

THE MARSHALL TOWNHOUSE HOMEOWNERS ASSOCIATION ARCHITECTURAL STANDARDS

General Standards (from The Declaration of Covenants, Conditions and Restrictions
Governing Marshall Townhouses):

ARTICLE VII ARCHITECTURAL CONTROL.

Section 1. Architectural Control Committee: Composition and Procedures. The Architectural Control Committee (ACC) shall be appointed by the Board of Directors and shall consist of three or more Members.

Application for any item covered in Section 2 of this Article shall be made to the Architectural Control Committee in writing accompanied by complete plans and/or specifications for such item. Said Committee is empowered to reject any such plans and/or specifications which it does not deem adequate, suitable, and in harmony with the Property as a whole. The Architectural Control Committee's approval or disapproval as required in these covenants shall be in writing. In the event that the Committee or its designee fails to approve or disapprove within 30 days after plans and specifications have been submitted to it, approval shall not be required, and the related covenants shall be deemed to have been fully complied with.

Section 2. Items subject to Committee's Approval. No building, accessory building, shed, awning, porch or porch covering, garage, trailer, tent, driveway, fence, hedge, screen, barn, driveway, wall or other structure, improvement, appurtenance or addition shall be allowed, constructed, or altered upon any finished Lot without the prior approval of the Architectural Control Committee as to the quality of workmanship, design, colors, materials, suitability, compatibility and harmony of the same to the Property as a whole.

No rooftop or sidewall antenna may be installed or used upon any Lot or structure thereon except upon the approval of the Architectural Control Committee.

Section 3 Items Prohibited. No fence, wall, hedge, tree or shrub over three feet high shall be erected, planted or constructed in front of any Lot which is located at the intersection of two streets, the purpose of such covenant being to avoid the obstruction of view at such intersections.

No permanent clothes line or hanging devices shall be allowed upon any Lot.

ARTICLE VIII. USE RESTRICTIONS

No Lots shall be used except for residential purposes, as permitted by the Fauquier County Zoning regulations

No sign of any kind shall be displayed to the public view on any Lot except as permitted by the Fauquier County Zoning Regulations. No animals or livestock of any kind shall be raised, bred or kept on any Lot except that dogs, cats or other ordinary household pets may be kept, provided that they are not kept, bred, or maintained for a commercial purpose. Dogs shall be leashed at all times when not on their Owner's Lots. Owners shall be responsible for the actions of their pets and for damages to the Property caused by such pets.

No Lot shall be used or maintained as a dumping ground for rubbish. Trash garbage or other waste shall not be kept except in sanitary containers. All incinerators or other equipment for the storage of such material shall be kept in a clean and sanitary condition.

No individual sewage disposal system nor individual water supply system shall be permitted on any Lot.

No noxious or offensive activities shall be carried on, or such conditions allowed to obtain or exist upon any Lot, nor shall anything be done or allowed to exist thereon which may be or may become an annoyance or nuisance to the neighborhood.

No Lot may be leased for transient or hotel purposes (i.e., for less than 30 days), or leased in any manner which would detract from the value of the Property as a whole. Any lease entered into by an Owner must be filed with the Association. Lessees must comply with all provisions of this Declaration; failure so to comply will be a breach of the lease, and the Association has the right to terminate said lease.

ARTICLE IX: MAINTENANCE

Section 1. Exterior Maintenance. The Owners of Lots in the Property shall be required to maintain the exteriors of their Lots and the Improvements thereon in a manner satisfactory to the Association.

Section 2. Maintenance Duties of the Association. It shall be the duty of the Association to provide for proper maintenance of the Property in the event that the Owners fail to maintain the Property in accordance with their duties under Section 1 as set forth in Section 1 of this Article, and in particular, the maintenance of the Common Area. Such maintenance of the Common Area shall include but not be limited to the following: a) trash removal, b) grass mowing.

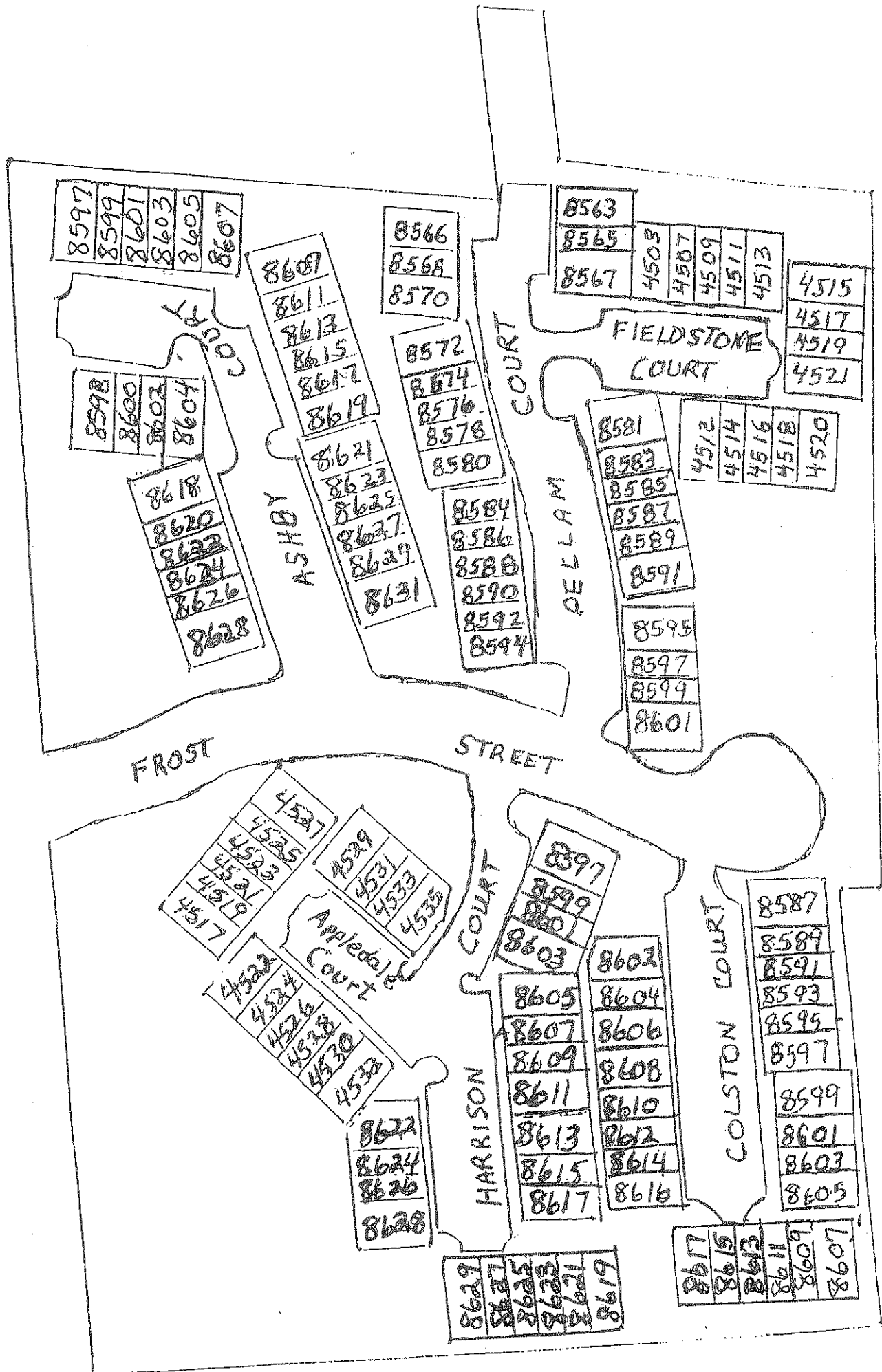
Section 3 Remedies of the Association. In the event any Owner of any Lot in the Property shall fail to maintain the Lot and the improvements situated thereon in such a manner as to protect the value and enjoyment of the Property and in a manner satisfactory to the Board of Directors, the Association, after approval by at least a two-thirds (2/3) vote of the Board of Directors, shall have the right, through its agents and employees, to enter upon said Lot located thereon. The costs of such maintenance shall be added to and become apart of the assessments to which such Lot is subject.

End of Articles.

ADDITIONAL GUIDELINES

1. No inoperative vehicles shall be allowed in any parking area for a period exceeding 30 days.
2. Windows must not be broken or cracked and all screens must not be torn. All frames must be unbroken and in working condition.
3. All wooden trim, structures, metal or wood doors, and shutters must be painted and free of splits, broken or rotten wood. All attachments shall be securely attached to the house and in good and working condition.

4. The screen/storm door must be in working order, it must latch and wing normally on its hinges. Any glass or screens must be unbroken. No wooden screen doors are allowed. Houses are required to have screen doors.
5. Light fixtures must be securely attached to the house near the door. Any glass must be unbroken, cobwebs and other dirt must be cleaned off.
6. The homeowner's sidewalk must be made of concrete and must be level and free of cracks.
7. Bricks, if installed must be intact, Any holes, cracks or broken bricks must be repaired. Painting of bricks is prohibited.
8. Parking spaces and gutters must be kept clean and free of litter, sludge, sedimentary build-up and graffiti.
9. The roof must be structurally intact and free from deterioration and missing shingles. The roof must be of asphalt shingle. Color changes must be approved by the ACC.
10. Trees and shrubs must be alive.
11. Roots and branches may not threaten Association property or other adjoining property. If in the opinion of the Association, any tree or branch becomes a nuisance, the Association may require the offending branch or tree to be removed at the expense of the owner.
12. No stump shall be permitted to remain above the level of the ground.
13. No tree greater than four inches in diameter measured two feet above the ground will be removed without the consent of the ACC.
14. Shrubs must be pruned away from the house and may not be allowed to obstruct doors, windows, or sight lines for vehicular traffic.
15. Lawns must be made of natural grass, mowed, edged, and free of weeds and bare spots.
16. No grading may be done without the approval of the ACC.
17. Fences must be free from climbing weeds, fungus, moss or rot. All fence pickets must be securely fastened to cross bracing and each fence section must be securely fastened to a fence post that is installed in accordance with county building codes. Gates must swing normally on two or more hinges and must be able to be fastened. Painted fences may not have chipped or peeling paint. Fences must be free of loose or protruding objects.



Marshall Townhouse HOA

Architectural Review Guidelines

Revised and Effective April 1, 2007

Authority. The Architectural Review Guidelines contained herein have been adopted by the Board of Directors of Marshall Townhouse Homeowners' Association, Inc. (the "Association"), pursuant to Article VII of the Declaration of Protective Covenants of the Association (the "Protective Covenants").

Purpose. These guidelines are designed to provide guidance to homeowners with respect to certain uses of lots within Marshall Townhouse Association and are in all respects subject and subordinate to the provisions of the Protective Covenants. The intent of these guidelines is to promote the uniformity and integrity of the community, therefore maintaining the value of the residences and providing a wholesome environment for families.

Approval Documents. All projects (except the installation of antennas and satellite dishes) must be applied for, using an Application for External Modification (See Appendix A for a copy of this form) to request approval of a said project. The proposed location of items to be added must be shown on a copy of the plat of the homeowner's lot, and this must accompany the request. All projects must be completed in a timely manner. If there are any extenuating circumstances which might impact the completion, the homeowner should contact the Board of Directors. Nothing in these guidelines shall relieve a homeowner from the obligation to obtain approval from the Architectural Review and Covenants Committee when such approval is required under the Protective Covenants. No home shall be used except for residential purposes, as permitted by the Fauquier County Zoning Regulations.

Guidelines

Animals. No animals or livestock of any kind shall be raised, bred or kept on any lot except that dogs, cats and other ordinary household pets may be kept, provided that they are not kept, bred to maintained for commercial purpose. Dogs shall be leashed at all times when not on their own property. Owners are responsible for the actions of their pets and for damages to the Property caused by such pets.

Antennas and Satellite Dishes. Only satellite dish antennas and other antennas specifically covered by the Federal Communication Commission's Over-the-Air Reception Devices Rule (47 C.F.R. Section 1.4000) (the "FCC Rules") are allowed within Marshall Townhouse. The FCC Rules specifically cover the following types of antennas ("Permissible Antennas"): (1) a "dish" antenna that is one meter (39.37") or less in diameter and is designed to receive direct broadcast satellite service (2) an antenna that is one meter or less in diameter or diagonal measurement and is designed to receive video programming services via MMDS (wireless cable) or to receive or transmit fixed wireless signals other than via satellite; (3) an antenna that is designed to receive local television broadcast signals. No other exterior antennas shall be erected or permitted on any building, lot or common area of the community.

Local television broadcast receiving antennas, although increasingly rare in use, should be placed in the home's attic if such placement does not preclude reception of an acceptable quality signal.

If external installation is necessary, the preferred location is on the back slope of the roof so as not to be visible from the front of the home.

Satellite dishes shall not exceed one meter (39.37 inches) in diameter and shall be located in the rear of the house, or rear of the roof line, where possible to be as inconspicuous as possible while compatible with obtaining a signal. Satellite dishes must be attached to the house or on a post no more than one (1) foot from house. Post mounted dishes may not be located in the front of the house unless it is only possible to receive a signal from this location. For such instances, softening may be required.

Consistent with the FCC Rules, Marshall Townhouse Homeowners Association has a notification form that must be submitted for the installation of an antenna. The title of this form is "Homeowner Notification Form for Satellite Dish Installation". A copy of this notification form is listed as Appendix B. Prior to installation (or at least within 2 days after installation), an Owner must submit a fully completed notification form to the Association, along with a copy of the manufacturer's brochure (including installation specifications) for the antenna(s) being installed. This notification should be given as much in advance of actual installation as reasonably possible. This notification requirement is intended to allow the Association the opportunity to inspect the installation for compliance with these Guidelines.

Clotheslines. No clothing, laundry, wash or hanging devices shall be aired or dried outside of any home.

Decks and Gazebos. Homeowners should consider the following guidelines for proposed decks and/or gazebos:

- (1) A deck and/or gazebo should generally be located in the rear yard. Specific locations will be evaluated on individual merits.
- (2) The scale and style of all decks and gazebos shall be compatible with the scale of the house as sited on the property. Decks, particularly elevated decks, should be of a scale which is compatible with the house to which they are attached, adjacent homes, and the environmental surroundings.
- (3) The use of decorative screening or landscaping to minimize any adverse visual impact on neighboring homes from storage under an elevated deck shall be required.

Dog Houses and Dog Runs. Dog houses and dog runs will not be permitted.

Electronic Insect Traps. Electronic insect traps will be regulated based on the same criteria as exterior lighting. In addition, no device shall be installed or maintained in such a way as to cause discomfort to adjacent owners from noise and may only be operated during those times where the immediate area protected by the trap is occupied by the owner or his guests.

Exterior Maintenance/Maintenance Guidelines. Property ownership includes the responsibility for the maintenance of all structures and grounds that are part of the lot. This includes, but is not limited to, items such as mowing grass, removal of trash, and structural maintenance such as wood trim, shutters, wood or metal doors. Maintenance affects the visual character and economic values of the property and neighborhood and, in some cases, safety. Residents are responsible for maintaining the exterior of their dwelling and any other structure on their lots. No storage of bicycles, trash or trash cans, barbeque grills, snow

shovels, tires, work tools, boxes, building supplies, etc. in the front or side yard, or on the front stoop, is permitted.

Exterior Lighting. Any proposed replacements of exterior lighting or additional fixtures must be compatible in style and scale with the applicant's home. No exterior lighting shall be directed outside of the applicant's property. Proposed additional lighting should not result in adverse visual impact on adjoining neighbors due to the location, wattage or other features. Decorative seasonal holiday lighting (i.e., Christmas lighting) may only be installed during the holiday season and must be removed within 21 days of the conclusion of the holiday. No approval by the Covenants Committee is required for seasonal holiday lighting during holiday season.

Exterior Colors. Prior approval is not required in order to repaint or re-stain a home or exterior improvement to match the original color. However, all exterior color CHANGES require prior approval by the Covenants Committee. This requirement applies to siding, doors, shutters, trim, roofing, and other appurtenant structures. In general, only those areas that are painted may be repainted and only those areas stained may be re-stained. Concrete or block foundations exposed more than (1) one foot above ground shall be painted in harmony with the house.

Fences. All fences must be approved by the Covenants Committee and shall be subject to the following guidelines:

- (1) Fencing can be located in the front and rear yard. Fences are not permitted in the front of any kind which is located at the intersection of two streets.
- (2) Fencing in the front yard cannot exceed 3 feet and 6 feet in the rear yard.
- (3) Fencing can consist of natural wood or material that looks natural. Fences may not have chipped or peeling paint. Fences must be free of loose or protruding objects.
- (4) Fences must be free from climbing weeds, fungus, moss or rot. All fence pickets must be securely fastened to cross bracing and each fence section must be secure fastened to a fence post that is installed in accordance with County building codes.
- (5) Gates may be incorporated into the fence as long as they are compatible with the overall fence design. Gates must swing normally on two or more hinges and must be able to be fastened.

Flagpoles. Any permanent, freestanding flagpole must be installed and maintained in a vertical position and must be approved in advance by the Covenants Committee. The height, color, and location of the flagpole must be consistent with the size of the property, and scale and design qualities of the house. A temporary flagpole staff that does not exceed six (6) feet in length and is attached at an incline to the wall or entrance area of the home does not require approval by the Covenants Committee.

Gutters and Downspouts. The replacement of existing gutters and downspouts is permitted without Covenants Committee approval if they are the same as those used in the original installation. Any other installation requires the approval of the Covenants Committee. In no instance shall the addition of gutters and downspouts be permitted to adversely affect drainage on adjacent properties. Downspouts must not bisect a wall. Gutters must be contiguous with the

roofline. The color of the downspouts, gutters, and supporting structures or attachments must be the same color as the exterior trim, or white.

Landscaping. Landscaping shall be subject to the following guidelines:

- (1) All new major landscaping must be approved in advance by the Covenants Committee.
- (2) Major landscaping is defined as any planting or change in ground cover which would include twenty five percent (25%) or more of the front of a lot.
- (3) The replacement of like- kind- and-size plant material is permitted without approval.
- (4) Owners shall at all times maintain their property and all appurtenances thereto in good repair and in a state of neat appearance. All lawn areas shall be kept mowed and shall not be permitted to grow beyond a height of six (6) inches. Owners are responsible for ensuring that all landscaping areas are kept planted with grass, trees or shrubs and clear from all weed growth.
- (5) Except for flower gardens, plants, shrubs and trees, which shall be neatly maintained, all open areas shall be maintained in grass lawns. Monolithic paving of yards is prohibited. The covering of front yards or side yards with decorative stones as the principal design element needs to be approved by the Covenants Committee. Other lawn material or other coverings must also be approved by the Covenants Committee.
- (6) All flower boxes and lawn ornaments, including, but not limited to, statuary, birdbaths, decorative balls, etc., to be placed on the front or side of any lot (unless they are located within and below the top of a fenced side yard) that are over 36 inches in height (including plants) require approval of the Architectural Control and Covenants Committee.
- (7) No tree greater than four inches in diameter measured two feet above the ground will not be removed without the consent of the Covenants Committee. No stump shall be permitted to remain above the level of the ground.
- (8) No shrub or plant shall obstruct doors, windows or sight lines for vehicular traffic.

Outbuildings. All outbuildings require advance approval. Outbuilding must be four (4) sided, closed structures and of a scale and appearance appropriate to the style of the home, the lot, and the location.

Landscape screening will be required to soften the view of the building. Outbuildings must be properly maintained by the homeowner so as not to present an unsightly appearance. They shall be constructed to ensure proper drainage and so that no ground level drainage problems are created on either of the adjoining properties, or common grounds. Notice of the installation of outbuildings must be given to all adjoining landowners. Other guidelines include:

- (1) Outbuilding location and style must be approved by the Covenants Committee. Only one outbuilding per lot is permitted. Playhouses are classified as outbuildings, and are not recreational equipment.
- (2) Outbuildings will be constructed with vinyl siding, and be similar to the home in color and style.

- (3) Outbuilding roofs will have shingles which are the same color and style as on the home.
- (4) Wood is allowed but shall be paint to match the house.
- (5) Outbuildings may not be constructed with exposed particle board.
- (6) Only one-story buildings are approved, with a maximum wall height of 8 feet.
- (9) Outbuildings will not exceed a maximum size of 12 feet x 16 feet in area.
- (10) No roll-up overhead garage doors are permitted, and windows frames must be made of or covered, in vinyl.
- (9) Outbuildings must meet all county zoning requirements.

Recreational and Play Equipment. Recreational and play equipment should be unobtrusive to neighbors, and notice of the installation of this equipment must be given to all adjoining landowners. The equipment should comply with the following guidelines:

- (1) The location of the equipment must be approved by the Covenants Committee.
- (2) The equipment should be compatible with the lot size. Screening may be required to minimize any visual impact on neighboring homes
- (3) The equipment must be maintained in good working order and made of wood left natural in color or other materials kept in a well-painted, rust-free condition.
- (4) No permanent athletic courts of any type (i.e., tennis or squash courts) are permitted.

Rental Units. No lot may be leased for transient or hotel purpose (i.e for less than 30days), or leased in any manor which would detract from the value of the Property as a whole. Any lease entered into by an Owner must be field with the Association. Lessees must comply with all provisions of the Governing Documents and all rules. The Owner is responsible to make sure the Lessee follows all rules of the Association. Failure for the Owner to control the behavior of the lessee will results in a due process hearing and possible monetary fees.

Roofing. The roofs must be structurally intact and free from deterioration and missing shingles. The roof must be of asphalt shingles. Color Changes shall be approved by the Covenants Committee.

Screen and Storm Doors and Windows. Screen and storm doors should be as harmonious as possible with the architectural character of the house and should be painted white, the color of the door, or the color of the trim around the door. Must be in good working order, it must latch and wing normally on its hinges. All screen doors, screen windows and windows must be in good repair.

Sidewalks and Pathways. Stone, brick, concrete or similar durable construction material should be used for sidewalks and pathways. The scale, location and design should be compatible with the lot, home and surroundings. No loose stone walkways and or patios are permitted.

Signage. No signs of any kind shall be displayed to the public view on any lot except as permitted by Fauquier County Zoning Regulations.

Solar Panels. All installations must have prior approval of the Covenants Committee. Any installation must be out of public view.

Window Air Conditioners. Window air conditioner units are allowed April through October on the back on the house. No window air conditioner units are permitted to be on the front of the home at any time.

Utilities. No individual sewage disposal system not individual waster supply system shall be permitted on any lot.