Community." The ACC requires that all Homes are built for an Owner and their family and that the Home is not to be built from stock plans. In accordance with Section 1.14 of the Amended Declaration, a Home is owned by the Owner of the Lot who intends to live there following

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completion of construction. Section 8.9 of the Amended Declaration established the Featured Builder program solely for the benefit of the ACC and Association, and for the mutual benefit of all the Owners in the Community.

The Featured Builder program requires all Homes to be constructed by a Featured Builder for a Lot Owner. A First-Time Builder in the Community who has been accepted by the ACC as a Probationary Builder must complete construction of a Home for a Lot Owner, in accordance with Article 8 of these Architectural Guidelines. After the Probationary Builder has successfully completed the first build and has been added by the ACC to the FBL as a Featured Builder, a Featured Builder may build a Home for any Lot Owner or may build a Home for themselves on a Lot they own for use by the principal of the Featured Builder or a member of the Featured Builder's family. No Featured Builder may build a Home for the purpose of speculation. No Featured Builder may build more than one (1) Home for themselves or their family members within a three (3) year period.