



**THE HOMESTEAD AT CARROLLTON, PHASE I
HOMEOWNERS' ASSOCIATION, INC.
(the "Association")**

ARCHITECTURAL STANDARDS BULLETIN 4.5-7: RETAINING WALL CONSTRUCTION

WHEREAS, pursuant to Article Four, Section 4.5 of the Declaration of Covenants, Conditions and Restrictions for The Homestead at Carrollton, Phase I (the "Declaration"), the Architectural Control Committee (the "Committee") for the Association is authorized to publish and promulgate bulletins regarding architectural standards which shall be fair, reasonable and uniformly applied; and

WHEREAS, Article Three, Section 3.8 of the Declaration states: "The total exterior wall area (excluding windows, doors and gables) of each building constructed or placed on a Lot shall be not less than the applicable percentages of masonry or other material that is approved by the Committee . . .; and

WHEREAS, the Committee has determined it is in the best interests of the community to promulgate an architectural standard governing the materials to be used in retaining walls installed to level the yard; and

WHEREAS, the Committee, with the unanimous consent of the Board of Directors of the Association (the "Board"), has approved the following standard regarding retaining wall building materials; and

WHEREAS, pursuant to Section 4.3 of the Declaration, retaining walls require prior approval from the Committee and will only be considered and approved for purposes of leveling the yard. (See also ASB 4.5-1 "Fences/Retaining Walls.")

WHEREAS, the Committee deems Section 3.6 (R) and 3.6 (S) of the Declaration to mean that any construction of a retaining wall will not alter the direction of the drainage flow of any lot "without the prior approval of the Town (City of Carrollton) and all other appropriate agencies having authority to grant such approval."

NOW, THEREFORE, the Committee and the Board have adopted the following standard which will clarify Section 3.11 of the Declaration as it relates to the construction of retaining walls:

Retaining walls must be approved by the ACC (as well as the City for any wall 36 inches or higher) and must be professionally constructed of stone or brick or similar materials for durability. If concrete is used for the wall, the concrete should be covered by a facing of stone or brick to maintain a consistent look in the community. In addition, such retaining wall construction will not affect the lot's drainage flow, especially to neighboring properties, and any change must be approved by the City. No horizontal boards and posts are to be used as a retaining wall or to increase the height of the fence above compliance.

IT IS HEREBY RESOLVED that this Architectural Standards Bulletin is effective upon adoption hereof, to remain in force and effect until revoked, modified or amended.

Date: _____

ARCHITECTURAL CONTROL COMMITTEE

HOA BOARD OF DIRECTORS CONCURRENCE
