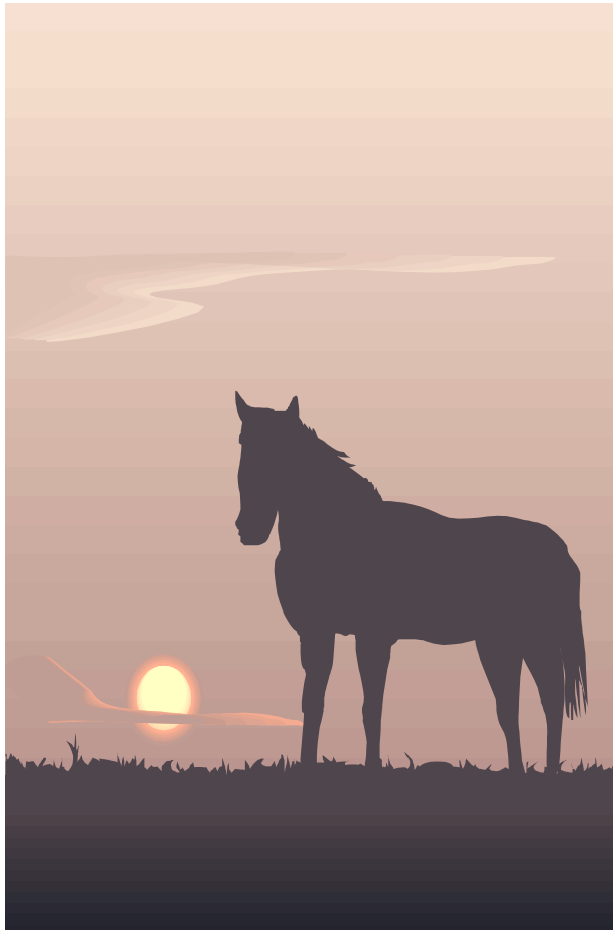

Homeowners Association Handbook



**Black Horse Run of Durham
Homeowners Association, Inc.**

**P.O. Box 442
Bahama, North Carolina 27503-0442**
(Revised June, 2009)

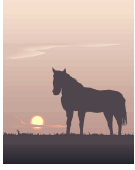


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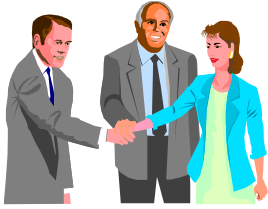
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The purpose of this information contained in this handbook is to inform, education, and highlight. For in-depth information, please refer to the complete restrictive covenants as filed with Durham County.

Board of Directors



The Board is responsible for the operation and upkeep of the BHR development, the management of funds and the enforcement of restrictive covenants. The Board operates the community through the following officers and committees.*

President

Vice President

Secretary

Treasurer

Architectural Review: Sets standards for new construction including residences, signs, mailboxes, remote structures, etc. The committee reviews and approves all proposed construction plans and follows up to ensure compliance.

Clubhouse: Responsible for accepting reservations, collecting rental and damage deposits and the general maintenance of the clubhouse

Community Affairs: Publishes a newsletter, telephone directory, updates handbook, welcomes new homeowners, and works to promote Black Horse Run in the community at large.

Equestrian: Responsible for the operation, rules, maintenance, and improvement of the barn and horse-related areas and overseeing the equestrian issues for the community..

Grounds and Roads: Responsible for the development, improvement and maintenance of the landscape of the community property within Black Horse Run. Responsible for liaison with the state concerning roads, the mowing and maintenance of road shoulders, the banks on 501, the grounds around the amenity areas, and the nature trails.

Pool/Tennis Courts: Responsible for the operation, rules, maintenance, and improvement of the pool, tennis courts, playground, and the surrounding grounds

Black Horse Run Homeowners Association Website: www.Blackhorserunofdurham.org
The website has officer/committee information as well as contact numbers. The covenants are also posted on the site. Current real estate information about houses and land for sale in BHR can be found on the site.

** Committee definitions may be modified based on the interest and expertise of the elected board.*

Board of Director's Meetings



Monthly Board of Director's meetings are held at the BHR Clubhouse on the second Wednesday of each month, except February, at 7:30 PM. These meetings are open to any member of the Association. Members wishing to formally address the Board on a particular issue requiring action should submit a brief synopsis of the issue to the Board Secretary of Black Horse Run * Post Office Box 442 * Bahama, NC 27503-0442 by Wednesday preceding the scheduling meeting so that it can be included on the agenda.

Annual Homeowners Association Meeting

The Board is required to hold an annual Association meeting. This meeting is an open forum to allow property owners to share ideas and information with the Board as well as vote on the new Board and issues presented by the Board. A meeting notice, detailing place and time, is sent to all members prior to the meeting.

Election of Board of Directors

The Black Horse Run of Durham Homeowners Association, Inc. elects a Board of Directors consisting of between three and fifteen property owners. The election is held at the annual meeting. Term of office is March 1st of election year through March 30th of following year (one month overlap to allow for an easy transition). Anyone who owns property is welcome to run for a Board position. We encourage all homeowners to participate. If you would like to get involved and have any questions about the activities of the Board, please feel free to call any of the current Board members – they would be happy to speak with you.

Property owners interested in running for a Board position should make their interest known to a current Board member by January 31st of the election year.

Homeowners Association Dues



The Homeowners Association annual assessment is due and payable on January 1 of each year. If you have multiple lots, there is a separate invoice for each lot. If you have multiple lots and wish to make a partial payment, you must indicate how you wish to distribute the payment among the lots. If you do not, the amount paid will be distributed evenly among the lots.

If the full amount is not paid by January 31 of each year, interest will be charged at a rate of 18% per year on the outstanding balance. The outstanding balance will include all accumulated legal fees and interest charged.

If the dues are not paid in full by March 31 of each year, the HOA will send the delinquent homeowner a 15 Day Letter. This letter allows for the delinquent homeowner to immediately begin a 6 month payment plan resulting in all dues, fees and interest being paid in full by October 31 of the year due. The delinquent homeowner must respond to the 15 Day Letter within 15 days of the postmark on the letter. If there is no response to the 15 Day Letter within the 15 days or, if all dues, fees and interest charges have not been paid by October 31, or if any of the agreed upon payments are late, the delinquent account will be turned over to the BHRHOA attorney, who will begin a process that could result in foreclosure.

The BHRHOA Board is responsible for managing the communities' resources. In order for them to maintain all of the amenities in a manner that will maintain property values for every homeowner, it is absolutely necessary for all homeowners to pay 100% of their dues every year.

Member in Good Standing



A member is in good standing if all dues, fees and interest have been paid in full and they have no outstanding covenant violations. A member who is NOT in good standing may not use ANY of the amenities to include the pool, the clubhouse, the tennis courts and the barn, nor may any family member use said amenities.

Selling your Property or Moving



Please notify the Homeowners Association when your property is sold. We need this information to keep our records current, and we'd also like to send the new owners an information package telling them about the community.

If you move but still own your BHR property, please notify the Homeowners Association of your new address. We would like to keep sending your information updates.

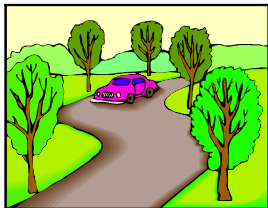
Please call the Treasurer or drop a note to the Homeowners Association * Post Office Box 442 * Bahama, NC 27503-0442. This will avoid a lot of confusion and misunderstanding.

You Can Make a Difference in your Community



If you have a particular interest in the community, please call the chairperson of that area and let them know you are interested in being involved. Any amount of time is appreciated.

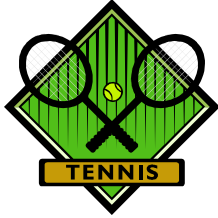
Roads and Right of Ways



All roads within the community are state owned and maintained. The speed limit is 30 mph. Only licensed vehicles may be operated on the roads, and only licensed operators may drive such vehicles on the roads in the community. Please refrain from driving ATV's, Golf Carts, and other such unlicensed vehicles on the roads in Black Horse Run.

Reminder: no motorized vehicles are allowed on the Nature Trails.

Tennis Courts



To deter vandalism, tennis courts are locked. Keys are available from the Chair of the Pool and Tennis Court committee to Members in good standing who pay a \$20.00 deposit. Limit one per household. This key also fits the swimming pool gate.

Lighting is available for night play. The switch is located by the gate. The switch activates a timer so lights will go off by themselves. To conserve energy, please turn lights off when play is completed.

1. No skate boards/skates or bicycles allowed on the tennis courts.
2. A guest must be accompanied by a homeowner in order to play.
3. If someone is waiting to use the courts, please be courteous and limit your play to one hour.

Clubhouse

Phone Number: (919) 477-5794

The Clubhouse is available for use only by BHR property owners in good standing for a nominal rental fee.. The Clubhouse is protected by a security alarm system. Clubhouse use is by reservation only. There is a \$250.00 security deposit due prior to rental. The deposit will be returned after the clubhouse has been inspected and found to be in satisfactory condition. The deposit guarantees that the Clubhouse will be returned in the same condition it was at the time the renter took control. Failure to properly clean the Clubhouse may result in charges being made to the security deposit. The homeowner must be present with guests at all times.

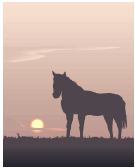
Reservations



To reserve the clubhouse, contact the person in charge of clubhouse reservations (see current year information sheet). Your reservation is not secured until you pay the rental fee. Rental fees are not refundable.

Contract for Use

A contract for use of the Clubhouse as well as a cleaning list will be given to you when you receive the key and the alarm code for the Clubhouse. This list covers all the areas that will be inspected. Any damage done to the Clubhouse is the responsibility of the property owner, and the repairs will be assessed against the security deposit. If damage exceeds the security deposit, the homeowner will be held responsible for the balance.



Black Horse Run of Durham Homeowners Association, Inc. Clubhouse Rental Agreement

Rental fee is \$35 plus \$250 refundable deposit. Use of the Clubhouse is limited to Black Horse Run of Durham property owners who are current in their Home Owners Association dues. Clubhouse rentals are on a first come first serve basis and cannot be secured until the \$35 rental fee is received. The \$35 is non-refundable.

1. Please call the Chair of the Clubhouse committee (see current year information sheet) to schedule your reservation.
2. Drop off \$35 and \$250 in **TWO** separate checks made payable to **BHR-HOA**.
3. Place your name, address, phone number and date of rental on your \$35 check.
4. A signed copy of the RENTAL Agreement must be signed and delivered before a key will be given.
5. The Clubhouse has an alarm system you must deactivate when you walk in and reactivate each time you leave. The alarm code will be located on your key tag
6. Maximum number of occupants is 95. Parties may not exceed this number.
7. Clubhouse key cannot be provided sooner than 24 hours before a function.
8. Facility rentals can only be reserved by an adult 21 years of age or older and chaperoned by a minimum of two adults for persons under the age of 21 with a ratio of no less than 1 adult per 10 guests.
9. **Once inside the clubhouse, perform your “walkthrough.” If damage is noted during your walkthrough, you are obligated to contact the chairperson or a board member immediately (before your party takes place) so as not to be charged for the damage. Failure to do so can result in your being charged for the cost of the repair.**
10. The \$250 deposit will be refunded provided no damages occurred during your function, and all cleaning duties were performed. Included is a list of cleaning duties. Cleaning supplies are provided and located in the clubhouse closet or in the bathroom. When setting up tables and chairs, please take care not to damage the floor.
11. No upholstered furniture is to be moved from its present place.
12. Organized functions are not allowed to loiter in the front and side amenity areas. This includes cooking and grilling.

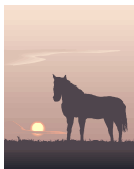
13. All evening functions must end at 1:00 am.
14. All function sounds must be reduced and contained after 11:00 pm.
15. Parties are allowed to use the pool anytime M-Th, until 5:00 pm on Fridays, and after 7:00 pm on Saturdays, Sundays, and Holidays.
16. You are required to bring your own propane tank if using the gas grill located at the pool.
17. At no time can a private party have exclusive use of the pool.
18. For all pool parties with 10 or more guests, an additional lifeguard, approved by BHR is required at the expense of the host or hostess. Ratio is 1 extra lifeguard for every 10 persons, no exceptions.
19. All lifeguards must be certified and approved by the BHR Association. Lifeguards can be arranged through the pool management team. Please request a fee schedule.
20. A pool party of less than 10 children under the age of 8 requires no less than 2 adults supervising the children in the pool.
21. Wet bathing suits or persons must be kept off the upholstered furniture in the Clubhouse.
22. Confetti, glitter of any kind and use of thumbtacks is prohibited.
23. The clubhouse is protected by a security alarm and must be re-activated once you leave the clubhouse.
24. Be certain all doors and windows are closed and locked, including deadbolts. Never leave the clubhouse unlocked or unprotected.

 Please detach and return to the Chairperson when you receive the Clubhouse Key.

I have read the Clubhouse Rental Procedures and Clubhouse Cleaning Requirements and understand my responsibility in renting the Clubhouse.

 Homeowner signature

 Date



Black Horse Run of Durham Homeowners Association, Inc.
Clubhouse Rental Agreement
Walkthrough Form

Deactivate alarm: Enter code only (on the key tag). Do not press “Enter”.
Activate alarm: Enter code only. Do not press “Enter”.

List of current Clubhouse Damages:

Counter laminate chipped 2 inches on sink corner.
Cracked Counter, corner closest to sink, opposite of sink.
Women’s bathroom ceiling light cover cracked on corner.
Hole in plaster upstairs, right hand wall close to outside door, size of small ½ dollar.

1. No further damages are present.

Signature _____ Date _____

2. More damages are present and listed below. Damages must be reported before your party takes place. The name of the board member, date and time contacted is stated.

BHR representative Date, time reviewed with BHR representative
Clubhouse Walkthrough Agreement, continued

Clubhouse Chair:

BHR representative:

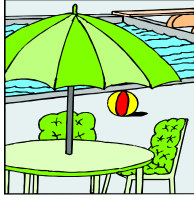
Clubhouse Chair or Board Member notes only:

Damages have been reviewed and noted as not financially liable to renter. _____

Additional damages which are the financial responsibility of the renter: _____

BHR Representative Date and time reviewed with Representative

Pool



The Black Horse Run Pool belongs to the BHR Community. It is **YOUR** pool as well as any other Member in good standing. If a situation arises at the pool (i.e., excessive horseplay, abusive behavior, etc.), please speak up and respond to the situation. We will not tolerate inappropriate behavior at the pool. If behavioral problems arise the lifeguards and the adults present at the pool should handle these situations. Repeat offenders will be handled appropriately as stated in the pool rules.

Hours of Operation

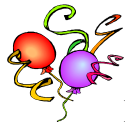


The pool is officially open for general use Memorial Day weekend through Labor Day weekend between the hours of 8:00 AM and 10:30 PM, Monday- Sunday. Swimming is allowed (at your own risk) after and/or before regular pool hours. For night swimming, there are lights inside the pool that are controlled by a switch located on the wall adjacent to the showers. Please turn them off when you leave.



Keys A key for the pool gate can be obtained by Members in good standing from the Pool Committee Chairperson (see current year information sheet) for a deposit of \$20.00. Limit one per household. This key also fits the tennis court gate.

Parties



More than ten guests constitute a party, which requires reservations and a deposit of \$100.00. Parties will be allowed to use the pool anytime Monday-Thursday, on Friday before 5:00 PM, and after 7:00 PM on Saturdays, Sundays, and holidays. **At no time will a private party have exclusive use of the pool; the pool is always open to BHR residents.** Pool rules are in force at all times.

Regardless of the timing of a party, the host must provide a lifeguard. **It is not the responsibility of the regular lifeguard to guard private parties.** For parties scheduled outside of pool hours, the owner holding the reservation must provide a lifeguard. If available, the lifeguard must be hired from a list of lifeguards approved for BHR pool functions. If no approved lifeguard is available, an independent lifeguard selected by the owner can be substituted. All lifeguards working parties at BHR must possess evidence of current certification for lifeguarding. i

Receptacles



Receptacles by the drink machines are for trash and recyclable aluminum cans. Please deposit trash and cans in the proper receptacles.

Telephone



The telephone in the red box on the Clubhouse wall is for **EMERGENCY USE** only. Personal calls are not allowed. Your cooperation in explaining the use of this phone to all your family members and guests will be greatly appreciated. In case of emergency, DIAL 911, and you will be connected with the Sheriff's Department.

Small Children

Small children who are not fully potty-trained or could have an "accident" in the pool should wear a swimmer's diaper, to contain fecal material. The county requires that the pool be shut down for a minimum of 24 hours if fecal material is found in the pool. The cleaning fee is \$250.

Lifeguard Chair



The lifeguard chair is for the use of certified lifeguards only. If anyone is found moving the lifeguard chair and diving off it, the result will be immediate revocation of pool privileges for the entire household! Please report any violations of this rule immediately to us.

Pool Rules

1. Pool and bathhouse facilities may be used only by Association members in good standing and their guests.
2. Use of pool is at your own risk.
3. No glass or breakables are allowed in the fenced area. Any such breakage means that the pool must be drained, cleaned and refilled. The charge will be \$1500.00.
4. No food or drink in the pool.
5. Showers are required before entering the pool.
6. No running on deck area.
7. No excessive rough housing/horseplay.
8. No diving into the pool from the sides except for diving area or deep (east) end. **DIVING FROM MAKE-SHIFT DIVING PLATFORMS OF ANY KIND WILL RESULT IN IMMEDIATE REVOCATION OF POOL PRIVILEGES FOR THE ENTIRE HOUSEHOLD.** Please report any violations of this rule immediately.
9. No loud music.

10. Balls are allowed unless they pose a hazard to others or if the pool is crowded.
11. Children under the age of 14 must be supervised by an adult (18 or over) while in the pool enclosure during the time the lifeguard is on duty.
12. All swimmers must leave the pool for 15 minutes whenever thunder is heard.
13. Association members and their guest are expected to clean up and straighten up after themselves.
14. The telephone on the wall is for **EMERGENCY USE** only.
15. The Clubhouse is not open for general use during pool hours.
16. Toddlers in diapers must wear a swimmer's diaper while in the pool. Fecal contamination will result in a minimum of 24 hours of pool closure and a charge of \$250.00 for cleaning.

Guest Rules

1. No more than two guests per Association member at anytime unless prior approval has been given by the pool Committee. Association Member must be present with guest at all times.
2. Guests are subject to the same rules as Association Members.

IMPORTANT: WHEN NO LIFEGUARD ON DUTY, THESE ADDITIONAL RULES APPLY:

1. Children (under 18 years of age) should not use the swimming pool without an adult (21 years and older) in attendance.
3. NO PERSON should swim alone!!

Repeat violations or blatant disregard of pool rules may result in suspension of pool privileges by the Board of Directors/Pool Committee.

4.

Equestrian Facilities



The Equestrian Facilities consist of the barn and turnout Area, the riding ring, pastures, and associated fencing. The Equestrian Committee members also monitor the trails and assist in trail maintenance by clearing trees, bush hogging, etc. Please note that there is an electrified fence wire running along the inside top rail of the white fencing at the Barn and the pasture to deter the horses from eating the fence. Although not dangerous, the electric fence will give anyone touching it a significant jolt.

Although the barn is community property, the horses and associated equipment are private property. Property owners who do not own a horse are requested to respect this by not entering the barn unless a horse owner is present. Horses can be made very nervous and “head shy” by strangers trying to pet them when they are in their stalls. In addition, horses are very sensitive to changes in food, so please refrain from feeding them anything! For example, grass clipping are

potentially fatal to horses since the fermentation process that occurs in the clippings cause the horse to colic, which is a life threatening illness.

Coggins Test (All Horse Owners)

Because of the increase incidence of equine infection anemia in surrounding states, the Equestrian Committee is requesting that all horse owners cooperate with the Coggins test requirement for BHR:

Before horses are stabled in the community barn in BHR, they must have a negative Coggins test within six months of establishing residence. If the horse is removed for a period of greater than seven days (for training, etc.), and updated test is required before re-entering the barn. Otherwise, a yearly test is required of all horses in BHR. Please note that any horse brought in for a daily trail ride, etc. is also subject to the Coggins test rule.

It is the horse owner's responsibility to give copies of the Coggins test to the Equestrian Committee Chairperson. Failure to do so will result in loss of use of the Equestrian Facilities. The Equestrian Committee is concerned with the safety of the horses at BHR, and the goal is to have a group of healthy and happy horses.

Community Barn: Phone Number 477-5794

Stall Reservations

Barn stalls are available for use by BHR members in good standing on a first come, first serve basis. Stall reservations can be made by contacting the Equestrian Committee Chairperson (see current year information sheet) who will keep a list in accordance with Rule #5. All supplies associated with maintaining a horse at the barn are the responsibility of the horse owner.

Estimated Cost of Owning a Horse

The cost of owning a horse in today's market varies greatly and it is recommended that the new owner to do appropriate research.

The time required maintaining a clean horse and stall is 10 to 20 hours per week depending on the weather, etc. The horse must be fed and watered at least twice a day and hayed two or three times a day.

Rules for the Equestrian Facilities (for BHR Members in good standing)

1. No stallions over one year of age are allowed in the equestrian facilities.
2. A recent (within one month) negative Coggins test is required of all new horses.
3. A yearly negative Coggins test is required of all horses.
4. This barn is an eight-stall barn (approved by the Board of Directors).

5. Stall reservations are on a first come, first serve basis. However, stalls may be reserved. A waiting list is maintained by the Equestrian Committee Chairperson. If a stall is not occupied after 14 days, the next horse on the waiting list will have first right to the stall (exceptions for special circumstances will be reviewed by the Equestrian Committee). A stall is considered to be occupied if the horse inhabits the stall and/or community pastures for at least four days in a seven day period. This restriction does not apply to removal for training, riding events, illness, etc.
6. The Board of Directors imposed a limitation on the number of horses a family is allowed to have in the community barn to one each. A family may stable more horses in the barn if stalls are available, but must give up all but one stall if another lot owner requests a stall. Any exceptions must be approved by the Board of Directors.
7. The lot owner is responsible for his/her horse. This includes feeding, cleaning the stall, putting the horse in and taking the horse out of pasture, grooming, veterinary care, and blacksmith care. Black Horse Run provides the stall only! The owner is responsible for any damages their horse creates (at their own expense).
8. Horses must be under control at all times. This includes vices (cribbing, weaving, etc) Any unmanageable horse must be removed from the community barn.
9. Any damage caused by a horse is the responsibility of the lot owner. If repairs are not made in a timely manner, repairs will be made and billed to the lot owner responsible for the horse. Unpaid bills will dictate removal of the horse and legal action.
10. Because of the small size of the pasture and turn out area, those areas will be restricted to horses housed in the community barn and rotation of horses will be required. It is the lot owner's responsibility to put his/her horse(s) in and out at the agreed upon times.
11. Stalls must be cleaned every day.

Rules for the Equestrian Facilities (continued)

12. Everyone must clean up after themselves. This includes sweeping the aisle, putting supplies away, closing and locking doors, and turning off lights.
13. All horses must be on a regular de-worming schedule, preferably every two months, and on the same schedule as the other horses in the barn. A suggested schedule will be posted in the barn. If worms become a problem, all horses must be de-wormed on the same schedule or lose pasture privileges.
14. Horses that crib must wear a cribbing strap at all times except when they are being ridden. Other vices that are considered a health hazard to other horses must be controlled or the horse must be removed.
15. The riding arena is to be accessible at all times for riding. It is not to be used as a pasture or when there is standing water on the footing. Everyone using the ring should clean up any manure and place any wooden jump rails up off the ground.
16. Everyone with a horse stabled in the community barn will be given a key to the tack room; this key must be turned in when the horse is no longer kept at the barn.

17. The tack room is to be locked all times.
18. Due to the lack of space, tack may be limited to one saddle/bridle per horse, one feed bin per horse, one cleaning kit per horse, and one tack box per owner. Miscellaneous tack such a lunge limes, whips, etc., should be kept to a minimum.
19. A feeding schedule for each horse must be posted in the feed room.
20. In addition to the above rules, lot owners must abide by the general rules for horses residing at and/or using the facilities at Black Horse Run.
21. No children under 12 years of age are permitted in the community barn or barn area without the supervision of an adult.
22. A key to the Riding Ring can be obtained by BHR members in good standing from the Equestrian Committee Chairperson upon proof of a negative Coggins test.

Architectural Review



Planning To Build, Change Or Erect Something New On Your Lot – Contact The Administrative Committee First (see current year information sheet). No building or other structure of any kind, including fences and walls, shall be built on any lot, nor shall any alteration be made to any existing building or structure until the plans and specifications for such construction or alteration shall have been submitted to and approved in writing by the Architectural Review Committee. (See Restrictive Covenants, Durham County Courthouse). Homeowners are totally responsible for verifying any property or easement lines before doing any type of construction. The Architectural Review Committee is here to advise/approve only. The committee does not perform any surveying or establish any such lines. Any corrective measures deemed necessary for a property or easement line violation will be the financial responsibility of the homeowner and not the responsibility of the BHR Homeowners Association.

New Home Construction

A Black Horse Run Building Application and Agreement MUST BE Submitted (see page 18). When all items have been received, reviewed and approved by the Architectural Review Committee, you will receive written approval to start construction. Approval is valid for one year and as long as dues are paid in full. After that time, new approval must be obtained. Your blueprints, site plan and building materials list will be kept on file until completion of construction.

All new construction must be completed one year from start.

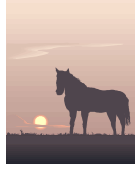
Alterations To Existing Property

A Written Request MUST BE Submitted To the Architectural Review Committee For Changes Effecting The Exterior Of The Property (see page 22). Examples of changes requiring approval include but are not limited to: dog pens or runs, fences, walls, decks, porches, satellite dishes, pools, tennis courts, color changes, patios, driveways, parking areas, decks, etc..

Changes that require the use of heavy equipment may require a building deposit. Some changes may require a new construction application and additional plans or drawings.

Any Time You Plan To Make A Permanent Change To Your Property It Would Be Wise To Contact The Architectural Review Committee First.

No Construction Or Excavating May Begin Until Committee Approval Has Been Obtained In Writing.



**Black Horse Run of Durham Homeowners Association, Inc.
Architectural Review Committee
Construction Application and Agreement**

Applicant Name(s): _____

Telephone: (Home): _____ (Work): _____

Mailing Address(s): _____

Contractor: _____

Contractor's Telephone: _____ License No. _____

Lot Number: _____ () Owner Occupied () Speculative Construction

Sales Price / Appraisal: \$ _____

Construction information and checklist for:

Applicant	Reviewer	Reviewer	Reviewer	Item
()	()	()	()	Heated Square Feet
()	()	()	()	Plans / Specifications Submitted
()	()	()	()	Materials List Submitted () Yes () No
()	()	()	()	Site Plan Submitted Indicating: () Easements & setbacks in compliance. () driveway () house () fences () outbuildings () satellite dish () propane tank () other _____
()	()	()	()	Start Date _____ End Date _____
()	()	()	()	Style Home: () Ranch () Two Story () Other () Traditional () Contemporary () Other
()	()	()	()	Exterior Walls () Brick () Siding () Combo () Other _____
()	()	()	()	Color of Exterior Walls _____ Trim _____ Shutters _____ Front Door _____
()	()	()	()	Roof Material / Color () Asphalt () Cedar () Tile () Other _____ Color: _____
()	()	()	()	Chimney () Brick () Stone Chimney must be brick or stone.
()	()	()	()	Foundation () Brick () Stone () Stucco Exposed foundations must be brick, stone or stucco.
()	()	()	()	Front Porch Steps () Brick () Stone
()	()	()	()	Landscaping: All disturbed soil must be covered with sod, seed, pine straw, wood chips or pea gravel.
()	()	()	()	Windows / Storm Doors: No unpainted or natural mill-finish or galvanized finish.
()	()	()	()	Garage () Side entry () Rear Entry
()	()	()	()	Excavation / Topography (Major Changes?) () No () Yes – Diagram attached



Black Horse Run of Durham Homeowners Association, Inc. Construction Application and Agreement

Other Permanent Structures:

Construction information and checklist for:

Applicant	Reviewer	Reviewer	Reviewer	Item
()	()	()	()	Outbuildings () Yes () No Description: _____ () Plan attached with complete materials list () Location indicated on site plan
()	()	()	()	Satellite Dish () Yes () No () Location indicated on site plan Satellite dishes must be placed behind the house and shielded from the street.
()	()	()	()	Propane Tank () Yes () No () Location indicated on site plan () Diagram of screening received (if not buried) Natural gas or propane tanks must be buried or hidden from view from all neighbors.
()	()	()	()	Mail Box Post Purchased Only Black Horse Run approved mail box posts may be used.
()	()	()	()	Fence () Yes () No () Location on site plan () Description [picture preferred] including height and materials
()	()	()	()	Driveway () Asphalt () Concrete () Brick () Exposed aggregate concrete () Location indicated on site plan During construction, driveway must be covered with gravel to keep roadways clean. Driveways must be paved with asphalt, concrete, brick, or exposed aggregate concrete within one year of the completion of the house. Must meet current NCDOT standards.

Construction Deposit Refund Conditions:

The construction deposit is \$1,000.00 and will be refunded provided the following conditions are met:

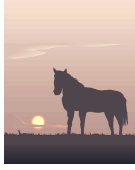
1. The construction approved in this document must be completed as specified.
2. All debris associated with clearing the site and installing the septic system must be removed from the property.
3. Erosion control measures shall be taken sufficient to prevent any adverse effect on adjacent properties and/or roadways.
4. Crusher-run stone shall be placed on the driveway as soon as possible and maintained throughout the construction period in a sufficient quantity to prevent mud and stone from being tracked onto the street. Subcontractors and material providers should instruct drivers to keep their vehicles on the stone.
5. The building site must be kept clean of construction debris and trash during the construction period. This may necessitate frequent cleanup and removal of this material.
6. Driveway must be completed.
7. Minimal landscaping must be performed as set forth in this document and any disturbed road shoulders in the area of the building site should be graded and seeded.

The Architectural Review Committee, throughout the construction period, will monitor the foregoing conditions. If these conditions are not met satisfactorily, or the Association incurs costs related to these conditions, the Association may elect to withhold part or all of the construction deposit. If these costs exceed the deposit, then the Association shall have the right to bill the excess cost to the lot owner.

() I have reviewed and understand the Black Horse Run of Durham Homeowners Association, Inc. Covenants, Conditions and Restrictions, the Architectural Regulations and Covenant Highlights. These covenants and guidelines assure and protect all homeowners in Black Horse Run that every home will meet or exceed specific quality standards.

() Miscellaneous _____

I / We accept the terms and conditions of the Black Horse Run of Durham Homeowners Association, Inc. including the Covenants and all conditions set out by this Architectural Review Committee. I / We understand that this construction



**Black Horse Run of Durham Homeowners Association, Inc.
Construction Application And Agreement (continued)**

application and agreement is valid for one year from approval. I / We understand that any changes to the plans or specifications must be approved by the Committee, in writing. I / We understand that if I / We do not comply with the Black Horse Run of Durham Homeowners Association, Inc. covenants, conditions and restrictions and Architectural Building Regulations and Covenant Highlights and the conditions of this document, Black Horse Run of Durham Homeowners Association, Inc. has the right to stop construction. I / We further agree that all disputes will be subject to third party binding arbitration.

Owner's Signature: _____ **Date:** _____

Owner's Signature: _____ **Date:** _____

Contractor's Signature: _____ **Date:** _____

To be completed by the Architectural Review Committee

() BHR Mail Box Post (purchases) \$55.00 Check No. _____ (separate check)

() Construction Deposit \$1000.00 Check No. _____ (separate check)

Application Attachments:

These Plans and Specifications are approved by the Architectural Review Committee:

Approved By:

Committee / Reviewer Signature _____
Date

Committee / Reviewer Signature _____
Date

Committee / Reviewer Signature _____
Date

Inspected by:

Committee / Reviewer Signature

Date

Committee / Reviewer Signature

Date

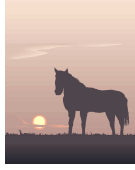
Construction Deposit Refunded: Check No. _____

Lot Owner Signature

Date

Committee / Reviewer Signature

Date



Black Horse Run of Durham Homeowners Association, Inc.

**Architectural Review Committee
Construction Application and Agreement
Attachment of Conditions**

Date: _____

The following conditions apply to the construction application and agreement submitted by:

Applicant Name(s): _____

Telephone: (Home) _____ **(Work)** _____

Mailing Address(s): _____

Lot Number: _____

Architectural Review Committee:

Committee / Reviewer Signature

Date

Committee / Reviewer Signature

Date

Committee / Reviewer Signature

Date

I / We accept the terms and conditions described above:

Owner's Signature

Date

Owner's Signature

Date

Contractor's Signature

Date

**Architectural Review Committee
Site Improvements Application and Agreement (Continued)**

Annotated Diagram(s): (attach additional pages if necessary)

To Be Completed by Architectural Review Committee

() Construction Deposit (if heavy equipment is used) \$1,000.000 Check # _____

Application attachments:

These plans and specifications are approved by the Architectural Review Committee:

Committee Signature Date

Committee Signature Date

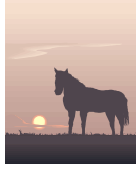
Committee Signature Date

Inspected by:

_Committee Signature Date

Committee Signature Date

Construction Deposit Refunded: _____
— Check # Date



Black Horse Run of Durham Homeowners Association, Inc. Architectural Building Regulations

Black Horse Run has been planned and designed to be the most distinctive and unique equestrian community in the North Durham area. Only the best architecture, design and aesthetic features will be approved in order to create a community in which individual tastes will not be sacrificed, but blended in such a way that overall property values will be protected. To accomplish these goals, these regulations have been established.

An Architectural Review Committee composed of property owners will establish, review and implement these regulations. The regulations contain a list of specific minimum requirements to be followed. The very nature of design is a somewhat arbitrary process and not an exact science. **Consequently, the Review Committee will be making judgments based on these regulations and individual situations. No two sites are alike and a design on one site is not necessarily appropriate for another.**

The design concepts and regulations for Black Horse Run are based on a synthesis of the best features of several other successful communities. These concepts and regulations have been developed in order to provide each buyer the maximum protection for, and assurance of, the longevity of their property.

Design

The design of the house itself is, of course, most important. Massing of various elements, such as garages and chimneys, proportions of windows in relation to solid walls, finishes, colors, roof pitch, etc. must be carefully considered. The following list highlights specific restrictions which will be rigidly enforced in Black Horse Run in order to implement the concepts outlined above.

New Houses

All plans for new houses must be submitted to the Committee Chairperson and the plans approved by 3 members of the Review Committee before any groundbreaking is done. The following must accompany the plans for approval to be made:

\$1,000.00 construction deposit

\$55.00 for mailbox post

Plot plan showing location of house and driveway with dimensions to all property lines. Plot plan must show any easements on the property.

Copy of septic plan approved by the County Health dept. and suggested location of a well.

Construction application and agreement, completed and signed.

Complete set of plans and materials list that accurately represent the house to be built.

Approval will be made in writing after the Black Horse Run Treasurer has confirmed that there are no outstanding dues. This approval is valid for one year from the date of issue. Houses not started within that year must have their plans resubmitted. The plans will remain on file with the Black Horse Run Homeowners Association, Inc. to ensure compliance. The \$1,000.00 construction deposit will be refunded when the following conditions have been met: the Certificate of Occupancy has been issued, Roads in the proximity of the building site must be clean and in good repair, disturbed shoulders in the proximity of the building site must have been graded and seeded, the driveway is complete, and the construction site must be cleared of debris and minimum landscaping must be complete. Any costs for clean up or repair will be deducted from the building deposit. If construction repair exceeds the one

Black Horse Run of Durham Homeowners Association, Inc.
Architectural Building Regulations (continued)

thousand dollars (\$1,000.00), then the Association shall have the right to make the needed repairs and bill the excess costs to the owner.

New and Existing Houses

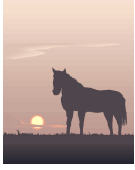
1. Plans must be submitted for approval for changes to the exterior of any existing house. These include additions and color changes. If you are unsure, ASK a Committee member. A road deposit will be required if heavy construction equipment is required for the project.
2. Plans must be submitted for approval for any new construction such as porches, patios, outbuildings, barns, fences, gazebos, swimming pools, tennis courts, driveways, walkways, parking areas, decks, walls, etc. A road deposit will be required if heavy construction equipment is required.
3. All plans submitted for approval must be drawn by an architect or design service and should meet prevailing building codes. All proposed changes to the plans must be incorporated as a part of the drawing—no penciled or sketched changes.
4. Minimum square footage requirements are listed in the Restrictive Covenants: please refer to these for minimums. This will be monitored in the actual construction phase and only heated square footage should be included in the total. Basement square footage will not be included in the minimum square footage calculations.
5. Driveways must be paved with asphalt, concrete, brick or exposed aggregate concrete within one year of the completion of the house. During house construction, the driveway must be covered with gravel to keep roadways clean.
6. Walks of wood decks, exposed aggregate concrete, brick etc., that are designed as an integral part of the house and landscape must be provided from the driveway to the front door. Loose flagstone “dropped” on top of the ground in an ill-designed pattern is not acceptable.
7. All houses must incorporate minimum landscaping. This includes covering all disturbed soil with sod, seed, pine straw, wood chips, or pea stone. Shrubbery is required along the front of the house.
8. Freestanding storage sheds, workshops, barns, etc., must be designed and located as an integral part of the house, service yard and landscape design.
9. Doghouses, playhouses, gazebos and porch railings must be painted or stained to blend with the house or natural landscaping.
10. Fencing will be evaluated on an individual basis. Factors taken into consideration include height, visibility, and style of fence in relation to the architecture of the house. All fence proposals must include a site plan showing current location of existing structures with the proposed fence area drawn in, as well as a picture or drawing of the fence structure, and an accurate description, including materials to be used, height, and color.

Black Horse Run of Durham Homeowners Association, Inc.
Architectural Building Regulations (continued)

11. All front porch steps must be of brick or stone.
12. No unpainted or natural mill-finish aluminum or galvanized finish is permitted, e.g. storm doors, window, etc,
13. Exposed foundation must be brick, stucco or stone and incorporated in the foundation structure.
14. All homes must be stained or painted. Exterior colors must be approved prior to finish. Extremely bright, offensive or “jarring” colors will be denied.
15. No house design may be repeated within view of each other in the same neighborhood unless the exteriors are substantially different in design appearance.
16. No specific architectural styles will be imposed. All architectural styles will be examined with the exception of a unique style such as domes, log cabins, underground homes, etc.
17. No prefabricated home may be erected.
18. Exterior materials list must be specified. If no materials list is specified, materials must be detailed on the plan submitted for approval. Specifically: siding, roofing, foundation, chimney materials, etc.
19. Solar systems are responsible solutions to future conservation of energy. All designs should be aesthetically consistent with the architecture.
20. Chimney construction must be brick, stone or stucco.
21. Natural gas or propane tank must be in rear of house, either buried or screened from view, including from all neighbors.
22. Satellite dishes must be placed behind the house and screened from view of all neighbors and the street.
23. Garages shall be attached to the residence, shall be constructed only on one side or rear of the residence, and shall have only a rear or side entrance. All garages must be constructed in substantial architectural conformity with the construction of the residence.

Any architectural requests that are not specifically covered in this set of regulations will be placed before the Architectural Committee and decided upon, taking into consideration the interest of Black Horse Run. The ultimate goal of the Committee is to strive for a high degree of aesthetic value while maintaining certain minimum standards. We, as the Committee, hope this set of regulations is sufficient to prevent any confusion before, during and after construction of your residence. Architectural regulations were developed January 26, 1989 and are subject to amendment.

Revised July 2001



**Black Horse Run Of Durham Homeowners Association, Inc.
Covenant Highlights**

The purpose of the information contained within this highlight is to inform and educate. For in-depth information, please refer to the complete restrictive covenants as filed with Durham County.

1. No noxious or offensive trade or activity shall be carried on upon any lot, nor shall anything be done thereon which may become an annoyance or nuisance to the neighborhood.
2. No animals or poultry of any kind may be kept or maintained on any of said lots, except dogs, cats and horses. One horse per half acre of property (runoff, odor and insects must be controlled). THERE IS A LEASH LAW FOR DOGS IN THE COUNTRY. Please keep your dogs on your own property. When walking your dog, please clean up any fecal material.
3. No permanent parking will be permitted on any road right-of-way.
4. No inoperable, unregistered, or junked vehicles shall be kept on any lot.
5. Trash, garbage, or other waste shall be kept in sanitary containers which are screened from view and located behind main residence, except that containers may be placed at the roadside up to twenty four (24) hours prior to scheduled garbage collection. Containers must be removed from the curb by the end of the pick up day.
6. No motorized vehicles shall be allowed to use trails except for maintenance purposes.
7. All signs to be placed within the subdivision must be approved; no signs allowed on the road shoulder. Only one sign per residence shall be permitted. Maximum sign dimensions are 30 inches in width and 45 inches in height. The height dimension is to be measured from the top of the sign to the ground.
8. No structures including fences and walls shall be built, nor any alteration (including color changes) made to any existing building or structure, until plans have been submitted and approved in writing by the Architectural Review Committee.
9. No chain link fence is allowed.
10. No satellite dish or other similar structure except a well house may be located in front of the main residence. In addition, any satellite dish placed upon a lot must be located behind the main residence and screened from public view.
11. Only Black Horse Run approved mail box posts may be used. (Available for purchase from the Architectural Review Committee.) Please maintain the appearance of your post.

Black Horse Run of Durham Homeowners Association, Inc.
Covenant Highlights (continued)

12. Barns must be in the rear of house, or in the absence of a residence, any barn or outbuilding must be located on rear one-third of the property.
13. Propane tanks must be in rear of house, either buried or screened from view, including all neighbors. A BHR approved screening diagram is available from the Architectural Review Committee.
14. All campers, boats, recreational vehicles, horse trailers and similar towed are permitted to be parked on the homeowners property provided that:
 - a. The vehicle is currently licensed for operation to a member of the immediate household
 - b. The vehicle is stored as follows:
 1. garaged, or
 2. off the street, and not infringing on any easement, right-of-way septic area designated by the County.
 3. If specific lot conditions preclude one of the above options, a suitable site must be approved in advance by the Architectural Review Committee
15. No oversized commercial vehicles shall be permanently or temporarily kept, parked, consistently used or maintained on any public or private street or right of way, on any driveway, or within the boundaries of any lot in the Property, except that the Board of Directors of the Association may from time to time, in its discretion, establish terms and conditions which allow such vehicles to be parked temporarily in designated areas. The term “oversized commercial vehicles” for the purpose of this restriction shall mean any motor vehicle (or trailer normally used with a motor vehicle) which is larger in size or capacity than a standard sized panel truck or van in that:
 - a. It’s overall length exceeds 228 inches.
 - b. It’s overall height exceeds 90 inches.
 - c. It’s wheelbase exceeds 140 inches.
 - d. It’s rated payload capacity exceeds 4,500 pounds; or
 - e. It has more than 4 wheels
 - f. And which vehicle is either then in use in a trade or business or other commercial enterprise, or generally believed to be available for such use.

Nothing herein shall prevent the short term operation of trucks, trailers or moving vans in or about the Project for the sole purpose of delivering or relocating the household goods or possessions of owners within the Property. The Board of Directors of the Association may, in its sole and unbridled discretion, grant a temporary waiver of the restriction upon a Member’s written application thereof.

(Revised March 20th, 2010)