

The Georgian Highlands – Where Nature is your Amenity

Guidelines to Property Owners – Issue 1, July 22, 2003

The Georgian Highlands is an architecturally controlled community whose purpose is to ensure that the proposed homes are compatible with the theme of the development, the lot, and the neighborhood.

This document and the several to follow will present the general guidelines & procedures applicable to owners, builders and subcontractors.

General Guidelines to Property Owners prior to starting the building process

1. Preservation of natural irreplaceable features on the lot is of prime importance. Streams, rock outcrops, trees & native flowers need to be identified and adequate protection measures clearly established. This process has to be approved prior to any physical disturbance.
2. As a secondary permittee all owners are to submit an erosion control plan by a qualified engineer and installed in place prior to any major disturbance of the forest floor. Silt fences and other erosion control measures must remain in place until the forest floor has been stabilized and inspected. Written permission will be required from the architectural control committee for the removal and termination of the erosion control measures.
3. Tree removal and damage must be kept to a minimum. All trees to be removed or cleared for construction must be first marked and approved prior to removal. No barriers or other materials are to be nailed to trees.
4. During construction protection of the forest floor is required. Avoid damage to routing areas by construction equipment, material storage, chemical or cement rinsing. Vehicles must be parked on non-tree areas. Changing water flow pattern, soil compacting, crushing roots/ root collars is not permitted.
5. Trees cleared shall not be stored on a lot and need to be removed within a week of clearing & removal.
6. No evergreen trees, flowering trees or shrubs of any size may be removed without the written approval. No deciduous trees measuring six (6) or more inches in diameter at a point two (2) feet above ground level may be cut unless located within ten feet of a building. Or within ten feet of the approved site for such building, within 3 feet from edge of approved driveway, one foot from edge of walkways or septic fields. To prevent fining, call the architectural committee for clarification.
7. Damming or altering the course and/or flow of streams is prohibited.
8. Removing or pruning of trees to enhance the views (Vista Pruning) shall be done only after the construction of the home is complete and in the right season with “on-site” and supervision of a representative of the Architectural Control Committee and in the company of the Property Owner.

The Georgian Highlands – Where Nature is your Amenity

Regulations to be followed by Builders– Issue 2, July 22, 2003

Rules and regulation for builders, subcontractors and service personnel

1. Builders engaged by owners to build homes in the Georgian Highlands must be approved as an active builder by the architectural committee effective 1st Aug 2003.
2. To enroll as an active builder please call the architectural control committee for an application form which needs to be filled and returned with a submittal fee of \$500. Application will be reviewed and home owner/builder will be advised of approval or reason for rejection.
3. Builders must possess valid certificates of general liability insurance & workmen compensation to cover builder, material supplier and subcontractor.
4. Builders must provide a security deposit in the form of a bank guarantee, letter of credit or cash deposit as required in the application form.
5. To qualify as an active builder they must have built at least one home in the last 12 months, be solvent, free of any conviction or litigation.
6. Builder is responsible for compliance with all established minimum standard building codes in the State of Georgia. Property owners are recommended to retain the services of a registered architect, civil engineer and building inspector.
7. County, environmental, health specialist are required to approve the location of septic system.
8. Builders are required to protect the site during construction / renovation by installing silt fences as per plan and promptly after grading and driveway. Geo-textile matting must be used under gravel, on the driveway. Any excess dirt shall be removed and hauled away. No dirt shall be stored in the property or around trees. Construction materials should not be stored where they are visible from the road. All construction activity to cease at 5 pm and construction vehicles to leave the property unless specific permission has been granted for specific vehicles. All waste materials, paint, chemicals, cement wash shall not be on the common property.
9. Septic tank approval by the county is required prior to start of construction. Final landscaping of septic area to be approved by ACC.
10. Owner and builder is responsible for removal or repair of damage due to any pillage of debris, concrete or wood, stone or other material on the right of way, doorway or other places of the property, by their material suppliers or subcontractors. Restoration of road shoulders or any areas damaged during construction, including adjacent lots, common property requires restoration,
11. Owner and builder are responsible for trenching of service lines. Ditch inspection to be done prior to start and covering of ditch.
12. All construction sites shall have a 4x 4 post with a 2 x 3 notice board to which all permits including termite treatment is posted. Sign to be painted in approved color. No sign or advertising is permitted on the lot by builder/ subcontractor.
13. Lot corners to be staked and lot lines flagged prior to starting. Foot print of structure, edge of driveway, parking pad and walkways are to be staked and outlined with ribbon as per site plan prior to start. Limits of clearing are a maximum of 10 ft beyond footprint of building, three feet of edge of approved drive way paving and one foot of edge of walkways.

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14. No land disturbance to commence prior to flagging, staking and receipt of ACC approval.
15. Owner and builder to obtain all necessary county approvals as applicable.

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ACC Submittal Check List

Section A *Site Plan*

- Accurate and Verified location of the lot corners by certified surveyor.
- Accurate location and footprint of the house with reference points and drive way.
- Distances from property boundaries and streams.
- Location of the septic tank and drain field as proposed. Work of any nature cannot commence until septic location is approved by the county and submitted to the ACC.
- Walkways, driveways and parking areas.
- Location of portable toilets used during construction
- Retaining wall if applicable.
- Erosion and sedimentation control plan.
- Secondary permittee application to EPD.
- Front, Rear, and side elevations to 1/8"=1ft.
- Parking pad, and garage slab elevations.
- Drive way grade (not to exceed 25%).

Section B *Architectural*

- Square footage at each level, garage, and other areas.
- Square footage under HVAC.
- Floor plans at all levels showing accurate dimensions to 1/4"=1ft.
- Elevations from all sides showing floor to floor heights, roof pitch
- Exterior materials and finish
- Exterior architectural elements

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Section C *Miscellaneous*

- Demographic data on Form 101 and 102
- Builder Application Form 101 and 102
- Builder Insurance Certification as in Form 103.
- Builder compliance deposit as per Form 104.
- Builder Surety deposit as per Form 105.

Sub-contractors require to be licensed and insured. Only workers who legally qualify for employment in the specific trade can be on the property.

Section D *County Approvals*

- County septic Approval
- County erosion control plan

Section E *Fees and Deposits*

- Builder approval application fee: \$250
- Builder Compliance Deposit: \$ 3000
- Initial Submittal Fee: \$ 500
- Builder/Owner surety deposit of 10% of estimated construction value.
- Road impact fee of \$0.25 per sq. ft. with a minimum of \$ 500
- Clearing supervision prior to construction: \$ 250

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Section F

Landscaping

Specify natural landscaping including steep slopes, rock out cropping, streams, springs, special trees, scrubs, and wild flower (mountain laurel etc.).

Indicate how each of the above feature will be protected during construction.

Provide the name of the landscaper and landscape plans.

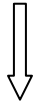
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Summary of a typical building approval process.

Study the covenants and home plans to determine the type and style of home you would like to build in the mountains. The ACC will be pleased to assist you in this process.



Appoint a certified surveyor and prepare lot corner locations and home site location and drive way access. Stake these at site. Submit plan to ACC. Provide ACC test hole location and obtain soil test. Submit septic tank location to county and obtain approval before any construction activity can begin. ACC will be glad to assist in this process.



Submit septic tank approval to ACC along with 3 copies of the items in check list. Obtain ACC approval on all copies and submit one set of your plan to county authorities to obtain building permit.

The covenants are designed to protect and enhance property values at The Georgian Highlands. At times the paper work required may feel overwhelming, but these are designed to ensure we utilize the land in the appropriate way and we stay in compliance with the covenants. The ACC will be available to guide and assist you through the process and appreciates your understanding and co-operation in the matter.

The Georgian Highlands
Architectural Control Committee

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25 Foothills Parkway, Suite 207,
Marble Hill, Georgia 30148.
Ph: 706-268-2975 Fax:706-268-1062

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Form 101 and 102

Builder Approval Application and Demographic Data

Applicant: Name:

 Address:

Name of Partners and Principal Officers:

Contact information: Phone: Cell: Fax:

Number Of years in Business:

Has the company or its principals or partners been involved in bankruptcy actions or litigations with regard to its building contracts in the last 5 years? Yes No
If yes provide details in separate sheet.

Use separate attachment to provide the following information.

1. Value of the work performed in the last 2 years:
2. List Projects and owners with contact references of the 5 most recent contracts.
3. List Bank references with contact and phone number.
4. List suppliers with whom you have established accounts.
5. Enclose current financial statement by certified accountant .
6. Enclose builder certification by national or state body.
7. Enclose payment of \$ 250 as application fee.
8. Confirm you have received the rules and regulations as well as the covenants of The Georgian Highlands.
9. Confirm all information provided with this application are accurate and may be relied upon to process this application.
10. Signature of principal officers making this application:

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Form 103

Builders Insurance Requirements

General Liability

Limits: \$250,000 Bodily Injury per Person
 \$ 500,000 Bodily Injury per Occurrence
 \$ 100,000 Property Damage per Occurrence
 \$ 500,000 Aggregate

Single Limits: \$ 500,000 Combined limits
 \$ 500,000 Aggregate

Automotive Liability

Limits: Same as above

Split Limits: Same as above

Contractors are required to carry workers compensation. A certificate of insurance with the required limits of liability must be filed with ACC. The ACC will issue vehicle permits to contractors and approved sub-contractors. These should be displayed at all times while on the property. No vehicles shall be parked on the property after normal working hours. All contact workers to report to the gate office prior to entering the property. Working hours are 8am to 5pm weekdays, after which all contractors and their vehicles should leave the premises. Unless specifically approved no work shall be conducted on weekends and outside normal working hours. Disturbance to current residents to be kept to a minimum.

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Form 104

Letter of Credit from a FDIC member Bank for Builder's compliance deposit .

The builder is required to establish an irrevocable letter valid for 12 months at a time for a sum of \$ 3000 as a deposit for compliance. Or it may be provided in the form of a cashier's order in favor of the Highlands at Clear Creek, LLC.

The deposit will be refunded or the letter of credit terminated and released when the builder will no longer be active in building homes in The Georgian Highlands.

If due to any violation by the builder the developer draws on the amount, the builder will have to restore the amount back to the specified sum of \$ 3000 within a week.

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Form 105

Letter of Credit as Security Deposit.

The purpose of the security deposit is to ensure that a builder or owner who has started construction completes the process as per approved plan. The security deposit enables the developer to use the security deposit in this unforeseen event to complete the exterior of the home pending resolution of the matter. Banks have a standard format for these letters of credit. Contact the ACC if you need further information or assistance in the matter.

The value of the security deposit is 10% of the estimate of the home construction as assessed by a certified appraiser. The ACC will consider fair estimates in the event an appraisal is not readily available.

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Charles L. McClain
President
The McClain Company Inc.
4514 Chamblee Dunwoody Rd.
Atlanta, GA 30338

3rd August 2003

Dear Charles,

We have received your request for approval to build a home on Lot 19. The information provided gives us a good idea of your plans, and we are pleased to note that "The Georgian Highlands" will soon have you as a resident.

In order to process the application further, I have enclosed our check list which contains information in a standard format that helps us in speeding up the review process.

Please go through the enclosed documentation and call me if you have any questions or need any assistance. I also have sample submissions from another home, if you need them as a guide.

Please include documentation of having obtained title to Lot 19 from your father.

Best Regards,

Ramesh V.
Architectural Control Committee,
Highlands at Clear Creek,
25 Foothills Parkway, Suite 207,
Marble Hill, Georgia 30148
Ph: 706-268-2975 Fax: 706-268-1062