

Summer Set Property Owners Association

Architectural Control Committee General Rules and Regulations

Summer Set POA ACC Specific Indentures

ARTICLE V ARCHITECTURAL AND ENVIRONMENTAL CONTROL

No building, fence, wall, storage tank or other structure, swimming pool or tennis courts, or propane gas storage tank shall be commenced, erected or maintained on any Lot, nor shall any exterior addition to, removal of all or any part of, or exterior change or alteration (structural or nonstructural) in any improvement on any Lot be made until such addition, removal or alteration or the plans and specifications (showing the nature, kind, shape, height, materials, and location) thereof shall have been submitted to and approved in writing by an architectural control committee. Reference herein to "Architectural Control Committee" shall refer to an architectural control committee appointed by the Summer Set Property Owners Association, Inc., and shall consist of no less than three owners. In the event the Architectural Control Committee fails to approve or disapprove any design, materials, orientation, variance within sixty (60) days after all required plans and specifications have been submitted to it (and fees, if required, have been paid), approval will not be required and this provision will be deemed to have been fully complied with. The Architectural Control Committee is authorized where it deems appropriate to charge a review fee for any submission to defray the costs of reviews it conducts or authorizes. No plans shall be reviewed unless they pertain to a specific Lot.

It is the intent of this Indenture that all buildings and structures within the Properties shall be constructed of attractive exterior materials of high quality. In its review of submissions, the Architectural Control Committee shall evaluate the construction standard and building material for all proposed construction on the Lots to ensure that they are in conformance with such objectives. Accessory buildings, enclosures, appurtenant structures to, or extrusions from any building or structure on any Lot shall be of similar or compatible materials, design and construction.

Improvements of any kind, except flatwork and landscaping, to any lot require a building permit issued by the Architectural Control Committee (ACC) of the Summer Set Property Owners Association before the commencement of work. Deposits, fees, design requirements and job site requirements shall be established from time to time by the vote of a majority of the attending Directors of the Summer Set Property Owners Association at any regular board meeting of said Directors.

No building permit shall be issued by the ACC unless the applicant has (1) obtained and submitted all permits for the improvement required by the Jefferson County building officials, (2) submitted all architectural plans, (3) a plot plan, (4) paid all deposits and fees by cashier's check or money order, and (5) signed all documents acknowledging the job site requirements. All improvements must conform with the restrictions in effect at the time of the application.

Construction of a residence is subject to job site requirements and the posting of a performance deposit to ensure that the construction is in conformity with the restrictions, the applicable building permits and the job site requirements. Job site requirements include construction start and end times, use of construction gate locks, use of designated truck routes, erosion control, placement of a construction dumpster (minimum 20 cubic yards) on site, job site cleanup on a daily basis, construction equipment loading and unloading, and storage on the job site, protecting edges of the paved roads, cleanup of construction debris off roads, maintaining and keeping open drainage ditches and culverts, obeying all state and local ordinances, statutes and regulations regulating excavations and burning, and removal of stumps from the job site. The applicant for a permit will grant access to the job site by the ACC or any agent of the ACC.

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ARTICLE IV: DUTIES AND POWERS OF SUMMER SET PROPERTY OWNERS ASSOCIATION

PLANS AND SPECIFICATIONS As more specifically provided in Article V hereof, to consider, approve or reject any and all plans and specifications for any and all buildings or structures, fences, accessory buildings, swimming pools or tennis courts proposed for construction and erection on any Lot, proposed additions to such buildings or alterations in the external appearance of buildings already constructed.

DEPOSITS To require a reasonable deposit in connection with the proposed erection of any building, or structure, fence, swimming pool, tennis courts, or other structure in the Properties approved in accordance with Article V of this Indenture, in order to provide that upon completion of the project, all debris shall be removed from the site and from adjacent Lots and parcels, and that any and all damages to subdivision improvements shall be repaired.

ARTICLE VII RESTRICTIONS

In addition to the limitations and restrictions imposed by other provisions of this Indenture and the Ordinances, the following restrictions are imposed upon and against the Property and each Lot now or hereafter existing therein:

1. BUILDING USE. No building or structure shall be used for a purpose other than that for which the building or structure was originally designed, without the approval of the Architectural Control Committee.

2. COMMERCIAL USE. No commercial activities of any kind shall be conducted on any Lot.

3. ORGANIZATION USE. No organization, club, association or group may operate from any Lot.

4. ILLEGAL USE. No lot shall be used for illegal activities.

5. NUISANCES. No noxious or offensive activity shall be carried on upon any portion of the Properties, nor shall anything be done thereon that may be or become a nuisance or annoyance to the neighborhood.

6. OBSTRUCTIONS. There shall be no obstruction of any portion of the Common Property or any storage or construction or planting thereon by an Owner. No clothes laundry equipment shall be placed, hung, exposed or stored in any portion of the Common Property.

7. SINGLE FAMILY RESIDENCES. The lots in the Subdivision shall contain and shall be used only for single family residences.

8. CONSTRUCTION OF RESIDENCES. All residences in the Properties are to be constructed in accordance with the standards and building codes established by Governmental Authorities.

9. BUILDING COMPLETION. All buildings must be completed within twelve (12) months from the issuance of a Jefferson County Construction Permit.

10. STRUCTURES. No residence shall be wholly or partly covered with tarpaper or canvas, and no tent house or shack shall be on any lot. No unpainted wood house shall be on any lot unless of log or imitation log construction. All residences will be constructed on site as stick built structures.

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11. LIVING AREA. The living area on the main floor or the main residential structure, on any Lot, exclusive of porches, garage, and basement, shall be not less than 1,500 square feet on the main floor. Lots, given the required setbacks, which will not allow for 1,500 square feet on the main floor, will be allowed to have 1,250 square feet on the main floor. No more than one dwelling shall be built on any Lot or building site. Effective August 01, 2004.

12. BUILDING LINES. Except as hereinafter provided, in no instance shall a building or residence be located nearer than twenty-five (25) feet to the front lot line, ten (10) feet to a side lot line, and twenty-two and one-half (22 1/2) feet to the rear lot line. Notwithstanding, any specific building line regulation, Jefferson County, Missouri, from time to time, has changed building line or property set off line regulations. When there is a conflict between the Indenture and Jefferson County Requirements the most restrictive applies. All residences shall face the street-front of the lot. Notwithstanding the foregoing, the topography of certain Lots in Summer Set Subdivisions may require variances in the building set-back lines and orientations herein established, and the Architectural Control Committee is hereby granted exclusive control over and the right, power and authority to grant, in its reasonable discretion, any such variance.

13. BUILDING ON ADJOINING LOTS. An Owner who owns two or more adjoining lots may treat them as one lot for building purposes provided that assessments shall be chargeable against all such lots as originally platted.

14. DESTRUCTION OF A RESIDENCE. Within one month after the date of partial or complete destruction of any residence, homeowners will have their Lot(s) clear of debris. Within three months of the destruction, homeowners will inform the Architectural Control Committee as to their intention to rebuild or not to rebuild. Within six months of the destruction, rebuilding shall begin or the Lot(s) will be returned to its natural state.

15. DRIVEWAY CULVERTS. All driveway culverts must be approved by the Summer Set Property Owners Association, Inc., and all culverts shall be designed to comply with standards set forth by the Summer Set Property Owners Association Inc., and applicable building codes.

16. BUILDING ROADS OVER LOTS. No road shall be built over any existing Lot to connect adjoining property or roads without specific written and recorded authority by the Summer Set Property Owners Association, Inc.

17. WITHDRAWAL OF WATER FROM LAKES. No water shall be withdrawn from the lakes of Summer Set by pump or any other means without the written approval of the Summer Set Property Owners Association, Inc.

18. FENCES. No fences of any kind shall be erected or maintained on any Lot between the rear of the residence constructed on such Lot and the street which such Lot fronts. Fences may be maintained on other portions of the Lots only with written consent of the Architectural Control Committee as to location, material and height, and the decision of such committee to approve or reject a fence shall be conclusive. Nothing herein contained shall prevent placement of fences by the Summer Set Property Owners Association, Inc. on the Common Ground. *** Please see pages 6 and 7 for additional details**

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19. DRILLING WELLS/BLASTING. No wells shall be drilled, nor any blasting done, nor any substantial changing of the grade of any Lot without the written permission of the Summer Set Property Owners Association, Inc.

20. UTILITY AND DRAINAGE EASEMENTS. Easements for installation and maintenance of utilities and drainage facilities are reserved as shown on the recorded plat. Within these easements, no structure, planting or other material shall be placed or permitted to remain which may damage or interfere with the installation and maintenance of utilities, or which may change the direction or flow of drainage channels in the easements, or which may obstruct or retard the flow of water through drainage channels in the easements.

21. SIGNS. No signs, advertisements, billboards, or advertising structures of any kind may be erected, maintained or displayed on any Lot provided, however, that nothing herein shall prohibit a "For Sale" sign placed by any Owner attempting to market their individual Lot and/or house, provided such sign is not in excess of six (6) square feet.

22. ABANDONED VEHICLES. No abandoned cars, motorcycles, jeeps, trucks or motor vehicles of any kind whatsoever that are unable to move under their own power may be stored or suffered to remain upon any of the Common Property or on any Lot. If any such motor vehicle is so stored or remains on the aforesaid premises, the Summer Set Property Owners Association, Inc. may take the necessary steps to remove the same at the Owner's expense.

23. MAINTENANCE. Each Owner shall maintain and keep his Lot in good order and repair, and shall do nothing which would be in violation of law or ordinance. Stripping a vacant or unimproved Lot of all trees and vegetation requires prior written approval from the Board of Directors. Stripping is defined as removing all vegetation and leaving a Lot bare. Prior approval the Owner is to submit a plan to the board indication how the Lot will be landscaped, restored and the projected time frame. If stripping a Lot is approved a silt barrier and its' placement is to be approved by the ACC. The silt barrier must be in place before the Lot is stripped and is to be maintained through the duration of the project. Approval is not required for a Lot Owner to remove deadfall, cut or trim trees, or to engage in any other activity consistent with maintaining the Lot in good order and repair provided that such activity does not change the topography of the Lot, does not change the direction or flow of drainage, or leave the Lot susceptible to erosion.

24. ANIMALS. No animals, reptiles, birds, horses, rabbits, fowl, poultry, cattle or livestock of any kind shall be brought onto or kept on the Properties, except that no more than two dogs, cats, or other household pets (except house pets with vicious propensities) six pets maximum, may be kept or maintained on any Lot, provided that such pets are not kept for any commercial purpose and provided that such pets are at all times leashed or controlled on the Lot and no other outside structures are erected or installed therefore. The keeping of any pet which by reason of its noisiness or other factor is a nuisance (as determined by the Summer Set Property Owners Association, Inc., in its sole judgment) or annoyance to the neighborhood is prohibited.

25. GARBAGE No rubbish, trash, garbage or garbage receptacle shall be placed on the exterior of a Lot except on the day of regularly scheduled collection.

26. WILDLIFE SANCTUARY. The Properties are hereby declared to be a wildlife sanctuary. Therefore, hunting and trapping by any means and the discharge of firearms shall not be allowed within the

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limits of Summer Set Subdivisions. The Summer Set Property Owners Association, Inc. may make exceptions when it is deemed necessary.

27. RENTING AND LEASING. Summer Set property owners are strictly prohibited from renting or leasing their home/lot to any other individual or entity. Rental/lease agreements in effect at the time of enactment cannot be renewed. This amendment will expire five years from the date of enactment.

28. ACCESSORY STRUCTURES. No freestanding accessory buildings or structures are allowed on any Lot except for a Lot with a residence which may have a dog house, gazebo, playhouse, propane storage tank, swimming pool, storage shed or detached garage.

- a. Dog houses shall not exceed 4 feet by 4 feet by 4 feet and shall be located behind the rear line of the house. Fencing around the dog house must be approved.
- b. Gazebos must be of octagon or round design, not enclosed, and not used for storage and not less than 8 feet nor more than 16 feet in diameter. Gazebos may not be located on lots not containing a residence, unless located on a lot adjacent to a residence owned by the owner of the residence. Placement of a gazebo on the lot must conform with the building lines in Article VII, paragraph 12 of these restrictions. Gazebos must be accessory to a residence. If a lot on which the gazebo is placed changes ownership so that it is no longer accessory to a residence on an adjacent lot, the gazebo shall be removed by the lot owner at his expense.
- c. A playhouse must be of open type construction with canvas/plastic roof with no provisions for enclosed storage. It must be located between the front building line and the rear property line no less than six feet from the side and rear property lines.
- d. Swimming pools must have approved Jefferson County building permits that include but are not limited to plot plans, electrical permits, health/safety requirements, filtration systems, and discharge systems. A swimming pool may be placed as close to the residence as desired but cannot be less than 25 feet from the front building line or less than six feet from the side and rear property lines.
- e. Propane Storage Tanks must be located between the front building line and the rear property line. Twenty-pound tanks are excluded from this provision.
- f. Storage sheds must be located within the boundaries of the Lot and accessory to a residence. The shed may not be placed on Common Ground adjacent to the owner's property. Only one detached shed per residence is permitted and may not be living space. The minimum size is thirty-six (36) square feet to a maximum of two hundred (200) square feet. The roof line must be consistent with the roof line of the residence using similar roofing material and the exterior covering may utilize wood lap siding, vinyl siding, or material compatible with the residence. Prefabricated sheds may be utilized only if the design meets the criteria in the preceding two sentences. However, under no circumstances will a prefabricated metal shed, or use of any corrugated material be approved. Exterior wood surfaces must be painted, stained, or sealed. The shed must be located between the rear property line and point towards the front property line not to exceed twelve (12) feet from either of the rear corners of the residence and no less than six (6) feet from the rear or side property lines. See Article V for merit requirements.

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g. Detached garages must be located within the boundaries of the Lot and accessory to a residence. The detached garage may not be placed on Common Ground adjacent to the owner's property. Only one detached garage per residence is permitted and may not be a living space. Must have two adjoining lots with boundary adjustment by Jefferson County or a minimum lot size of $\frac{3}{4}$ acre. The minimum size for detached garage is four hundred (400) square feet to a maximum of nine hundred sixty (960) square feet. The driveway to the detached garage must be paved or concrete, no gravel driveways are permitted. The roof line must be consistent with that of the residence roof line using similar roofing material. The exterior covering should match as close as possible to the color and quality of the existing material of residence. The detached garage must be no taller than a single story and walls not to exceed ten (10) feet. The detached garage must be located between the rear property line and appooint towards the front property line not to exceed twenty-two and one-half (22 $\frac{1}{2}$) feet from either of the rear corners of the residence, twenty-five (25) feet from the front corners of the residence and no less than ten (10) feet from the side of property lines. See Article V for permit requirements.

29. New homes at a minimum must have architectural/designer shingles for roof covering, a minimum of sixteen (16) inch eave (overhang) exclusive of guttering, attached garage, and no design with a completely straight-line roof will be acceptable.

30. Boat docks must have an approved Jefferson County building permit. Docks may not exceed 24 feet by 28 feet. The owner of one or more lake front lots may only install one boat dock. The boat dock must be positioned no less than 10 feet within the side lot lines as extended. Only encapsulated flotation material may be used for floating docks. *** Please see bottom of page 5 and page 7 for additional details**

31. Utilities obtained from the Summer Set Property Owners Association must be installed in conformity with the specifications existing at the time of installation.

32. Lakeshore erosion control requires placement of natural stone, rip-rap, or pre-cast masonry decorative blocks at the highwater line of the lake. A Summer Set building permit is required and all expenses for labor and materials are borne by the owner(s) of the lakefront lot. Any form of erosion control in place prior to October 12, 1997 may remain in place.

BOAT DOCKS

New docks or modifications (excluding repair and maintenance) to existing docks must receive final approval from the Board at a regularly scheduled monthly meeting.

No existing dock or portion of an existing dock may be moved or placed in another location without prior written A.C.C. and Board approval.

***Effective August 2019, All NEW Boat Docks must include encapsulated foam in the building plans in order to be approved by the Summer Set Architectural Control Committee. All existing docks must become compliant with the encapsulated foam rule by September 2020. * Please see page 7 for addition details**

SHEDS

Sheds are to be single story, interior "ceiling" height not to exceed 8' (eight feet), with an overall height to the underside of the roof peak framing ridge not to exceed 12" (twelve feet).

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Sheds are required to be installed on a concrete pad, 4" (four inches) thick, with "J" type anchor bolts in all four corners. In the alternative, a sill plate may be used provided that the plate is bolted to the pad using a minimum 7/16" (seven-sixteenths) bolts in all four corners with bolts on 24-30" centers depending on the overall perimeter of the shed.

"A detached **shed** must be located within the boundaries of the Lot and accessory to a residence. The shed may not be placed on common ground adjacent to the Owner's property. Only one detached shed per residence is permitted and may not be a living space. The minimum size is 36 (thirty-six) square feet to a maximum of 200 (two-hundred) square feet. The roof line must be consistent with the roof line of the residence using similar roofing material and roof line must be consistent with the roof line of the residence using similar roofing material and the exterior covering may utilize wood lap siding, vinyl siding, or a material compatible with the residence. Prefabricated sheds may be utilized only if the design meets the criteria in the preceding two sentences. However, under no circumstances will a prefabricated metal shed or use of any corrugated material be approved. Exterior wood surfaces must be painted, stained, or sealed. The shed must be located between the rear property line and a point towards the front property line not to exceed 12 (twelve) feet from either of the rear corners of the residence and no less than 6 (six) feet from the rear or side property lines. See Article V for permit requirements. *** Please see page 7 for addition details**

***Effective June 9th, 2019: Maximum square footage of Sheds is limited to 200 square feet.**

***Effective July 18th, 2019: Maximum length of one wall of shed may not exceed 16 feet.**

FENCES

***Fences are limited to a maximum of 6 feet tall and must only be constructed from the following materials; wood, vinyl, coated chain link and wrought iron. Besides natural wood color, other approved colors are Brown, Green and Black, ONLY * Please see page 7 for addition details**

DRIVEWAYS

A concrete or asphalt driveway is required for all new homes built in Summer Set under Summer Set Building Permits issued on or after May 21, 2009. The driveway is to be in place no later than 12 (twelve) months after the date of issuance of the original Jefferson County building permit. Extensions by Jefferson County of its' permit do not extend the completion date for this requirement. The driveway must abut and be flush with the Summer Set road if the road is blacktop or concrete. If the Summer Set road is gravel the driveway must end no more or less than 2 (two) feet from the observable site line/edge of the road and may be at a grade higher than the existing gravel road. Effective May 21, 2009

SOLAR PANELS

***Require the approval of a Jefferson County building permit prior to approval from the ACC. Solar Panel installation is limited to rooftop installs only. A permit fee is due to the Summer Set POA before construction can begin. * Please see page 7 for addition details**

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ACC FEES AND PERMIT COSTS

Per the July 2019 Board of Directors meeting, the Architectural Control Committee must receive the permit/infrastructure fees accompanied with plot/survey plans for all projects, prior to the start of construction.

The ACC has two different Permit and Infrastructure Fees

An Infrastructure Fee will cover home additions, garage addition/encloser and inground swimming pools.

The Infrastructure Fee will be a flat rate of \$2.50 per square foot.

A Permit Fee covers the cost of fences, docks, decks, sheds, gazebo and solar panels.

Fences and Solar Panels - \$50.00

Gazebos - \$75.00

Shed and Above Ground Pool - \$100.00

Decks up to 300 sq. ft. - \$50.00

Decks over 301 sq. ft. - \$100.00

Docks up to 300 sq. ft. - \$50.00

Docks 301 Sq. ft. – 672 sq. ft. - \$100.00

In addition, there is a \$300.00 REFUNDABLE Performance Deposit per project. This deposit is payable by cash or check and will be held at the POA office and returned upon project completion and inspection.

Please contact office for ACC to inspect when completed.