

LAKE CAVALIER BUILDING REGULATIONS AND ARCHITECTURAL DESIGN GUIDELINES

REVISED AUGUST 9, 2021

NOTICE: THESE GUIDELINES MUST BE SUBMITTED TO YOUR CONTRACTOR, DESIGNER, ENGINEER, AND LANDSCAPE ARCHITECT, AND YOU MUST INSIST UPON THEIR STRICT ADHERENCE WITH THESE GUIDELINES, OR YOUR SUBMITTAL WILL LIKELY BE UNACCEPTABLE. TWO SETS OF COMPLETE PLANS MUST BE SUBMITTED AT LEAST 30 DAYS PRIOR TO THE DATE YOU WISH TO START CONSTRUCTION.

SECTION I. ARCHITECTURAL REVIEW PROCESS

A. INTRODUCTION

1. In accordance with Section 23 of the Second Amended Protective Covenants, Regulations and Rules of La Cav Improvement Company (“Covenants”) the Board of Directors adopted certain Building Regulations and Guidelines dated October 26, 2000 (“2000 Regulations”). The following Building Regulations and Architectural Design Guidelines have been adopted to super cede and replace the 2000 Regulations. These Building Regulations and Architectural Design Guidelines have been established to provide property owners, architects and contractors with a set of parameters for the preparation of their drawings, specifications and plans. The authority for the Architectural Review Process is established pursuant to Section 23 of the Covenants.

2. Great care has been taken in the planning design and construction phases to insure aesthetic harmony within the Lake Cavalier Community. To this end it is of the utmost importance that this special character not be compromised by architectural designs and site plans which are improperly conceived, unresolved or poorly executed. ONLY THOSE PLANS DESIGNED BY PROFESSIONAL RESIDENTIAL DESIGNERS OR ARCHITECTS WHOSE QUALIFICATIONS ARE APPROVED BY THE BUILDING COMMITTEE WILL BE ACCEPTED. THE CRITERIA USED IN DETERMINING THE QUALIFICATIONS OF A DESIGNER OR OF AN ARCHITECT WILL BE WITHIN THE SOLE PROVINCE OF THE COMMITTEE.

3. For this reason, an Architectural Review Committee as set forth herein will review all construction, designs and plans and after which submit a recommendation to the Building Committee consistent with the following:

- a. Consideration of primary site design requirements.
- b. Sensitivity to the existing landscape features of each site.

- c. The visual relationship or physical impact the proposed home may have on surrounding home sites.
- d. Excellence of architectural design.

4. By encouraging quality and attention to detail, the aesthetic harmony, and overall property values at Lake Cavalier will be enhanced and preserved.

5. Lake Cavalier is designed to be a unique community of permanent and weekend residential properties. The Covenants do not list specific design items necessary for plan approval. The authority to approve specific building plans rests solely with the Building Committee. The Committee does not seek to restrict individual creativity or preference, but rather to maintain a visually pleasing and appropriate appearance for each home site within the Community.

6. Notwithstanding the fact that architectural design and "excellence" is and will be a subjective thing, and that there may be some difference of opinion in judging design and "excellence in design", nevertheless, any person or party acquiring and owning a lot in Lake Cavalier understands and agrees to the criteria herein set forth and will be governed thereby.

B. BUILDING COMMITTEE

1. The Board of Directors of La Cav Improvement Company shall serve as the members of the Building Committee which shall have absolute authority to make all decisions concerning construction on and development of lots within the six Lake Cavalier Subdivisions. The Building Committee shall be assisted by an Architectural Review Committee as hereinafter set forth.

2. **Best Judgment.** The Board shall exercise its best judgment to see that all improvements, construction and alterations conform to and harmonize with existing surroundings and structures. In its decision making process the Board shall consider the proposed location of new structures in relation to existing structures on adjacent lots so that views from existing structures will not unreasonably be obstructed, aesthetics and the overall appearance of the Lake Cavalier Community. The Board may consider such additional factors and may adopt architectural guidelines to insure proposed new construction shall not adversely affect the beauty and tranquility of the community or present a nuisance.

3. **Procedures.** The Board shall approve or disapprove all plans and requests within a reasonable time after the next scheduled meeting of the Board. Once a request is received the Board may invite comments from the adjoining neighbor(s) which shall be considered by the Board. Upon approval of plans and specifications the Board shall issue a building permit which shall be prominently displayed at the construction site at all times during construction. There shall be no deviation from approved plans and specifications unless and until such proposed deviations shall have been submitted to and approved by the Board.

4. **Voting.** A majority vote of the Board is required for approval or disapproval of proposed improvements.

5. **Written Records.** The Board shall maintain written records of all applications submitted to it and of all actions it may have taken.

6. **Limited Liability.** The Board shall not be liable for damages to any person submitting requests for approval or to any owner of any lot by reason of any action, failure to act, approval, disapproval or failure to approve or disapprove with regard to such requests. The Board may refuse approval on any grounds, including size of lot, location of proposed improvement in relation to adjoining lot improvements and purely aesthetic conditions.

C. ARCHITECTURAL REVIEW COMMITTEE

1. An Architectural Review Committee (“ARC”) which may include up to five (5) members, shall be appointed by the Board of Directors who shall serve at the pleasure of the Board.

2. Once plans are submitted to the Building Committee the plans will be reviewed by the ARC in conjunction with inspection of the property. Upon completion of review the ARC will make a recommendation of approval or disapproval to the Building Committee which shall make the final decision regarding any proposed project.

D. APPLICATION PROCESS

The Board recommends that a preliminary design review package be submitted at the beginning of design for review by the Architectural Review Committee for compatibility with the design requirements of Lake Cavalier Building Regulations and Architectural Design Guidelines. A Preliminary Design Checklist is provided which lists the minimum requirements for submittal. Review of these documents is an effort to help the Owner(s) know early in the design process if there are issues that need to be addressed prior to completing all design documents and submitting for final approval and a building permit. This review in no way implies final approval or that final review will not require adjustments in the design in order to comply with the Design Guidelines.

1. An APPLICATION OF APPROVAL shall be submitted by the property owner or his agent to the Building Committee. Included with the application shall be such plans and documents and other information as specified in the following sections and as requested by the Committee. **WRITTEN APPROVAL AND ISSUANCE OF A BUILDING PERMIT BY THE COMMITTEE MUST BE RECEIVED BEFORE COMMENCEMENT OF ANY CLEARING, GRADING OR CONSTRUCTION ACTIVITY.** The authority to approve building and landscape plans is vested solely in the Building Committee. If any demolition of

current buildings is necessary a permit will be required. The board will need a site plan before a demolition permit can be issued.

2. It shall be the responsibility of the Lot owner to acquaint his or her architects, advisors, and contractors with the architectural review process and the Design Guidelines.

3. **Fees.** With each Application of Approval, the lot owner will be required to pay a non-refundable fee of \$3,000 to cover road and miscellaneous damage. Additional fees may be incurred if damage to roads, water lines, etc. exceed the \$3,000 deposit. This will be determined by the estimate the board receives to repair any damage incurred. The owner shall also pay a \$750 non-refundable fee for architectural review of plans, including preliminary and final review of house plans and site review. These fees include any house additions that exceed 500 square feet. For house additions 500 square feet or less, new boathouse construction, new pier or seawall construction the owner shall pay a \$1,750 non-refundable fee to cover road and miscellaneous damage and a \$500.00 non-refundable fee for architectural review. Additional fees may be incurred if actual damage to roads, water lines, etc. exceed the \$1750 fee. These additional fees will be determined by the estimate the board receives to repair any damage incurred. A non-refundable fee of \$1,500 will be required for any house or boathouse demolition that is not related to new construction. Members living on county maintained roads will be required to put up a \$250 non-refundable impact fee in addition to the non-refundable fee for the consultant review of any construction plans.

Any other activity, such as improvements to driveways, piers, seawalls, etc., that may require a dumpster, concrete truck, or any other heavy equipment determined by the board, will require a \$500 non-refundable fee for road damage.

To insure compliance the ARC may periodically inspect the project. The foregoing notwithstanding the Board may in its sole discretion waive the fee requirement for minor renovation projects.

E. REQUIRED DOCUMENTATION FOR SUBMITTALS

1. Building Permit Application
Demolition permit
2. Three (3) complete sets of the following information shall be submitted to the Building Committee. Submittals must be packaged in a shipping tube labeled on the end with Lot number and owner's name. One (1) set shall be retained by the Committee and one (1) set, upon approval, shall be returned to the owner upon completion of review, **NO CONSTRUCTION ACTIVITY SHALL COMMENCE WITHOUT FINAL APPROVAL BY THE COMMITTEE. PLANS SUBMITTED IN CONNECTION WITH AN APPLICATION FOR A BUILDING PERMIT MUST BEAR A**

NOTATION OF APPROVAL BY AN AUTHORIZED MEMBER OF THE BUILDING COMMITTEE:

3. Engineered site plan; Final site plan. Site plan with North arrow drawn to 1" = 20' showing the following:
 - a. All proposed structures, fencing, sidewalks, improvements, utility and drainage easements and setbacks and all natural features.
 - b. Property lines, setback limits, utilities, existing and finish grades extended onto adjacent property indicating drainage. Location and type of all trees in excess of 12" in diameter.
 - c. Owner's name, present address, email and telephone number
 - d. Architect's/Designer's name, or Owner's representative, present address, email and telephone number.

2. **Final building plan**
 - a. All building elevations, floor plan(s), and all plans related to auxiliary structures; design and present samples of all exterior materials including roof. Floor plans and elevations must be to 1/4" scale and show overall dimensions and area of structure. Elevations of building shall indicate finish grade elevations along all sides of building.
 - b. **Foundation Plan.** The planning and design of the foundation and its relationship to the elevations and grading plans submitted is very important. A foundation plan must be presented as part of the construction drawings. Approval of foundation plan has nothing to do with structural design or integrity; the Committee is not qualified to discern such matters. The Committee is particularly concerned with aesthetics, i.e. the appearance of the foundation as it is integrated with the rest of the home, and slopes that are too steep or that endanger trees. BEFORE THE SLAB IS POURED OR FOOTINGS INSTALLED, THE CONSTRUCTION SITE MUST BE INSPECTED AND APPROVED BY THE BOARD'S REPRESENTATIVE. THE OWNER SHALL HAVE THE CONTRACTOR ADVISE THE LAKE MANAGER THAT THE CONSTRUCTION SITE IS READY FOR INSPECTION.

3. **Final grading and drainage plans.**

- a. Grading and Drainage Plan drawn to 1" = 10'
- b. Topographic plan by registered land surveyor with existing contours extending a minimum of 10 feet onto adjacent property. Locate all existing structures and trees 6 inches in diameter or larger.
- c. Proposed contour plan showing cut and fill requirements.
- d. Retaining wall locations(s) and heights.
- e. Existing and proposed drainage features.
- f. Drainage pipe showing material, size and invert elevations.
- g. Swales and other surface drainage.
- f. Driveway location and grade.
- g. Finish floor elevations of the house.
- h. Location of all exterior equipment such as air conditioning units, pool equipment, etc.
- i. Location and details of existing tree protection.

4. Final construction specifications

Specify all exterior materials, including Manufacturer, type, grade and color.

- 5. **Owner's proposed construction schedule.** Construction must be completed within twelve (12) months from date plans are approved. Within thirty (30) days prior to expiration of construction period Owner must submit request for extension to the Board. If construction is not completed within 12 months, and the owner does not timely request an extension, the Board may impose a fine in an amount determined by the Board to be reasonable given the circumstances existing at the time.
- 6. **Final landscape design and working drawings.** (designed by State Certified Landscape Architect or an approved landscape designer)
Landscape plan at 1" - 20' or approved larger site
 - a. North arrow and scale.

- b. All proposed structures, walkways, driveways, decks, patios, fencing, walls, etc., noting materials and/or finishes on landscape features.
 - c. All proposed shrub and groundcover plantings noting actual plant species and spacing.
 - d. All proposed trees, noting species.
 - e. All proposed lawn areas, noting method of application (sod, seeding, hydro-mulching, etc.) and lawn species.
7. **FINAL DESIGN APPROVAL WILL BE EFFECTIVE FOR SIX (6) MONTHS;** thereafter, commencement of construction will require re-approval. The application for approval, fee and all other materials specified herein for Committee consideration shall be sent to:

Debbie Saik
118 Shady Lane
Madison, MS 39110
601-940-1661

SECTION II. SITE PLANNING & LANDSCAPING DESIGN

A. INTRODUCTION

To insure the overall beauty of the Lake Cavalier Community is preserved and enhanced, the Building Committee has the authority to approve or disapprove landscape plans for individual residences. To preserve the beauty and tranquility of the Community it is essential that plans utilize the natural features of the site whenever possible. It is the intent of the Building Committee to maintain this level of sensitivity to the landscape. A major determining factor of good landscape design should always be the architecture and location of the residence. The Building Committee will take into account various relationships of the house to the site, surrounding homes, views, breezes and other important factors when reviewing specific landscape plans.

B. PRESERVATION OF NATURAL FEATURES

1. Throughout the Lake Cavalier Community many fine, mature individual trees exist. Many are located in prominent view from our streets and roads giving them special significance. The Community has taken a positive step toward the recognition and protection of such trees by requiring approval of the Building Committee to remove any trees, on any building lot, with a trunk diameter over six (6) inches at four (4) feet above natural grade.

2. Fundamental to the design criteria is the need for gardens and lawns to harmonize with the native terrain and natural beauty of the Community. Owners will be encouraged by the Committee to landscape their lots with plants that are indigenous (native) to the Madison area, and to leave untouched as much as possible the existing vegetation and natural amenities of the site.

3. The Committee will take into consideration all elements of the individual landscape plan and plant materials selected in the approval process.

C. LOCATION OF HOUSE ON SITE

1. The siting of a house is a critical and important design decision. The site plan concept developed for each homeowner should reflect functional needs, but also be sensitive to the site's unique characteristics and inherent design opportunities. It is therefore important that the three dimensional character of each home be carefully studied.

2. It is desirable for homes within the Community to exhibit the individuality of their owners. It is also important that they observe basic design principles inherent in good architecture and site planning. The following questions should be asked:

- a. Is the residence located on the site with a minimum disruption to the natural topography, drainage, and existing landscape features?
- b. Will the various building materials allow for a pleasing and harmonious exterior appearance to the residence? Are the colors appropriate and used with restraint?
- c. Is there a consistent scale used throughout the design for the construction of the residence? Each element must not be designed out of proportion to any other. Stand alone garages connected to main dwelling must be consistent in size, design and appearance with main dwelling.
- d. Are the specific features of the architectural style well developed and carefully detailed? Have these features been researched to resemble a certain degree of authenticity?

3. The Committee shall consider each site independently, but shall give extensive consideration to the impact of each individual plan upon adjacent home sites and view corridors. Care must be taken to locate each structure, whenever possible, so as not to infringe upon view corridors, adjacent structures and home sites, and natural amenities of the areas. Various soil materials exist throughout the property, and accordingly each lot owner is encouraged to have the soil tested.

4. Consideration in this regard include:

- a. Physical terrain of the site.
- b. Views from the home site.
- c. Views to the home site from adjacent Lots.
- d. Natural amenities: existing landscape existing water and drainage channels.
- e. Driveway access.
- f. Height of structures.

D. BUILDING REQUIREMENTS -Dwelling

1. Minimum Dwelling Sizes

THE MINIMUM BUILDING REQUIREMENT FOR HEATED AND COOLED SPACE IN A DWELLING, EXCLUDING OPEN PORCHES AND GARAGES, IS TO BE 1,800 SQUARE FEET. The first floor of a multi-story dwelling shall contain a minimum of 1,000 square feet. Open porches, outbuildings, garages or other structures not part of the actual living area shall not be considered in meeting the square footage minimum herein stated.

2. Building Setbacks

The following setbacks are minimum standards and are measured from the property lines.

- Front (lakeside) 50 feet from water's edge
- Side 15 feet
- Rear 35 feet (street side)

For some building lots within the community it may be impossible or inadvisable to develop the lot according to these standards due to natural terrain, lot configurations, and/or proximity of adjacent structures. Therefore, the Committee may approve specific deviations to these setbacks which it believes will be beneficial to a specific home site or to an adjacent home site or the Community as a whole. If exceptions are made for 15 foot setbacks, the house overhang and/or any air or heating units, etc. cannot be within the 15 foot setback.

E. BUILDING REQUIREMENTS - Boat House, Pier and Seawall

1. No boat house shall exceed Twenty feet (20') by Forty feet (40'). This includes total area for storage and boat slips. No more than 20ft. shall be over the water measured from outside post to outside post. No more than 20ft shall extend out from the land over the water. Roof pitch shall not exceed 8/12. The overall height of the boathouse should be the same over water and land and the roof pitch shall not exceed 20ft when measured from the waters elevation at normal pool level, which is 304. This level is marked on the pier at the

clubhouse. Every builder should be made aware of this before building a boathouse. The lake manager can be contacted for this information. Decks attached to any boat house shall not exceed twelve feet (12') by twenty feet (20'). If ten feet (10') high post are used to accommodate height of pontoon boats, roof pitch must be approved by the Architectural Committee and the Board.

2. Exterior of a boat house shall be comparable to primary residence on any lot.

3. No boat house or pier shall be allowed which encroaches on a lot line projected into the water.

4. No boat house shall be used for sleeping quarters unless a residence is built on lot and that time should be limited. A boat house built on a lot without a residence may include a bathroom.

5. Piers, including platforms, on piers may not extend more than 40 feet into the water. Pier walkways shall be limited to six feet in width. Pier platforms measured on the side most closely paralleling the shoreline shall be limited to 12 feet in width including the width of the walkway. The depth of the pier shall not exceed 12 feet. Boardwalks shall not exceed 6 feet in width over the water and must follow the contour of the lot.

6. All Seawalls, new, and/or any repairs will require a building permit. Materials used will require board approval

F. GRADING AND DRAINAGE

1. Grading Concept for Development

The design and development concepts of the Community call for the maintenance of the environment in its original condition as much as possible. No structure or improvements can alter the natural drainage of the site to the degree that it negatively impacts any surrounding home site. For this reason it will be required that each homeowner handle the runoff that naturally occurs on his or her site by adequately sloping all areas so that runoff can be directed to the natural drainage areas.

The Committee is keenly aware that whenever possible, structures should be designed to the specific lot. It is important to remember that the beauty of our Community is the lake, land and its natural features, and that the architecture should compliment and enhance rather than compete with or destroy this beauty.

In order to help insure compliance with this philosophy as part of a preliminary design submittal, a grading plan will be required. A grading permit must be obtained from the Committee before earth is moved or removed from a specific home site. Absolutely no grading whatsoever shall be permitted without first obtaining this permit.

All grading reviews shall be subject to the jurisdiction of the Committee and shall be considered individually for each lot. Recommendations or demands will be based upon individual lot locations, terrain, soil conditions, drainage, cuts and fills, and whatever other conditions the Committee feels impact upon the site grading design. Soil tests conducted by competent professionals are strongly recommended to all lot owners.

2. Finished Floor Elevations

The elevation of the lowest habitable floor in any dwelling shall be such that it ensures proper drainage away from the dwelling and ensures passage of storm water runoff without detriment to the dwelling, but such elevation must be approved by the Committee. The builder of the dwelling on each lot shall excavate, fill, grade and shape the dwelling foundation, landscaped areas, and lawn areas to drain and not impede, interfere or impound storm or irrigation water runoff from adjacent lots.

G. DESIGN CRITERIA

1. Driveways

Each dwelling shall have as an appurtenance thereto a driveway of concrete or other approved material, including gravel.

2. Walls and Fences

Walls and fences should be considered as an extension of the architecture of the residence. They should serve to make a transition between the mass of the architecture and the natural forms of the site.

The area between dwellings may be improved to provide a private courtyard for the exclusive use of the homeowner. Such areas may be private and screened from view.

All walls and fences should be designed to be compatible with the total surrounding environment and should not block natural views. Fences, walls, and hedges should be considered as design elements to enclose and define courtyards, to extend and relate the building forms to the landscape, as well as to assure security and privacy elements. All walls and fences must be approved by the Committee prior to their installation.

3. Swimming Pools, Therapy Pools, Spas

The location of swimming pools, therapy pools and spas (including hot tubs) should consider: Indoor/outdoor relationship.

The shape, color, and siting of swimming pools must be carefully considered to achieve a feeling of compatibility with the surrounding natural and man-made elements. Pool and equipment enclosures must be architecturally related to the house and other structures in their placement, mass and detail.

4. Mailboxes and Gas Lights

Each dwelling shall have a mailbox which is approved by, or meets in every respect, the requirements set forth by the Committee.

5. Garage Openings

Each dwelling intended for permanent residence shall have a garage for not less than two traditionally sized automobiles manufactured in the United States. Garages must have multiple wood or steel raised panel garage doors, each door being one car width (8'-9'), and minimum 8' in height, or a single 18' wood or steel raised panel garage door with a minimum of 4 sections, equipped with automatic garage door openers. Except for unusual circumstances, an owner of a lot must keep his automobile parked in his/her garage. All garage doors shall be kept closed except during period of the actual use thereof. Detached garages must be connected to main dwelling with breezeway or other connection approved by ARC.

6. Landscape Lighting

Exterior pool and landscape lighting must not infringe upon adjacent neighbors. All accent lighting should utilize low voltage, direct task type fixtures, and they should be as close to grade as possible. All exterior lighting must be approved by the Committee prior to installation.

SECTION III. ARCHITECTURAL DESIGN

A. INTRODUCTION

1. It is not the intent of these guidelines to dictate a specific architectural style but rather encourage a community of outstanding individual architectural designs.

2. Terms such as "sound design" and "good taste" are difficult to describe and even more difficult to judge. Beauty may be in the eye of the beholder but the overall aesthetic harmony of the Community must take precedence over a single architectural statement, particularly if that statement is a radical departure from what the general public perceives as "good design". One ill-conceived or architecturally experimental home can greatly detract from the visual continuity of the overall Community as well as affect surrounding property values. For these reasons the following elements are to be avoided:

- a. Harsh contrasts of colors and/or materials.
- b. Illogical or inappropriately scaled building elements.
- c. Poorly conceived and executed details.
- d. Experimental or extreme interpretations of the tenets of a particular architectural style

B. DESIGN CRITERIA

1. Roof Materials

The following roofing materials will be allowed:

- a. Slate (Real or Synthetic)
- b. Wood
- c. Copper
- d. Tile (Clay or Concrete)
- e. Architectural fiber glass shingles.
- f. Metal roofs, 26 gauge or better, only in Majestic Metals, Inc. mat finish colors of charcoal or burnished slate or industry equivalent.

2. Roof Slopes

The main roof structures on the front of the dwelling extending to the ridge shall be 7/12 or steeper. Boat houses shall not exceed 8/12.

3. Exterior Millwork

It is expected that all divided windows be true divided light, and constructed from wood. A 1 3/4" thick sash is encouraged. Quality clad windows may be approved by the Review Committee. Aluminum or metal windows will not be allowed.

4. Exterior Walls and Openings

To provide visual continuity throughout the development, it is recommended that the exterior wall surfaces be limited to brick, stone, wood siding, stucco and Hardy Plank (cement board). Vinyl, plastic, maisonette or any synthetic siding material (synthetic stucco is acceptable) will not be allowed. Synthetic stucco such as Placo or Drivit is acceptable.

5. Exterior Colors

The colors for exterior walls and compounds such as trim, railings, posts, etc. should be tasteful and well-coordinated. Colors must be approved by the Committee. A color sheet shall be submitted with a paint sample and color sheet.

6. Shutters.

If shutters are to be used, they must be sized for their respective openings and hung on operable hinges. Shutter colors must be submitted for approval.

7. Gutters, Downspouts and Flashing

Flashing, Gutters and Downspouts, if used, must be copper or a color in keeping with the dwelling unless another material is more appropriate. Whether or not any other material may be used for flashing, gutters and downspouts will depend in part on the extent of such use, its visibility, how well such material is integrated into the dwelling (structure) and its effect on neighboring dwellings (present or future). In this event, gutters and downspouts must be painted to match the trim. It is recommended that consideration be given to the installation of gutters with downspouts extending into a pipe below grade and run to the rear of the house in order to get storm water off of the roof and to the rear of the house without adversely affecting adjoining property.

8. Dormers

Dormers may be constructed in any style or form providing that they fall within traditional or classical proportions.

9. Chimneys

Chimneys may be developed in any style or proportion but must be constructed of brick, stone, stucco, or a siding material approved by the Building Committee. The use of wood clad or metal chimneys is not allowed.

10. Remodeling and Additions

Remodeling and additions to existing homes are required to meet the same criteria as new construction, including Committee approvals.

THE DESIGN GUIDELINES HEREIN ARE NOT INTENDED TO AMEND, ALTER, OR SUPERCEDE THE SECOND AMENDED PROTECTIVE COVENANTS, RULES AND REGULATIONS OF LA CAV IMPROVEMENT COMPANY, AS RECORDED IN THE OFFICE OF THE CHANCERY CLERK OF MADISON COUNTY. IN THE EVENT THESE GUIDELINES CONFLICT WITH SAID COVENANTS, THE COVENANTS SHALL CONTROL.

NO APPROVAL OF PLANS AND SPECIFICATIONS, NOR THESE DESIGN GUIDELINES SHALL EVER BE CONSTRUED AS REPRESENTING OR IMPLYING THAT A STRUCTURE IS PROPERLY DESIGNED. SUCH APPROVALS AND STANDARDS SHALL IN NO EVENT BE CONSTRUED AS REPRESENTING OR GUARANTEEING THAT ANY STRUCTURE WILL BE BUILT IN A GOOD WORKMANLIKE MANNER. IT IS THE SOLE RESPONSIBILITY OF THE LOT OWNER TO MAKE SURE THAT CONSTRUCTION MEETS THE CRITERIA OF LA CAV IMPROVEMENT COMPANY COVENANTS AND DESIGN GUIDELINES.

SECTION IV. GENERAL RULES FOR ALL OWNERS, CONTRACTORS AND SERVICE PERSONNEL

The following rules apply to all Lake Cavalier owners, contractors and service personnel while on Lake Cavalier premises.

1. In the event construction in the field differs from what was approved, the Committee will address solutions as quickly as possible with owner and contractor as a first step. A halt to construction and/or withholding a certificate of occupancy are steps available to the developers via the covenants and the law, and we will aggressively enforce these guidelines. INASMUCH AS THE BUILDER IS AWARE OF AND INFORMED AS TO ALL TERMS AND CONDITIONS OF THE ARCHITECTURAL GUIDELINES, ANY VARIANCE OF CONSTRUCTION FROM THE APPROVED PLANS WILL BE PRESUMED INTENTIONAL BY THE BUILDER, AND, IN ADDITION TO THE REMEDIES SET FORTH ABOVE, THAT BUILDER WILL BE PROHIBITED FROM SUBSEQUENT CONSTRUCTION PROJECTS AT LAKE CAVALIER. WHETHER OR NOT A VARIANCE IS MATERIAL WILL BE WITHIN THE SOLE AND UNFETTERED DISCRETION OF THE BUILDING COMMITTEE.

2. One of the key elements in setting the tone for a residential community is control of signage. No signs, other than signs approved by the Committee to announce coming occupants, architects, and builders for homes immediately starting or presently under construction and “For Sale”, will be permitted. Signs not in conformance will be removed and discarded and the associated cost charged to the lot owner.

3. Contractors are required to keep their job sites as neat and clean as possible. Trash and discarded materials will be removed daily. ALL trash stockpiled for removal shall be located on street side of lot until removed. There will be no stockpiling or dumping on adjacent lots or on streets. Trash not removed will be removed and will be billed to the responsible party or taken from the Damage Deposit.

4. Contractors shall erect and maintain silt fences with wattles or hay bales around construction site in accordance with the planned Storm Water Pollution Prevention Plan to prevent silt drainage onto adjoining lots and into the lake. A primary and secondary commercial grade silt fence, installed with a machine, 36 inches high, with wire behind it should be erected. Wooden or metal rods shall be used to prevent movement. Location of proposed fencing shall be shown on site plan by the architect. All structures and materials used for erosion control shall be installed in compliance with the proposed Storm Water Pollution Prevention Plan and as required by the Mississippi Department of Environmental Quality. The Contractors’ SCNOI and SWPPP shall be available for review upon request by the Lake Manger or Lake Cavalier Board Representative at any time during construction along with the required inspection reports, which are to be made, at a minimum, weekly and immediately after any significant rain or storm event.

5. Contractors will use only the utilities provided on the immediate lot on which they are using.

6. Any damage to streets, common areas, utility or drainage systems, street lights, street markers, mailboxes, walls, etc. will be repaired and such costs billed to the responsible lot owner or contractor or taken from the Damage Deposit.

7. THE ESTABLISHED SPEED LIMIT WITHIN THE COMMUNITY IS 15 MILES PER HOUR. THIS LIMIT MUST BE OBEYED.

8. The hours of operation by contractors and subcontractors shall be 6:00 am to 6:00 pm Monday through Saturday. No construction activity of any kind on Sundays.

9. There will be no washing of any truck on the streets, adjoining lots or commons areas. The residue or "left-overs" of any concrete delivery truck must be washed out on the construction site.

10. Operators of vehicles are required to see that they do not spill any polluting or damaging materials while within the community. If spillage of a load occurs, operators shall report any spill and shall be responsible for immediate clean up.

11. If any telephone, cable TV, electrical, water, etc., lines is cut, it is the owner's responsibility to report such an accident to proper Service Company personnel within 30 minutes.

12. All personnel working the community are to insure that they will keep all areas in which they work or through which they travel free of discarded materials such as lunch bags and refuse materials. Objects should not be thrown out of cars and trucks. Stock piling of any materials on adjacent lots or common areas is not allowed. Streets shall be kept clean and free of accumulation of mud and dirt.

13. Loud radios or noise will not be allowed within the subdivisions. This is distracting and discomforting to property owners. Normal radio levels are acceptable. Do not mount speakers on vehicles or outside of homes under construction. Remember that sound travels a long way.

14. No shortcuts across lots are allowed.

15. No temporary storage trailers or buildings are allowed except as may be a necessary adjunct to construction.

16. The owner is charged with giving the required notice to his or her contractor, laborer, or service personnel, and shall insure their compliance with the conditions set forth herein.

THESE DESIGN GUIDELINES MAY BE AMENDED OR SUPPLEMENTED FROM TIME TO TIME.

LA CAV IMPROVEMENT COMPANY INTENDS TO ENFORCE THESE REGULATIONS FOR THE PROTECTION OF ALL OWNERS. FAILURE TO ABIDE BY THESE RULES MAY RESULT IN THE LOSS OF LAKE PRIVILEGES, FORFEITURE OF DEPOSIT, STOPPAGE OF CONSTRUCTION, LIENS FILED AGAINST THE PROPERTY, AND/OR PROSECUTION TO THE FULL EXTENT OF THE LAW.