

EXHIBIT B

HATTIE CREEF LANDING ARCHITECTURAL GUIDELINES

ARTICLE I - POLICIES AND PROCEDURES

1.1 ARCHITECTURAL STANDARDS AND POLICY STATEMENT

Hattie Creef Landing is an oceanfront community on Hatteras Island that patterns itself after elements found in the traditional style of Old Nags Head/Cape Cod shingle style of architecture. Consistent with this style of architecture, the extended use of gables, dormers and wrap-around porches and decks are encouraged with exterior sidings having the standard cedar shake look with exteriors stained or painted with soft earth tones such as grey, black brown or taupe. The architectural review process will encourage a consistency in character of the preferred architecture and quality of all improvements. Toward fulfillment of these policies, only high quality in architecture, design and landscaping features will be approved. The architectural guidelines have been developed to provide each Owner with protections for the longevity of their investment.

1.2 AUTHORITY TO ESTABLISH GUIDELINES AND CONDUCT DESIGN REVIEW

The Declaration has established an Architectural Review Board (ARB) to implement the Architectural Guidelines. The ARB will make determinations using this document as a guideline. Although the Guidelines will contain a list of specific requirements, the ARB will have the authority to make subjective variance determinations based on the concept that no two lots are alike. The design solution for one lot may not be appropriate for another. The ARB shall judge compliance with these provisions in relation to appearance, aesthetics or infringement of design upon the rights of other owners in Hattie Creek Landing. The ARB reserves the right to require modifications or deletions to proposed designs to achieve compliance with these policies.

1.3 AMENDMENT

ARB reserves the right to amend any provision of the Architectural Guidelines from time to time.

1.4 RESPONSIBILITY FOR OBTAINING ARB APPROVAL

1.4.1 Property Owner is Responsible: Each property owner within Hattie Creef Landing is responsible for his or her property's compliance with these Architectural Guidelines. Any proposed improvements to be made to that property may affect that compliance, and the Declarant require that the Owner obtain approvals from the ARB prior to making the improvements. This is true regardless of whether or not the work is being performed by the Owner directly or by a Contractor.

1.4.2 Property Owner to Comply with other Laws: In addition to approval from the ARB, other approvals and permits may be required by the Dare County, such as a building permit. It is not the responsibility of the Association, the ARB, or the Declarant to obtain any other permits for you, nor to provide any guarantees or waive any legal requirements for compliance with any state or county law, with the Declaration or with these Architectural Guidelines.

1.5 PREPARATION OF SUBMITTALS

1.5.1 Submittals to be Complete and Accurate: Submittals prepared for consideration by the ARB need to be complete and accurate. Submittals for design review must include drawings prepared as described below. The ARB may require that color chips accompany color applications. All requested information on the application forms need to be furnished. The ARB will reject applications that are incomplete or inaccurate.

1.5.2 Summary of Submittal Requirements: Proper submittals include drawings that are near accurate, drawn to scale, and with sufficient detail to adequately explain the entire design. Insufficient explanation of a design, including all visible details, is cause for rejection of an application. The ARB, at its discretion, may accept plans that are

marked-up in red with late changes to design features. However, the ARB may require that the marked-up sheets be corrected, revised and re-submitted. As a minimum requirement, copies of each of the following drawings shall be submitted:

NEW HOMES: Site Plan 1:30 Scale
Site Drainage Plan
Foundation Plan
Scaled Floor Plans
All Exterior Elevations (Show actual ground level. Indicate finish materials.) ¼" = 1' Scale
Exterior Color Selection (Submit with New Home application)
Finish Landscaping Plan (Submit with New Home Application)

ADDITIONS: Site Plan 1:30 Scale - Showing addition location, distances to property lines, and tree(s), if any, to be removed. Show any changes in landscaping.
Floor plan(s) of Addition ¼" = 1' Scale
All Exterior Elevations of Addition including existing house (Show finish materials)

ACCESSORY STRUCTURES:

Site Plan 1:30 Scale - Showing location of new structure and existing house with distances between each, distances to property lines, and tree(s), if any, to be removed
Floor Plan(s)
All Exterior Elevations (Show finish materials)

OTHER SITE IMPROVEMENTS: Site Plan 1:20 Scale - Showing location of improvement, existing structures, distances to property lines, and tree(s), if any, to be removed. Plan of improvement (i.e. deck, patio, swimming pool, etc.).

FENCES: Site Plan 1:20 Scale - Showing location, extent of fence, and tree(s), if any, to be removed. Drawing of fence with heights, materials and sizes identified.

HOUSE COLORS: For changes to existing house colors, submit application form with manufacturer's names and color names. Submit color chips with application.

1.5.3 Fees: The design review fee of \$200.00 must be submitted with the application along with a security deposit of \$1,000.00. The security deposit will be returned following completion of the improvements of the approved application.

1.6 REVIEW MEETINGS

The ARB reviews on an "as needed" basis and schedules review meetings within thirty (30) days of receipt of completed application.

1.7 REVIEW BASIS

The ARB bases its review of each application on its interpretation of the Declaration, these Guidelines as well as the graphic and written information presented. Due to time constraints, ARB review of all applications occurs without personal presentations by the applicants. Therefore, it is the applicant's responsibility to provide in writing sufficient and accurate information to the ARB for proper consideration. If, in the applicant's opinion, extenuating circumstances exist which would justify a variance from stated guidelines, this information should be presented with the application.

1.8 APPROVALS

An application is approved when the ARB or its designated representative gives notice to the applicant in writing. No verbal approvals are given. The ARB may issue any of the following four decisions:

"Approved": means approved as submitted.

"Approved with Limiting Conditions": means approved only if stated conditions in the approval letter are met.

"Not Approved": means not approved for construction. Reasons for disapproval will be given in writing. The ARB may also provide suggestions for revisions but does not provide design solutions. A disapproval action requires a re-submittal by the applicant for review before any approvals can be given.

"Preliminary Review": means a review of early design drawings to give the applicant direction as to what the concerns of the ARB are likely to be regarding that design. Comments are given to the Applicant but no approval to proceed is granted without ARB review of a complete submittal in accordance with the above requirements.

1.9 APPEALS

1.9.1 Appeals to the ARB: Should an application be denied on the basis of the Architectural Guideline, and the applicant feels that the submittal was misinterpreted, or that there are extenuating circumstances that could qualify them for an exception from these requirements then the applicant may request an appeal pursuant to the procedures addressing non-compliance in Section 6.09 of the Declaration. If the ARB agrees that a second review is in order, the application will be sent to an architect for a third party review.

1.9.2 Appeals of an ARB Action to the Board: If an applicant feels that he or she has been unfairly denied approval by the ARB, an appeal may be filed with the Board of Directors of Hattie Creef Landing Association pursuant to the provision of Section 6.09 of the Declaration.

1.10 CONSTRUCTION CHANGES

All construction must be completed in accordance with the application and the plans as approved. Exterior changes to any Improvements must receive prior written approval by the ARB. Applicants requesting design change approvals should consult with the ARB to determine if additional plans and specifications are required.

ARTICLE II-LOT DEVELOPMENT GUIDELINES.

2.1 CLEARING AND HOMESITE PREPARATION

2.1.1 Site Clearing:

ABSOLUTELY NO CLEARING WITHOUT APPROVAL: No clearing or work of any kind shall commence on any homesite until plans and specifications, as defined in these guidelines, have been submitted and approved by the ARB. For new homes, an on-site stakeout review must be completed and written approval received.

2.1.2 Grading and Erosion Control:

- a) **PREVENT EROSION DURING CONSTRUCTION**: Comply with applicable government regulations and code requirements in preventing silt runoff. Erosion control devices shall be installed prior to construction. Any mud or silt runoff onto adjoining properties or streets shall be immediately stopped and removed.
- b) **GRADING FOR DRAINAGE**: Responsibility for the grading for drainage lies with the Owner. Where necessary, grade site to direct water away from residence and prevent ponding, standing water, or poorly drained areas. Do not direct drainage across adjacent properties.
- c) **TERRACING AND RETAINING WALLS**: Where necessary to stabilize slopes, applicant shall provide retaining walls, stepped terraces, or other forms of permanent erosion control as may be required by the ARB. Any structures constructed for erosion control, such as retaining walls must be approved by the ARB.

2.1.3 Construction Site Management :

- a) **TRASH CONTAINMENT:** A trash containment area shall be provided on each site during construction. Trash shall not be dumped on other sites or on common areas within the Hattie Creef Landing.
- b) **HAZARDOUS AND TOXIC WASTE:** No petroleum based products or other potentially hazardous or toxic substances may be disposed of on any property within Hattie Creef Landing.
- c) **PORTABLE TOILETS:** During construction of new homes, every builder shall maintain portable construction site toilets.

2.2 **MINIMUM REQUIRED IMPROVEMENTS TO SINGLE FAMILY HOMESITES**

2.2.1 Minimum Required Improvements: The following minimum improvements will be required on lot in Hattie Creef Landing:

- a) **HOUSE:** Any development or improvement of a Lot in Hattie Creef Landing must include, as part of the initial approval, a single-family house that meets the minimum Guidelines in this document, including any neighborhood addenda.
- b) **PAVED DRIVEWAY, SIDEWALK, AND FRONT WALK:** All homesites developed in Hattie Creef Landing will include a paved driveway and a walk to the front door, in accordance with Pavement Guidelines, paragraph 2.5, specified in this document.

2.2.2 Equipment and Utilities Screening: Exterior HVAC equipment shall be screened in accordance with Guidelines in this document.

2.2.3 Finished and Landscaped Yard: Every improved homesite shall be landscaped in accordance with landscape Guidelines in this document. Required landscaping may include trees or shrubs for screening certain views.

2.2.4 Proximity of Similar Houses: The ARB reserves the right to reject the placement of houses with the same or substantially similar elevations side-by-side, directly across or diagonally across from each other. The ARB shall make final judgment as to the degree of acceptable similarities permitted in each neighborhood.

2.2.4 Swimming Pools - Siting Requirements:

- a) **LOCATE DIRECTLY BEHIND HOUSE:** In-ground swimming pools should be located wholly behind or beside the house so as not to be visible from the street, and no closer to any property line than 20'. Above-ground swimming pools are not permitted.
- b) **PRESERVE PRIVACY:** The ARB may require additional screening of swimming pools to insure the privacy of the pool owner and of neighbors.
- c) **FENCING REQUIRED:** Swimming pools shall be fenced in accordance with state building codes.

2.3 **LANDSCAPING**

2.3.1 Landscape Plan Required: Stabilization of the soil is our highest priority with natural plant materials to be disturbed as little as possible and restored, if disturbed. A landscaping plan, using native plant materials and other proven salt-tolerant decorative species must be submitted for the ARB approval prior to the installation of landscaping plants to ensure compliance.

Specifications. Builders may submit a generic landscape plan as follows:

- (a) The plan submitted shall be drawn accurately with property lines, house and drive shown, with plantings located and labeled for identification.

(b) A plant list is required noting the types of plants to be used and the sizes (container size, height, etc.).

2.3.2 Changes in Topography, Water Features: Any earthwork creating changes in topography, site drainage, creation of ponds, pools, or other water features must be approved by the ARB. Exterior fountains and ponds are not permitted in front yards unless approved by the ARB.

2.3.3 Trees and Scrubs: Every improved yard shall have minimum required trees and shrubs. Contractors shall maintain required trees and shrubs in healthy condition until closing, and replace any that are not healthy. Homeowners shall be required to maintain required trees and shrubs in healthy condition, and replace any diseased or dead items with new nursery grown items with all shrubbery indicated on the landscape plan to be a minimum 3-gallon container size.

2.4 LANDSCAPE ACCESSORIES

2.4.1 Mailboxes: Mailboxes must be installed utilizing the standard Hattie Creef Landing approved size box. Boxes shall be metal with a gloss painted finish. Wood posts shall be painted with gloss paint as specified. Numbers shall be as specified.

2.4.2 Signs: No signs other than one temporary real estate sign, and/or one Hattie Creef Landing approved builder sign, each measuring no more than 2 square feet in total area, are permitted in any yard. Pre-approval is not required for these signs.

2.4.3 Decorative Ornaments and Other Landscape Accessories:

- a) DEFINITION: Landscape accessories including gazebos, firewood sheds, green house, arbors, trellises, benches, fountains, flagpoles, permanent barbecues, and decorative objects must be approved by the ARB as to design and location.
- b) PLACEMENT: In general, landscape accessories are neither permitted farther forward nor closer to side property lines than the rear corners of the house. The ARB may consider accessories that are part of an overall landscape plan, in the front yard areas on a case-by-case basis.

2.5 PAVEMENTS

2.5.1 Driveways: Every improved lot in Hattie Creef Landing shall have a single gray standardized stamped concrete driveway with approved pavement materials to include exposed aggregate, brick pavers, interlocking concrete pavers, patterned concrete, or a pre-approved stamped asphalt.

2.6 MECHANICAL, ELECTRICAL AND COMMUNICATIONS EQUIPMENT

2.6.1 Condenser Screening: Required screening of heat pump or air conditioning condensers may be by finished or unfinished (salt-treated) vertical board fence enclosures, or lattice enclosures, properly supported, trimmed, level and plumb. Equipment shall be screened on all sides with allowance for one 3' wide opening, not visible from the street. Spaces between vertical boards shall be 2" max. The height of the screening enclosure shall be at least as high as the equipment screened, but not more than 1' higher. Landscaping may be used as a screening alternative and must be approved by the ARB.

2.6.2 Satellite Antennas

- a) PERMITTED ANTENNAS: The following antennas are permitted by the Federal Telecommunications Act of 1996:
 1. An antenna that is designed to receive direct broadcast satellite service, including direct-to-home satellite services, that is one meter (39") or less in diameter.

2. An antenna that is designed to receive video programming services via multi point distribution services, including multi-channel, multi point distribution services, instructional television fixed services, and local multi point distribution services, and that is one meter (39") or less in diameter or diagonal measurement.
 3. An antenna that is designed to receive television broadcast signals.
- b) LOCATION: The ARB shall approve Antenna locations. The following priorities shall be observed in determining antenna locations:
1. Mounted directly on the rear of the house, on a roof plane facing the rear, or on the backside of a chimney.
 2. Mounted on the ground in the rear yard.
 3. Mounted on a pole, an existing other structure, or a tree in the rear yard.
 4. If no clear signal may be obtained in any of the above locations, mounted on the ground or, if necessary, on a pole, in the front yard, or on the front plane of the house.
- c) APPEARANCE AND SCREENING: Visibility of antennas should be minimized using one or both of the following methods:
1. Screen the antenna from view from the street with natural plantings, trees and shrubs, to the extent they do not comprise the signal reception.
 2. Use antennas with a dark or muted color, or paint the antenna a muted color to blend with the background surface or with the surrounding landscape.
- d) NO ADDITIONAL REGULATION BY THE ASSOCIATION: Under Federal law, antennas that meet the requirements of this section may not be further regulated by the Association as to type or placement. Residents are encouraged to use care in the selection and placement of antennas to preserve the appearance Guidelines and character of Hattie Creef Landing.

2.7 EXTERIOR LIGHTING AND FIXTURES

2.7.1 Permitted Fixtures

- a) GENERAL TYPES PERMITTED: Other exterior light fixtures shall be limited to lights at entrances, at garage doors, low intensity landscape or driveway lights, and side or rear (only) eave-mounted floodlights directed completely within the applicant's homesite area.
- b) STYLES: Light fixtures, except for floodlights, shall be compatible in style with the style of the house.
- c) FACADE FLOODLIGHTING: Floodlighting of front facades will be encouraged by the ARB on condition that floodlights use only incandescent fixtures.

2.7.2 Prohibited Fixtures

High intensity house or pole mounted area or security lights are prohibited. "High intensity" refers to ballasted light fixtures using high or low-pressure sodium, mercury vapor, or metal halide lamps.

2.8 FENCES

2.8.1 Fences

- a) **DEFINITION:** A picket fence, framed lattice fence, framed board fence, or a fence that combines any of these, can be a fence if it meets the specifications of this paragraph. A decorative fence should consist of three primary defining elements:
 - 1. All parts shall be sanded and painted (or stained) decay resistant wood. Cedar is recommended. Color should be white unless otherwise approved by the ARB. Fences of synthetic materials designed to look like wood will be considered on a case-by-case basis.
 - 2. All posts shall be square or turned decorative styles with post caps or decorative tooled tops. Oversize posts or piers shall be used at all terminations, gates and openings.
 - 3. All supported fences shall be centered on posts and piers. Fence runs may not pass on one side of the post or pier. For picket fences, the supporting rails shall be supported at the center of each post, with pickets facing to the outside of the homesite. For framed fences, the framed structure shall be centered on the posts or piers.
- b) **LOCATION AND USE:** Approved fences may be located on side and rear areas of the lot.
- c) **HEIGHTS:** Fences extending into the corner side yards should not exceed 48" in height (average) to the top of the pickets. Posts and piers may be higher as required by the design.
- d) **LANDSCAPING:** Fence submittals to the ARB may require additional landscaping.

2.9 PLAY EQUIPMENT AND STRUCTURES

2.9.1 Play Equipment: Play equipment is often highly visible, and depending on its design and application, may defeat many of the aesthetic and environmental goals that the community has sought to achieve. For this reason, the Association requires approval of all exterior play equipment prior to placement on the lot. For the purposes of this article, play structures and equipment shall include, but not be limited to, the following:

SWING SETS
 SLIDING BOARDS
 JUNGLE GYMS - CLIMBING STRUCTURES
 SKATE BOARD RAMPS, STRUCTURES
 BASKETBALL GOALS
 TRAMPOLINES

2.9.2 Placement and Screening

- a) **PLACEMENT:** Play equipment shall be located in rear yards only, away from property lines adjacent to other houses or streets, and away from neighbors direct view where possible.
- b) **SCREENING:** The ARB may require that certain play equipment be screened from view. The standard requirement for screening will be to provide densely shaped evergreen shrubs or trees of a height, when planted, of at least 2/3 the height of the structure, and so placed as to provide a continuous screen on the stipulated side. Planting can be in a continuous row or staggered. A variety of shrubs/trees may be used in addition to single species solutions. It shall be the responsibility of the homeowner to submit to the ARB a plan and proposed plant types for review.

2.10 LOT COVERAGE

Lot coverage restrictions exist on all lots and are specified on a lot by lot basis. The overall restrictions are roughly 22%.

2.11 SEPTIC SYSTEMS

No Peat Systems are allowed as primary septic systems without specific committee approval. Peat Systems may be used as back-up systems.

2.12 HOURS OF CONSTRUCTION

All work will be done during the hours of 7 a.m. to 7 p.m. The use of drugs or alcohol or playing of loud music is strictly prohibited on a construction site. Unleashed dogs are not permitted.

ARTICLE III- DESIGN GUIDELINES

3.1 APPEARANCE

- 3.1.1 Appearance: All homes in Hattie Creef Landing must be aesthetically pleasing to all views. Exterior colors must be approved by the Committee.
- 3.1.2 Exterior Wallcoverings: Cedar shake, either original or equivalent must be used. Products such as "Channel Rustic" or "Hardi Plank" or equivalent will be considered to enhance the siding with covering no more than 40% of the exterior. Vinyl or aluminum siding will not be allowed.
- 3.1.3 Exterior Trim: Cedar trim to be supreme clear grade. All exposed finishes, including pressure or salt treated wood, to be painted or stained as part of the house schedule except for stair treads and decking. Pilings at ground level to be covered with wood lattice of checkerboard pattern. All exposed pilings must be wrapped. Balance that cannot be covered with lattice, to be finished grade, chamfered, trimmed with decorative wood, brick, or natural stone. Gable-end treatments are important. Use of rake board or frieze board encouraged.
- 3.1.4 Windows: Wood frame, vinyl-clad windows. White finished preferred. Baked on finishes or extruded aluminum by Anderson, Pella, Eagle, Kohler and Marvin will be considered. Lower quality, all vinyl frames will not be approved. Windows and doors shall have a one- by four-inch minimum surround casing.
- 3.1.5 Entry: Entry from driveway and garage or carport are encouraged. Under-roof main entry portico of proper scale. Exterior entry door to be wood or fiberglass of solid or six panel design and may include glass inserts. Main entry may not be metal or sliding glass.
- 3.1.6 Roofing: Gables and hips with minimum 6/12 slopes, except as incidental to primary design. Fascia boards to be constructed of vinyl or of wood and painted. Soffits are preferred to be built of wood, but vinyl or aluminum will be considered. Fire retardant wood shakes or heavy weight (300 lb minimum) composition/fiberglass architectural shingle, slate or tile. Roof colors contemporary to house plan. Roof colors of yellow and gold not likely to be approved. Roof colors of red, green and blue-gray will be considered on a limited basis. No metal chimneys will be permitted. Roof stacks, sky lights, plumbing vents and solar panels to be placed on rear slopes and painted black or color of roof shingles.
- 3.1.7 Porches: Open or screened, be sure that proportions balance with floor below. No cross bracing of expose decks. Joist bands are to be painted. Pickets to be nailed to rails from behind. Porches (including wrap-around) are very much encouraged.
- 3.1.8 Patios, terraces, pool decks and other ground level decking: Only in-ground concrete or gunite pools are allowed. No fiberglass pools will be allowed. Pools and hot tubs are not to be visible from the street at an observation point at the center of the home. Pool plans to show placement, details of fencing and landscaping. Planting areas inside the pool enclosure are encouraged. Outdoor sound systems to be limited, to avoid disturbances. All pool fences must be solid material and match the house exterior.
- 3.1.9 Parking: One parking place required per bedroom. All driveways must be grey standardized stamped concrete. One-half of the parking area (previous) must be stamped concrete. The remaining one-half (impervious) must be as approved as in the landscaping plan.

ARTICLE IV - OTHER GUIDELINES

4.1 PROPERTY MAINTENANCE

4.1.1 Property maintenance includes the upkeep of lots, buildings and other improvements consistent with good property management, proper trash disposal and animal control.

4.1.2 Each property owner has the following responsibilities:

a) General Property and Plant Care

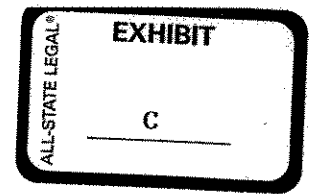
1. Seeding, weeding, regular cutting, and watering of plants.
2. Pruning and care of all trees and shrubbery.
3. Painting and external care of structures and other improvements.

b) Trash

1. Disposal of trash and other refuse on a weekly basis.
2. No accumulation or storage of trash or bulk materials on any lot.
3. Screening of any trash containers kept outside of the house or garage.

4.2 YARD STORAGE

4.2.1 Vehicles. The following vehicles may not be parked or stored on any homesite (except in an approved garage), common area, or street in Hattie Creef Landing: campers, house trailers, horse and utility trailers, Recreational vehicles, boats, motorcycles, school buses, or commercial vehicles over 6,000 lbs. net vehicle weight or with dual wheels, inoperable vehicles, vehicles without current registration, or similar items. Major vehicle repairs may not be undertaken except in enclosed garages. Minor emergency repairs such as battery charging or changing; replacing a flat tire, and jump-starting are permitted in the open on any lot.



Hattie Creef Landing
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HATTIE CREEF LANDING SUBDIVISION

(Clarified July 11, 2005 to incorporate Final Plat/Boundary Survey amendment)

TABLE 1 - Allowable Built-upon Area per Lot

Lot Number	Total Lot Area (SF)	21.4% Built-Upon Area
1	16,913	3,618
2	16,747	3,582
3	15,357	3,285
4	15,211	3,254
5	15,065	3,223
6	16,171	3,459
7	22,523	4,820
8	23,578	5,045
9	20,361	4,357
10	21,021	4,498
11	20,548	4,397
12	23,803	5,092
13	15,010	3,211
14	15,010	3,211
15	15,596	3,336
16	15,304	3,274
17	15,205	3,253
18	18,909	4,045
Total	322,825	68,960