

BENT TREE COMMUNITY, INC.

ARCHITECTURAL COMMITTEE



ACTIVE MOUNTAIN LIVING

NEW CONSTRUCTION AND MAJOR REMODELING

HANDBOOK AND APPLICATION FORMS

Approved - 11/17/01
Last Revised 05/25/21

New Construction and Major Remodeling Handbook and Application Forms

INTRODUCTION

This booklet is the official guide for building in Bent Tree. This document outlines the rules and regulations for new construction projects, major rebuilding projects, and any major remodeling projects that increase the total square footage by 50%. Such construction and major remodeling projects need Bent Tree permits. The objective is to maintain Bent Tree in its beautiful and natural state, to enhance that beauty by the way we plan, build and maintain our homes and properties, and to insure that all of the Bent Tree legal, practical and aesthetic requirements are followed.

It is strongly recommended that any person desiring to build or remodel in Bent Tree read carefully all items in this booklet, and ask questions if there is any item of concern, when the building process is first being planned. The Architectural Committee (hereafter known as the AC) has prepared this booklet to assist you.

The AC meets on the second and fourth Thursday of each month in the upstairs conference room of the Administration Building. Any property owner, prospective owner, builder, lender, supplier or other interested party is welcome to sit in at any meeting to observe and/or ask questions.

Any application for building must be submitted at least 8 days preceding the AC meeting. All drawings, exterior material descriptions, and required forms must be complete before the AC will consider a request. A response will be provided promptly following the meeting at which the subject application is reviewed and acted upon.

Any deviation from any requirement will require written permission from the **AC**. Such permission must be requested in writing with complete justification for the deviation. Any part of these guidelines which conflict with any Local, State, or Federal regulations should be brought to the attention of the AC, so that it may be directed to the Board of Directors for any necessary action.

Please keep in mind that non-compliance is subject to the Fining Policy of the Bent Tree Rules, Regulations and Policies. **See “Fining Policy” – pages13-14.**

If there are any questions regarding requirements, regulations, compliance or any issue mentioned in this booklet, for help and/or advice, call the **Architectural Coordinator** at the **Administration Office, 770-893-2629, extension 32.**

Visit Bent Tree’s website at www.bent-tree.com

Building Criteria and Design Standards

Handbook History

Current handbook written and approved by the Architectural Committee on

September 13, 2001

Formally approved and adopted by Bent Tree Board of Directors on

November 17, 2001

Original handbook written and adopted by Bent Tree Community, Inc. September 17, 1994

Revisions

January 21, 1995	General wording
March 18, 1995	Same
June 29, 1995	Add water meter rates
July 27, 1995	Site protection described and change in sequence
August 19, 1995	Board approval to amend “site protection” item
October 30, 1996	Association voted to amend certain areas per Article IV, Section 1, Paragraph (a) and Article V, CC&Rs
May 19, 1998	Amend and clarify certain qualifications
October 20, 1998	Same
February 20, 1999	Villa responsibility policy
July 17, 1999	Grammatical changes, and friendly amendment approved by BT Board of Directors re: common property and green belt
December 18, 1999	Board approved changes to requirements for AC approval
February 19, 2000	Board approved changes adding definitions for colors
June 16, 2000	Added BTCI Rules and Regulations to General Guidelines
December 2001	Revised Footer Survey Requirements
February 12, 2002	Billing for newly improved lots
December 20, 2003	Concrete Pouring Policy
	Revised Fees
December, 2004	Stop Work Order Policy
	Revised Fees
	Square Footage Requirements (CC&R Revision)
December 21, 2005	Variance Policy Revision
June 08, 2006	Added Fencing Criteria and deletion of non-applicable language
December 28, 2006	2007 new construction fees
February 20, 2007	New Burn Policy Passed by BOD, Building Package revised 03/01/07
January 01, 2008	Budget approved – impact fee revised
March 18, 2008	Tree Removal Change
	GASWCC Card Policy
September 01, 2008	Building Demolition Policy

January 22, 2009	Impact Fee Revision
June 25, 2009	Revision of Assessment Billing Statement for New Constructions
March 12, 2009	General revision to handbook; addition of alternative energy source policy
May 14, 2009	Alternative Energy Source Policy Approved
August 13, 2009	New Color Chart and Policy Approved
November 17, 2009	Revision of Building Package
September 2, 2010	Board Approval of 081309 revisions
January 08, 2011	Board Approval of AC Handbook – fencing standards revised
March 27, 2012	Impact Fee Revision
January 04, 2013	Revisions: including Letter of Credit and Impact Fee.
February 26, 2013	Impact Fee Revision
January 01, 2014	Fencing Policy Revised
January 01, 2015	Impact Fee Revision
January 05, 2016	Erosion Control Revision
November 27, 2017	Impact Fee Revision
November 27, 2017	Impact Fee Revision
January 03, 2018	Tree form revision
May 18, 2018	Impact Fee Revision
July 25, 2018	Reviewed by AC coordinator, cleaned up
September 06, 2018	added LOC & performance bond wording
	Increased LOC amt to \$35K
	Sections 1a-f
	Re-formatted document
	Changed wording in tree sections for clarification
January 29, 2019	Added “major rebuilding” wording to intro
	All fees revised to match 2019 BT fee schedule
	Added “rebuilds” permit application, page 2, Note 1, para.2&3
March 01, 2020	All fees revised to match 2020 BT fee schedule, logo updated
November 17, 2020	Letter of Credit wording changed
January 10, 2021	All fees revised to match 2021 BT fee schedule
March 25, 2021	Updated lighting policy

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AUTHORITY

The Architectural Committee (AC) is sanctioned by the Board of Directors of Bent Tree Community, Inc., and is delegated the authority to administer Article IV, Section 1, paragraph (a) and Article V excluding Section 16 of the Declaration of Covenants, Conditions and Restrictions, (CC&R's) and related portions of the Articles of Incorporation, the By-Laws, and any applicable Board resolutions.

The primary purpose of the architectural controls is to protect and preserve property values in Bent Tree by maintaining architectural and aesthetic harmony and compatibility among the lots and the structures and other improvements on the lots at Bent Tree. The architectural standards may be applied to reflect that lots within Bent Tree and the dwellings constructed or to be constructed upon them are of varying sizes, values, topographies and locations, and that improvements and modifications suitable for one lot may be inappropriate for another lot. Therefore, the Architectural Committee is authorized to adopt as appropriate, varying standards, sizes, values and layouts of lots and improvements located thereon within Bent Tree.

The underlying purpose of these regulations is to assure appearance which compliments and blends with the natural beauty of the community, and to assure, in so far as we can without assuming liability, a high quality of construction which will retain this appearance for an extended number of years. The primary function is to approve or disapprove, in writing, the formal request for any structure to be erected, maintained, or altered, and to approve or disapprove site improvements or modifications. The Board of Directors is kept informed through copies of the Architectural Committee minutes.

This committee is composed of property owners with backgrounds in engineering, building, design, legal, business, education, medical, technical, landscaping and other professions. The members commit to a term of three years, during which time they review and act on all plans and requests submitted to the committee, consider the impact on the Community, study new materials and technologies, consider and draft adjustments to the guidelines as needs and technologies change, and generally guide the residential future of Bent Tree.

No change affecting the appearance of any property is permitted without written approval from the Architectural Committee. However, the Architectural Coordinator is granted the authority to implement committee issues, such as enforcing policy, issuing stop work orders for violations, approving colors from the current approved list, tree trimming and removal within the guidelines set forth by the AC.

All property owners are sent a copy of the Declaration of Covenants, Conditions and Restrictions (CC&Rs) when their recorded warranty deed is filed with the Administration office, or a copy may be requested at any time from that office. The AC does not have the authority to override or change any provision of that document.

Builders/contractors must be approved by the AC for each individual house construction and major remodeling project. They are required to complete and submit the approved declaration form supplied in this package, and must agree to abide by all elements of this package. A builder/contractor may be denied approval for serious violations of the Bent Tree Rules and Regulations, this document, or repeated minor offenses.

Appeals: Any decision of the AC may be appealed to the AC with justification for the appeal. If that appeal is denied, the decision may be appealed to the Board of Directors in writing, with complete documentation of the denied request. A statement from the AC, detailing the reasons for denial and any

other pertinent information, will be presented to the Board simultaneously. Any appeal must be filed in writing within forty-five (45) days of announcement of the original decision.

Amendments: AC design standards may be altered, amended or repealed at any regular or special meeting. This is a two stage procedure whereby the AC studies a subject and recommends the change and presents their recommendation to the Board, which may approve, disapprove or recommend an alternative solution. Changes will be effective immediately upon approval by the Bent Tree Board of Directors.

The AC does not assume responsibility for the design or construction of any project in Bent Tree. Our directive is concern for the appearance, compatibility, maintenance and land use requirements of our residents, as well as limited inconvenience to current residents during the time of construction.

It is the responsibility of the buyer or owner to evaluate previous work of a prospective Builder or Contractor in regard to construction techniques, design, financial stability, reputation, timeliness, or any other matter of concern. Referrals from previous buyers, neighbors of those buyers and study of other homes built may prove beneficial. The AC maintains a comment file on current builders, which may be reviewed by appointment with the Architectural Coordinator.

PLEASE NOTE: ALL ASSESSMENTS, PAST AND/OR CURRENT MUST BE PAID BEFORE THE AC WILL CONSIDER ANY REQUESTS FOR NEW CONSTRUCTION.

Georgia law requires compliance with the current code of the International Building Code. Analysis of design and engineering is outside the scope and responsibility of the AC and of Bent Tree, Inc., and our building permit does not imply compliance with this code. **It is the responsibility of the homeowner** to obtain advice and verification of compliance from a professional source for any concerns the homeowner may have.

If a property owner, contractor or builder is granted an extension to their Bent Tree Building Permit, there will be no new Building Permits issued by the AC to that owner, contractor or builder until such time as the project with the extension is completed.

Variations: All requests for variations must be submitted in writing to the AC. Variations will not be granted for convenience or financial considerations. Generally, a building set back variance may be granted, but only for safety or for design constraints imposed by severe topography, or for unusual lot or right-of-way situations. Any other variance category would require detailed study and a decision by the Board of Directors.

Variations which are requested for work-in-progress, or for work that has been completed, are considered on a case by case basis by the Board of Directors following a recommendation by the AC and the General Manager.

PLANNING REQUIREMENTS

The Rules and Regulations require a Bent Tree Building Permit be issued for all residential construction and major remodeling projects. Also, only one single family dwelling may be permitted on a lot. To obtain a Permit, the following are required:

1.

a. A Letter of Credit in the amount of **\$35,000.00** or **10%** of the total estimated construction costs whichever is less. A form is included in the application, or your bank may use its own form as long as it meets Bent Tree requirements; or

b. In lieu of a letter of credit, the applicant may substitute a performance and payment bond/completion bond covering the total costs and time-frame of the construction. The construction package must include a copy of the bond policy from an insurance or surety company that names Bent Tree community, Inc. as the named beneficiary, and includes, but not limited to providing for:

1) Policy shall remain in effect until the property owner has received a Certificate of Occupancy (CO) from Pickens County and written authorization for its termination from the AC and/or Board.

2) All building materials have been cleared from the property.

3) All exterior work, including driveways, retaining walls, and landscaping has been completed, or a plan for same, has been submitted to the AC and been approved.

4) A time frame for the assumption of responsibility for remedial work and payment of same by the insurance or surety company.

c. In the event of a renovation or addition which changes the exterior dimensions or appearance of a structure, a letter of credit or performance and payment bond/completion bond may also be required. Please see Addendum A, Page 1, Note 1 for further information.

d. Impact Fee

e. Water Fee

f. AC review/ Building Permit Fee

2. The main floor heated living space exclusive of garages, carports, porches, decks and bulk storage, shall be not less than:

a. **1,600** square feet for lake lots or lots across the street from lake lots

b. **1,450** square feet for golf course lots or lots across the street from golf course lots

c. **1,250** square feet for all other lots

There shall be a total requisite square footage for all dwellings in Bent Tree of 2,000 square feet, exclusive of garages, carports, porches, terraces, bulk storage and unfinished and/or unheated areas)

3. No house or portion thereof (garages, carports, outbuildings, decks, or other such structure) shall be erected closer than:

a. **Ten** (10) feet from the side line of any lot

b. **Forty** (40) feet from the rear line of any lot

c. **Twenty** (20) feet from the front line of any lot

For the purpose of this requirement, the front line of a lot shall be the lot line or lines which are contiguous to a street or road. Property owners are cautioned that the front lot line is not the edge of the road. A new, accurate survey from a licensed surveyor, showing steel pins at all corners, is needed for planning and is required for the application package. Please see Addendum A, Page 1 for a detailed list of survey requirements.

Normal construction hours are

Mon – Fri 7:30 am – 6:30 pm and Sat – 8:00 am – 4:00 pm. No Sundays or Holidays.

PRIOR TO POURING OF FOOTINGS, a survey must be presented to the AC showing the locations and measurements to the lot line and within setback requirements. This survey must be done by a licensed surveyor and presented prior to any framing. Commencement of framing prior to the footer survey being approved will result in a Stop Work Order.

CONCRETE POURING POLICY

If a concrete pour involves more than 1 truck load, the first truck must have entered through the front gate no later than 2:00 pm on Monday – Friday and by 12:00 noon on Saturday. If the pour only requires 1 truck, you may enter with that truck by 4:00 pm on Monday – Friday and by 2:00 pm on Saturday.

We strongly encourage anyone that has to finish a pour or to do finishing work on the concrete to finish by the normal construction hours. If the truck for a “1 truck load pour” enters the gate during the approved time for a 1 truck load pour, but your job requires more than 1 truck load, any subsequent truck(s) that are in violation of the normal construction hours will be assessed a fine. Please make certain that your planning is accurate. Concrete trucks are limited to no more than 6 yards per load. Non-compliance of this policy is subject to the fining policy of Bent Tree.

Property owners, contractors and builders are reminded that they must comply with State of Georgia Laws and Regulations regarding distances that must be maintained between construction and any streams, lakes or bodies of water, and methods of maintaining proper sedimentation control and erosion abatement. If you have concerns regarding this issue, please consult with the Pickens County or State of Georgia Public Health authorities for advice.

4. The exterior of a house or any structure must be completed by, and at the expense of, the property owner within twelve (12) months from the date on which construction begins. Construction is assumed to begin the day the Bent Tree Building Permit is issued. (See Article V, Section 12 of the Covenants, Conditions and Restrictions for Bent Tree.)
5. Upon completion of the exterior portion, the Builder/Contractor must notify the Architectural Coordinator to request an inspection for compliance with these architectural standards. If items remain uncompleted, the Coordinator will issue a letter stating the nature of work remaining for the Contractor to complete as soon as possible. When the exterior is approved, the Architectural Committee will release the Letter of Credit, which implies only that the exterior of the dwelling and the grounds are complete to the extent of compliance with the Bent Tree Building Permit, but does not indicate the habitability of the dwelling, as our letter to the lender releasing the Letter of Credit states.

EXTERIOR DESIGN REQUIREMENTS

Pursuant to Article V, Section 1 of the Bent Tree Declaration of Covenants, Conditions, and Restrictions the following are general guidelines for construction regarding materials and finishes of buildings at Bent Tree. The AC reserves the right to modify these guidelines to ensure harmony of exterior design and general appearance. The AC also reserves the right to require a plat/survey for any construction requests.

Exterior Colors and Products: The following exterior standards shall be enforced.

A. Siding: Except with written AC approval, all siding materials shall be of wood, (either individual boards, plywood, or shingles) cement-plank or vinyl in a rough textured, low shine finish or Nu-Cedar (brand name project of recycled PVC).

B. Roofing: Roofing may be asphalt, wood, or metal with these requirements, being aware of the frequent occurrence of high winds:

1. Asphalt should be standard or architectural grade shingles. Colors must be approved.
2. Wood roofing materials must be fire-retardant treated and/or fire-rated split wood shakes.
3. Metal roofing must have a low sheen and be of textured material such as stone-coating, shingle-shaped, standing seam or stamped metal. Approved samples are available for inspection in the office of the Architectural Coordinator. Colors must be approved. Neither black nor red will be approved.

C. Colors: Exterior finishes will be woodsy earth-tone colors. Approved colors are available at the Administration Office.

1. Non-conforming factory finished windows, doors, etc., if utilized, must be painted with approved colors.
2. Primary colors apply to the body of the house/siding, lattice, and garage doors
3. Trim colors apply to material around doors and windows, also gutters, down spouts, soffits, corner boards, cornices, shutters, and garage doors.
4. Accent applies to doors (not including garage doors) and shutters. .
5. White is not an approved color for any exterior use.
6. All PVC or metal work must be painted flat black or must match the roof color. Gutters and downspouts must be approved primary or trim colors.

D. Decks: If decks and porches are to be painted, they should be in an approved primary or trim color.

E. Stonework: Stonework for foundations, chimneys, and accenting shall be of native fieldstone, gray Tennessee fieldstone, orchard stone, or as otherwise approved by the AC. Brick is not permitted for any surface.

F. Exposed Concrete: Exposed concrete or concrete block foundations must have stucco or stone finish.

G. Screened Porches: screening must be of a dark color. No screens with a bright colored or silver finish may be used on any structure within the property.

H. Fencing

All fencing must be approved by the AC. The following are AC guidelines.

Fencing, other than silt fencing, is defined as any structure used decoratively or to contain pets. Fencing may not be used to protect plants or trees. Location of fencing must be inside property lines, not on common property. Fencing shall be constructed of wood or wood-like materials, and may not exceed four feet (4') in height.

Fencing may be 'split rail' or 'stacked split rail' design. Split rail fencing consists of posts and two or three horizontal rails. Stacked split rail fencing consists of stacked horizontal rails and may be not more than two feet (2') in height. Except for the prohibited fences listed below, the AC may also approve fencing constructed to match existing fencing in design, material, and color. Mixing of fencing designs is discouraged.

In general, welded-wire fencing is not allowed. However, with AC approval, welded wire fencing may be applied to the inside of approved fences as a pet control measure. Fencing with welded-wire must be located behind the house, or other locations as approved by the AC. Approval of fencing with welded-wire on corner lots will be at the discretion of the AC. Welded-wire fencing color must be black, dark brown, dark gray or dark green.

The following fences are prohibited:

- Electrified
- Privacy
- Chain link
- Wrought iron

In cases of emergency, response units may enter the property. State law protects first response personnel from liability for damages in the performance of their duties.

Any deviation from this policy can result in the removal of the fence/gates at the property owners' expense and fines.

SITE PREPARATION, PROTECTION AND LANDSCAPING

- 1. No work other than flagging, staking, and Pickens County Health Department lot evaluation shall begin until the property owner receives a Bent Tree Building Permit.**
2. Only the flora within twenty (20) feet of the outermost points of construction and the minimum amount necessary for the driveway, walkways and drainage fields may be removed. In accordance with the CC&R's, no trees, shrubs or other vegetation having a diameter of four (4) inches or more at ground level shall be cut, destroyed or mutilated without express written AC permission.
3. No water well shall be sunk or drilled on any lot, with the exception of facilities maintained by BTCI for the common water system. A tap-on fee will be charged on a per lot basis for access to the Bent Tree Water System in accordance with Article V, Section 20 of the CC&R's and must be paid prior to a Building Permit being issued.
4. Private pumping from bodies of surface water is strictly prohibited. A stream may be dammed only with permits from the AC and appropriate **state** agencies.
5. Above ground storage tanks for fuel are permitted, provided they are completely screened from public view by a fenced enclosure, compatible in appearance and finish to the house. Any repairs or replacements are to be done according to current criteria.
6. For new home construction or major addition, a portable toilet shall be in place on the site prior to the start of grading and construction. Temporary location at the roadside is allowed, but it must be relocated back at least ten (10) feet inside the property line immediately after the initial grading of the driveway, and then shall be removed prior to the occupancy permit being issued.
7. Before or immediately after any and all ground disturbance, contractors/builders must install silt fencing as necessary to minimize silt runoff from construction area. Cover ground areas disturbed for septic system drain fields with suitable ground cover (bark, pine straw, mulch, etc.) immediately after field installation to reduce silt runoff. Cover other disturbed areas as early as possible during construction. Silt fencing is inspected regularly. Silt fencing should be removed at the completion of the project, but for erosion purposes may remain up for one year after completion of the project.
8. Contractors/builders shall construct any necessary approved retaining walls prior to or along with grading, and provide for drainage during grading and foundation work.
9. No architectural design or revision that changes the grading, paving, building, walls, etc., may be made that materially increases the rate or volume of surface water runoff, or that diverts such runoff draining from the property, other than onto roadside ditches, without first obtaining an inspection by, and the written consent of, the AC and of all homeowners who would be affected by such increased or diverted runoff.
10. Extra dirt is to be carefully stockpiled for future backfill. **Do not** pile dirt around trees and shrubs that are not to be removed.

- 11.** Debris, scrap and waste materials must not be buried under back fill. The contractor/builder is responsible for weekly removal of all debris (including, but not limited to: trash, concrete, wood, or stone) created by himself, his materials suppliers, and/or his contractors, on the lots, roadways and all other places in Bent Tree.
- 12.** All exterior water bibs shall have interior shut-off valves for each bib, for the protection and conservation of the Bent Tree water supply.
- 13.** The contractor/builder is responsible for prompt repair of all damage created by himself, his materials suppliers, and/or his subcontractors on the lots, roadways and other places in Bent Tree.
- 14.** Final landscaping of the property is to appear natural, using native plantings, stone and other materials familiar in Bent Tree and surrounding areas.

GENERAL CONSTRUCTION REQUIREMENTS

- 1.** Prior to the beginning of construction, the Pickens County Building Permit, the Bent Tree Building Permit, the lot number and the **911** address must be posted at the front of the property to identify the location for subcontractors, inspectors, and emergency personnel in case of an accident.
- 2.** No part of any construction, driveway or approach, materials, debris, fallen trees, or any other item may encroach on any neighboring property, on Bent Tree right of way or on Bent Tree common property.
- 3.** During construction, only contractors/builders will be allowed to display one approved sign with a maximum size of eighteen (18) by twenty-four (24) inches to facilitate locating of the building site. No subcontractor may display signs on any property. Builders' sign and any posted permits must be removed as soon as the Occupancy Certificate has been issued from Pickens County. Any "For Sale" sign on the property must comply with Bent Tree sign regulations as to size, color, wording and location.
- 4.** Where a driveway joins a roadway, a culvert of approved materials with a maximum length of twenty (20) feet and eighteen (18) inches in diameter must be placed in the roadside drainage ditch unless exception is approved by the AC in writing on the site plan. If a culvert is required, it shall be installed at the beginning of site work. Vertical curves of driveways shall occur on private property and not in the road right of way.
- 5.** All driveways and parking areas shall be compacted gray stone or paved with asphalt or concrete. It is strongly recommended that any driveway with an elevation upgrade of twelve (12) percent or more from the street be concrete or asphalt. Paving will be required if necessary to prevent washing of gravel into the road right of way.
- 6.** All residential construction must conform to the minimum requirements of the International Building Code. Each contractor/builder and owner is responsible for making sure that the work done under his/her direction complies with this code and other rules and regulations. All homeowners should require compliance as part of their contract with the contractor/builder.
- 7.** The following minimum standards are required for water service connections from the water meter to the dwelling: Material of 3/4 inch 250 psi pipe shall be placed from the water meter to the house connection, which shall be buried at least eighteen (18) inches below finished grade.
- 8.** International Building Codes state that smoke detectors are required to be installed in new construction. Please see most current state requirements for placement of these devices.
- 9.** Water closets, shower heads, faucets, etc. are to be of the water-saving type which will reduce water consumption in consideration of the Bent Tree long term water program.
- 10.** All septic tanks and field lines shall be installed prior to the installation of any foundation walls of the house. This is a requirement of the Pickens County Environmental Health Department. Disturbed soil must be covered immediately with straw or mulch.

- 11.** Each house must have a minimum 200 AMP electrical service. Application by the property owner is required to Amicalola Electric Membership Corp. for permanent electrical service.
- 12.** If the power company cuts or trims trees to extend power to a building site, it is the responsibility of the property owner to clean up and remove any resulting debris from all lots and common property within six (6) weeks after the power company cutting. It is a prudent practice to meet first with a representative of the power company to discuss placement of the lines and poles, and specific trees to be cut or trimmed.
- 13.** It is the responsibility of the contractor/builder and the home owner to take the necessary precautions to assure that pole-supported houses and/or where the underside of the house is exposed, that the area be insulated and covered, especially the plumbing lines, to prevent freezing and breakage, and to protect the community water system. Plywood or a similar material placed beneath the floor system creates a better appearance and protects from weather damage and excludes insects and animals.
- 14.** Sub-contractors are allowed through the gate by request from the contractor/builder or owner. It is the responsibility of the builder or owner to insure that this policy is followed. The sub-contractor must go directly to the job site from the gate, to and from the 19th Hole Restaurant for food if desired, back to the job site, and return to the gate at the end of the job day. Visits to Bent Tree amenities, other than the 19th Hole Restaurant, and/or staying overnight in an uncompleted house or in a vehicle are not allowed, and may result in fines or disallowed future admittance to Bent Tree.
- 15.** Drilling and blasting require a special Bent Tree Permit. The form (in Addendum A) is at the end of this booklet. No permit is issued without proper insurance. The Department of Public Safety is to be notified one day prior to the blasting. Any homeowners within 500 feet shall also be notified in that time frame.
- 16.** On Bent Tree roads and property, there is a vehicle gross weight limitation of 60,000 pounds, a maximum length of forty-five (45) feet, width of eight (8) feet and height of thirteen and one-half (13.5) feet. No vehicle, trailer or combination thereof shall exceed this limitation. BTCI Rules and Regulations XVIII. Parking and Traffic Control B. 3.
- 17.** The speed limit on roads in Bent Tree is 20 mph, and 15 mph across the dam. All drivers should be aware that fines are imposed for violations of these limits.
- 18.** No vehicle of any type may be run on Bent Tree roads without rubber tires or treads.
- 19.** Outside construction shall be between the hours of 7:30 a.m. and 6:30 p.m. weekdays and from 8:00 a.m. to 4:00 p.m. Saturdays. **No** outside or otherwise noisy construction is allowed on Sundays or holidays. Any violation of the Noise Restriction Regulation is subject to the Fining Policy.
- 20.** Cleanup of material spills on Bent Tree property, such as concrete, paint, excess mud, trash, etc. is the joint responsibility of the Builder and the Owner. The Builder and Owner shall be jointly responsible for payment of a fee of not less than \$100.00 in the event that the cleanup is performed by Bent Tree staff. A fine will also be assessed for littering.
Note: Concrete truck wash-out must be done on the subject property and not on the Bent Tree right of way or common property. See "Fining Policy", pages 13-14.

21. All job sites are to be kept clean of discarded materials, food debris and general trash. See Declaration of Builder in Addendum A.
22. **Burning** of any combustible material on construction job sites is **strictly prohibited** as per Burn Policy of Bent Tree's Rules and Regulations. No permits will be issued.
23. Any truck entering, leaving or moving about in Bent Tree with a "loose load" of gravel, sand, dirt, trash, or other material shall be covered and have a closed tailgate. The tailgate shall be of sufficient size to prevent material from spilling, even on steep grades.
24. All contractors/builders must submit a list of sub-contractors to be allowed through the Bent Tree Gate, and are held responsible for their activities. Of particular concern will be the following: Observing the speed limit and permitted working hours, proper location and conduct of all sub-contractors at all times in Bent Tree, litter control of all materials, and meeting or exceeding of all requirements in this booklet.
25. All contractors/builders must leave the work site and roadway clean and free of debris at the end of the work day, materials stacked and/or covered, silt fences maintained, disturbed ground areas covered with straw or mulch, electricity and water sources turned off and secured, trash barrels emptied, and drainage ditches on site kept cleared. (Notify the AC of drainage problems or any problems affecting the site from other sources, common property, or individuals.)
26. Contractors/builders, sub-contractors and suppliers must consider the narrow roads and lack of on-road parking available. Builders are required to install and finish (pave or gravel) driveways (and culvert if required) at the start of construction to accommodate sub-contractor vehicles other than on the roadside. If necessary, construction vehicles must be parked elsewhere and personnel shuttled to the work site. Building materials must not be stored on right of way inhibiting safe passage by vehicle traffic. If temporary storage of building materials is unavoidable, flasher guard lights are required and the Public Safety Department must be notified.
27. **Satellite Dish Policy** Satellite dishes eighteen (18) inches and under do not require approval to install, but the homeowner must complete a "Notice of Intent to Install a Satellite Dish" form regarding location, color, tree removal or vista pruning required. Approval **is** required for a dish nineteen (19) inches and more. All must meet FCC rules.
28. **Common Property and Green Belt** Any request that will affect Bent Tree Common Property and the Green Belt areas, with the exception of standard driveway and culvert construction approved as a part of new construction or major addition, must be referred to the Bent Tree Board of Directors. The Architectural Committee will accept the applications for such requests and act on them where applicable, referring all other requests to the Board of Directors for action. A license will be issued for those applications when and if approved by the Board.
29. **Emergency Tree Cutting by Bent Tree Management** Bent Tree Management has the authority to take any immediate action necessary to provide for the safety of life and property in the event of emergency. Management may remove damaged trees, where necessary, to restore the function of an existing facility. The AC is to be notified at the next meeting as to the nature of the emergency and specific actions taken.

30. Removal, trimming, pruning or any other change of trees, shrubs, or other vegetation, or moving or removal of soil, gravel, rock or other natural material on Bent Tree common property or designated green belt areas by individual owners or others is expressly forbidden under all circumstances without express written permission, is subject to fines, disciplinary action and exclusion from use of all amenities.

31. No removal, trimming, pruning or clearing of trees, shrubs, bushes or other vegetation having a trunk diameter of four (4) inches or more at ground level is allowed without prior written approval of the AC. Mountain Laurel and Native Azaleas must have AC approval prior to removal. Approval may be considered in this manner:

- a.** Application must be made and written approval obtained for removal of dead or damaged trees. Any tree, shrub or other vegetation designated for removal shall be marked to facilitate inspection.
- b.** Trees that are in immediate danger of creating damage or harm may be removed without prior written approval; however, every effort should be made to notify the Architectural Coordinator or a member of the AC as soon as possible. Written explanation must be submitted promptly thereafter to the AC.
- c.** The Committee has the authority to cause fines to be assessed, and to require replanting of trees removed without a request for approval or a valid written explanation.

After completion of construction and upon notice, the AC will accomplish a **final review** of landscaping and cleanup to verify compliance with the permit, and release the Letter of Credit.

32. Changes: After approval by the AC for any project, large or small, the work must be completed as planned. If change becomes necessary, the owner or contractor/builder must provide documentation and receive AC approval before any changes are made at the job site.

33. Billing for Newly Improved Lots – It shall be a policy the owner shall pay a prorated share, for the remainder of that year, at an improved property assessment rate when an Occupancy Permit has been issued from the County and the Bent Tree water meter has been installed.

Vegetation Removal on Owners' Property

No removal, trimming, pruning, or clearing of trees, shrubs, bushes or other vegetation having a trunk diameter of four (4) inches or more at ground level is allowed without prior written approval of the AC. Additionally, removal of native plants, including but not limited to native azaleas and mountain laurel, must have AC approval. Approval may be considered in the following manner:

- a.** tree removal is allowed for the septic area, the driveway area, and twenty (20) feet from the structure of the home. Crossing any property line or entering into Bent Tree Common Property or Right of Way to achieve the 20 feet allowed is strictly prohibited. Approval of the AC or AC Coordinator would be required. Trees, shrubs, or vegetation over 4 inches in diameter at the base requires approval.
- b.** Trees that are in immediate danger of creating damage or harm may be removed without written prior approval; however, every effort should be made to notify the Architectural Coordinator. Written explanation must be submitted promptly thereafter to the AC.
- c.** No topping of trees is allowed.
- d.** The AC may assess fines, and require replanting of trees removed without a request for approval or a valid written explanation.

See **Addendum C** for “Tree Removal/ Vista Pruning for New Home Construction Request Form”

Signage

No signs shall be erected or maintained on any property without AC approval. AC standards apply, but are not limited to the following signs:

- A. **For Sale Signs:** Uniform “For Sale” signs shall be used throughout Bent Tree. All signs must be 8 inches by 10 inches in size, white letters on a green background. There shall be only one sign per lot located on the road frontage only. Any sign displayed on a property other than previously approved by the AC or the AC Coordinator will be removed by authorized Bent Tree personnel.
- B. **Open House Signs:** The words “Open House” can be added to any “For Sale” sign, either on the sign itself or as an insert to be added to the top of the existing sign. The insert must meet color requirements (green with white letters) and can be no larger than 4 inches by 10 inches in size. Only the words “Open House” may be used.
- C. **Decorative Signs:** Signs supporting an event (i.e. wedding, sporting event, private function) may be displayed no sooner than the day prior to the event and must be removed no later than the day after the event. Any signs remaining will be removed by authorized Bent Tree personnel. The AC or the AC Coordinator must be notified of such sign placement in advance.
- D. **Political Signs:** Political signs are strictly prohibited. Any political sign displayed will be removed by authorized Bent Tree personnel. If a property owner then displays a replacement sign, it will be removed without contact and the property owner will be fined according to the Bent Tree fining policy.
- E. **Improved Lot Identification Signs:** Signs identifying individual improved lots are **mandatory** for the safety of all property owners. Lot number and 911 address are to be included on the sign. Lot identification signs are located at the front of the property, near the driveway. These signs are considered a “casual encroachment” of Bent Tree Right of Way if placed outside the front property line. Cedar posts/signs can be ordered through the Administration Office. A request form is not necessary if the property owner chooses to use the style of lot identification sign suggested in Addendum B of the Remodeling, Maintenance, and Landscaping Handbook. Any other style or type of sign must be approved by the AC.
- F. **General Contractor/Builder Signs:** Only builders are allowed to display 18” by 24” signs on the individual job site. No “contractor/sub-contractor” signs are allowed. Bent Tree Community, Inc. has the authority to display special event signage.

Decorative Appurtenances/Yard Art

In the interest of maintaining the natural appearance of Bent Tree, the AC has developed the following guidelines for exterior decorations:

- A. Excessive placement of statues, bird baths, or any yard ornamentations is discouraged.
- B. Bright colors are discouraged.
- C. Items that express prejudice, religious slander, or are offensive in nature are strictly prohibited.
- D. Holiday decorations are allowed with the following conditions:
 - 1. National holidays only.
 - 2. No inflatable decorations.
 - 3. Holiday displays must be removed no later than 2 weeks after the holiday.

Artificial flowers/greenery placed on common property is prohibited. Any decoration of this nature should be limited to front steps/home entries and front doors.

Tarpaulins

Tarps used must be of a dark, subdued color; brown, black or dark green. Any other color is prohibited for long-term use. Other colors may be used temporarily for a maximum of 6 months while repairs are underway.

Exterior Lighting

Exterior lighting should meet the following requirements:

- A. Exterior lighting shall not exceed 1700 lumens per light fixture and shall be shielded by an opaque material or directed downward at least 45 degrees.
- B. Lighting placed on the driveway or walkway shall be no closer than 5 feet apart.
- C. All exterior lighting must be off between 11 pm and 6 am, except for driveway, walkway or front door lights with less than 250 lumens per light fixture.
- D. Exterior lighting can be turned on for a short duration, less than 30 minutes, after 11 pm for taking out pets, late arrivals or security concerns.
- E. No colored bulbs except for seasonal decorations.
- F. No laser lights of any kind.
- G. No lights will interfere with drivers or traffic. Lights will not shine directly into neighbors' homes.
- H. Additional exceptions, when appropriate, may be approved by the Architectural Committee.

Erosion Control

The control of water runoff and erosion is the sole responsibility of each property owner. When a conflict pertaining to water runoff occurs, the involved property owners are required to resolve it independent of BTCL. The following guidelines shall apply to any new or proposed construction;

A. Per Article V, Section 20(p) of the CC&R; *No activity which may create drainage, erosion or siltation problems shall be undertaken on any lot until a written request accompanied with letters of approval from all lot owners affected thereby, has been submitted to and approved by the AC. The written request must be accompanied by complete plans, including maps showing problem areas, and specifications. The AC may, as a condition of approval of such plans and specifications, require the use of certain means of preventing and controlling such erosion or siltation. Such means may include, by way of example and not limitation, physical devices for controlling the run-off and drainage of water, special precautions in grading and requiring landscaping as provided for herein.*

B. Removal of existing plants encourages erosion. Remove as little natural growth as possible during renovations, being aware that there are specific restrictions under vegetation removal in this handbook that must be followed. Do not pile dirt around trees or shrubs that are not to be removed.

C. Cover disturbed areas as soon as possible with suitable ground cover (bark, pine straw, mulch, etc.)

D. When necessary, approved retaining walls should be constructed prior to or along with grading and provide drainage during grading and foundation work.

Alternative Energy

Solar panels may be approved under the following conditions.

- A. Panels must be dark in color
- B. Panels must be non-reflective
- C. Panels must be flush mounted
- D. Panels can only be located on the home. No yard panels are allowed.
- E. No additional trees may be removed other than in otherwise approved areas. See vegetation removal in this handbook.
- F. Request for approval must be presented in writing and include a copy of the agreement with Amicalola EMC.

The AC encourages extensive research before submission for approval. It is important to realize that all properties are not conducive to installation and maintenance. No other alternative energy devices are permitted. See Addendum B for Alternative Energy Source Policy.

VIOLATIONS AND FINING POLICY

(Effective 3/17/01)

In addition to any other remedies set forth herein or in the covenants, in the event that the Rules and Regulations of Bent Tree are violated, the Board of Directors may prescribe such penalties as it may deem appropriate. (Rule XXXVIII)

The following provisions outline procedures to be followed by BTCI in levying fines for violations of the Declaration of the BTCI Rules and Regulations or Design Standards. Fines may be assessed by BTCI, in accordance with these procedures, the provisions of the Declaration, and the Schedule of Fines established by the Board of Directors. However, fining shall be in addition to all other remedies available under the Declaration and Georgia Law, including, but not limited to, legal action, actions for injunctions, and self-help. The procedures outlined are applicable only to the fining remedy and not to any other available remedies, which may be pursued without the need for compliance with these procedures.

FINES: Property Owners may be fined for his or her violations and violations of his or her family members, guests, and contractors/builders. Contractors or Property Owners acting as builder or contractor are subject to additional fines based on violations of the AC Building Criteria.

A. General Violations: Includes but is not limited to violations of the following policies, and shall incur a fine as follows:

Class A Violations	\$1,000.00	1. Burning Policy
Class B Violations	\$100.00	
1. Pet Policy		2. Parking and Traffic Control
3. Noise Restrictions		4. Littering
5. Failure to keep lots free of trash and debris		
6. Abusive behavior toward Bent Tree employees, Board Members and Volunteers		
7. Other Declaration and Rule violations not specifically addressed in Rule XXXVIII		

In addition, those violations that require expense to the Bent Tree Community, Inc. for cleanup or other remedy, shall also incur the cost of those expenses.

B. Tree Cutting Violations Cutting of Trees on individual property owners' property with a diameter of four inches at ground level without prior AC permission shall incur a fine of **\$500.00 per tree cut.** Cutting of trees on Bent Tree Common Property is regulated under the Common Property Violations below.

C. Common Property Violations No property owner or contractor shall make any alterations to Bent Tree common property without an express written license from Bent Tree Community, Inc. This includes, but is not limited to, the willful or negligent:

Class A Violations	\$1,000.00
1. Cutting or trimming of trees	
2. Dumping of any materials	
3. Building or placement of any permanent structures	
4. Alteration of any watercourse	

5. Destruction of fixtures, accessories, furnishings, inventory or infrastructure

Class B Violations \$100.00

1. Placement or removal of any stone or other natural materials
2. Encroachment upon common property for construction access
3. Storage of materials either permanently or temporarily
4. Planting or removal of plant materials
5. Placement of any temporary items of ornamentation

In addition to these fines, further remedy for the alteration shall be pursued through the Board of Directors right to assess the cost of maintenance, repair or replacement to restore the common property against the property owner causing the alteration of the Common Property, per CC&R Section 21-B

D. AC Violations on Active Building Permits AC violations associated with an active building permit dealing with the Site Preparation and Landscaping, Site Protection and General Guidelines Sections of the Building Criteria and Design Standards shall be remedied by a Stop Work Order. Stop Work Orders will also be used where required documentation is not submitted as stipulated. Stop Work Orders will remain in effect until such time as the violation is remedied by the owner or contractor/builder.

Any alteration or modification to the approved Building Package without AC approval of the change will incur a **fine of \$100.00** and a **Stop Work Order** until a determination is considered by the AC. **Violation** of a stop work order will be subject to the fining policy.

NO CERTIFICATE OF OCCUPANCY WILL BE ISSUED FOR ANY PROPERTY UNTIL ALL FINES ARE PAID IN FULL. NO ADDITIONAL BUILDING PERMITS WILL BE ISSUED TO AN OWNER OR CONTRACTOR/BUILDER WHILE THAT PERSON IS RESPONSIBLE FOR AN ACTIVE BUILDING PERMIT UNDER A STOP WORK ORDER.

E. AC Violations Not on Active Building Permits On AC violations that are not associated with an active building permit, two (2) warning letters two (2) weeks apart will be sent to the property owner, then a **\$25.00** per day fine will be levied. Any external alteration or modification to an existing structure without AC approval of the modification will incur a fine of **\$100.00** and a **Stop Work Order** will be in force until a determination is considered and approved by the AC.

F. General Construction Violations All construction including new construction, external or internal modifications or landscape work must maintain the following:

1. Job sites clean and clear of trash, debris or other items
2. Appropriate erosion control measures, restroom facilities and posted permits at the job site when required
3. Control of subcontractors or employees from traveling through or being in Bent Tree except to and from job sites
4. Control of subcontractors or employees from creating disturbances

Violations of these requirements will incur a fine of \$100.00. Contractors may be barred from travel upon Bent Tree common property for repeated violations and/or failure to pay fines levied hereunder.

G. Appeal Process- All non-AC violations may be appealed to the Board of Directors. That right shall be waived if the written request is not received within ten (10) days of the date of the issuance of a fine. The Board will hold a hearing where the property owner or contractor may be heard, may establish ground rules on time limits and number of participants, and within seven (7) days will deliver a decision, which will be final.

Appeals for violations for tree cutting, AC matters and general construction may be appealed to the AC. The right to appeal shall be waived if the written request is not received within ten (10) days of the date of the issuance of the fine.

**CONSTRUCTION/ MAJOR ADDITION CHECK LIST FOR PERMIT
(Required "major addition" items are marked with **)**

- _____ 1. A copy of a Pickens County **Health Department Permit** to install a septic system.
- _____ 2. A copy of the Pickens County **Building Permit** for the subject property. **
- _____ 3. A copy of the recorded **warranty deed** or other verification of ownership. **
- _____ 4. An original **Letter of Credit or performance and payment bond/completion bond**
(See Addendum A, Page 9 of 10) **
- _____ 5. A **site plan** on a scale no less than 1 inch equals 30 feet, prepared by a registered land surveyor within **90 days** of the request to build, with the following shown:**
(Please include 8"x 11.5" drawings for ease of distribution)

- ___ (1) the dimensions of all boundary lines and locations of all pins **
- ___ (2) topographical contour lines on no less than five feet vertical change intervals
- ___ (3) front, side and rear minimum set-back distances indicated by dotted lines**
- ___ (4) the proposed location of the house
- ___ (5) septic system approval stamp
- ___ (6) proposed location of septic tank and the extent of the drain field**
- ___ (7) areas where tree removal is to occur**
- ___ (8) proposed location of driveways, parking areas, walks and other structures**
- ___ (9) erosion/runoff control plan of action, plus written detail as necessary**
- ___ (9a) acknowledge receipt of erosion control specifications.

_____ 6. Architectural drawings with all **floor plans**, all **exterior elevations** with **finish grade lines**, any and all **exterior lighting**, and **landscaping plans**.** (please include 8" x 11.5", also) **ALL CHANGES MADE TO THE DRAWINGS PRIOR TO SUBMITTAL FOR APPROVAL MUST BE INITIALED AND DATED. ANY CHANGES MADE THAT HAVE NOT BEEN INITIALED AND DATED WILL RESULT IN THE PLANS BEING DENIED.**

- _____ 7. Completed application for new construction, financial data and declarations. **
(See Addendum A, following pages.)
- _____ 8. ___ A. Builder/Personnel Agreement and Gate Pass List for all subcontractors. **
___ B. Builder or Owner/Builder Declarations page signed and dated. **
___ C. Blasting permit application completed. (when applicable)**
___ D. Tree removal/vista pruning request form checked and initialed. **
- _____ 9. Water service agreement initialed as to information having been provided.
- _____ 10. **Water meter fee - \$2,223.00** () check attached. **At time of payment, owner or contractor/builder must apply to the water department secretary in the Administration Office for water service.**
- _____ 11. **Impact fee - \$1,674.00** () check attached.

Note: The water and impact fees do not have to be presented at time of application, but must be paid prior to the Building Permit being issued.

- _____ 12. **Bent Tree AC review/ Building Permit fee - \$3,000.00** () check attached.
12th month renewal \$2,500.00; 25th month of construction \$ 5,000.00.
- _____ 13. **Verification of any past and/or current assessments have been paid for this property.**

Permit application page 2 of 10

**** NOTE 1:** Any house addition 100% and above of existing house footage requires a letter of credit for \$35,000 or 10% of the estimated total project cost, whichever is less. In lieu of a letter of credit, the applicant may substitute a performance and payment bond/completion bond covering the total costs and time-frame of the construction. See Planning Requirements Section 1b (page 7) for further detail.

. Additions or rebuilds from 50% to 99% require a percentage of \$35,000 equaling the percentage of square footage of the addition, in the form of a letter of credit. In lieu of a letter of credit, the applicant may substitute a performance and payment bond/completion bond covering the total costs and time-frame of the construction. See Planning Requirements Section 1b (page 7) for further detail.

An addition or rebuilds under 50% of existing house footage does not require a letter of credit nor a performance bond.

APPLICATION FOR NEW CONSTRUCTION OR MAJOR REMODELING - Page 3 of 10

Date _____ Lot number and section _____

Street number and name (911 address) _____

Owner(s) _____

Mailing address _____

Telephones, pagers, etc. _____

Builder/Contractor _____ BT Approval? _____

Builder mailing address _____

Builder telephones, pagers, etc. _____

PROPOSED CONSTRUCTION

Location: lake__ golf course __ across street from lake __ across street from golf course __

Heated area main level _____ sq. ft.; Heated second level _____ sq. ft.;
Heated area third level _____ sq. ft.; Heated basement level _____ sq. ft.

Foundation: Concrete _____ Block _____ Foundation finish: Stone _____ Stucco _____

Siding: Wood _____ Vinyl _____ Cement board _____ Stone _____ other _____

Siding color: _____ Accent color: _____

Trim color: _____ Trim color where: _____

Roof color: _____ Roof material: _____

Window type and color: _____

Gutter and downspout material and color: _____

Driveway length: _____ Material _____ Drain required? _____ (BT staff)

Culvert required? _____ (A culvert of 20-foot length and 18-inch diameter may be required in accordance with page 6, item 3 of this booklet.)

Propane tank: Size _____ Location _____ Screening: _____

Retaining walls: _____

Landscaping to be done: _____

FINANCIAL DATA of CONTRACTOR/BUILDER or OWNER/BUILDER page 4 of 10

I. An irrevocable letter of credit or performance bond from an FDIC-governed institution in the amount of \$35,000.00 made payable to Bent Tree is required of all owners prior to beginning of construction. The letter of credit expires upon receipt of the certificate of occupancy and after inspection and approval of completion of the exterior by the AC. A faxed copy will be accepted with a submitted package, but the original must be in the AC file prior to the Bent Tree Building Permit being issued.

No personal checks can be taken as credit _____ Date letter received _____

NOTE: A major addition may require a letter of credit. See Addendum A, Permit Page 1, Note 1**

2. Construction to be paid by: Bank Loan _____ Personal Funds _____ Other _____
(Please specify type and location of "other" funds.) _____

Provide name of institution _____

Loan officer: _____

Bank address: _____

Bank telephone number: _____

3. A current financial statement or letter from a banking officer attesting to the financial capability of the owner, contractor or builder to complete this proposed project is required. Received _____

4. Contractor/Builder or Owner/Builder furnish a copy of his/her liability insurance. Received _____

5. What is your background or experience which qualifies you to complete this project in a professional manner? _____

Licenses, certificates, years of experience? _____

Do you currently have other homes under construction? _____ How many? _____ Where? _____

6. If a professional contractor/builder, please list two owners for whom you have constructed a home: name, address, telephone number and duration of construction.

7. Have you had liens placed on any of your construction? Have you been sued or declared bankruptcy in the last 24 months? If so, explain _____

8. I have read, understand, and agree to all aspects of the foregoing package and this application.

Signed _____ Signed _____
Contractor/Builder - Owner/Builder - Date Owner Date

DECLARATION OF CONTRACTOR/BUILDER OR OWNER/BUILDER page 5 of 10

1. I have read and understand the Bent Tree Building Requirements and the International Building Code and will build by these standards, working at a consistent pace and keeping a clean and safe job site at all times.
2. I understand that I am responsible for the actions of my employees and all subcontractors hired for this project, and that I must notify the Architectural Coordinator and the Bent Tree Department of Public Safety of any changes to my subcontractor list.
3. I understand that any damage done to any property by me, my company or any subcontractor working for me, is my responsibility, and that I am financially responsible for repairing such damage.
4. I understand and will comply with the requirements to remove any trees cut by the power company to run electric lines to this project.
5. I understand that any changes becoming necessary to the exterior portion of the project after AC approval must go back for AC approval prior to that change being started. If such change is of an emergency nature, I will notify the Architectural Coordinator immediately to expedite such change.
6. I understand and will comply with the building site preparation required (ie: silt screening, mulch, portable toilet in place, retaining walls as necessary, gravel in graded driveway, culvert if required, all building permits and site address posted at the roadside) and will maintain these throughout construction.
7. I understand that no worker at this site may block the roadway or disable access to any other location. If the roadway must be temporarily blocked for deliveries or for safety considerations, the Architectural Coordinator or Public Safety must be notified of the time and the duration of the blockage. Flagmen, a ditch cover, etc. must be provided as needed.
8. I understand that no cars, trucks, or trailers are to be left at the site or on the roadside overnight.
9. I understand that I am required to notify the Architectural Coordinator when the exterior portion of the house and grounds is completed so that an exterior completion check may be done. Any deficiencies will be noted and a letter or notice will be sent. I will acknowledge that notice by doing that which is requested immediately, or by contacting the Architectural Coordinator with a plan of action and a schedule for these corrections.
10. Pursuant to the Bent Tree Declaration of Covenants, Conditions, and Restrictions, I understand that any member of the AC has permission to come on the property for the purpose of evaluating the progress of the project.
11. I understand that any time prior to a final inspection, Bent Tree Community, Inc. Management can request any contractor to produce proper certification (s) regarding Georgia Soil and Water Conservation Committee (GASWCC) Erosion Control Measures. Failure to possess or produce such certifications may result in an immediate Stop Work Order.

Signed – Contractor/Builder

Date

Signed - Owner

Date

LOT NUMBER _____

CONTRACTOR/BUILDER/ PERSONNEL AGREEMENT and GATE PASS LIST page 6 of 10

1. By entering Bent Tree, you are allowing Bent Tree Public Safety to search your vehicle at any time, and you are waiving your right to disallow searches.
2. You also agree to comply with all rules, policies and procedures regarding your location, litter, speeding, and all other matters.
3. Contractors/builders shall be allowed in Bent Tree to do work at their particular location, will go directly from the gate to the work site, may go to and from the 19th Hole for food if wanted, back to the work site and out through the gate at the end of work for that day. Visits to other Bent Tree amenities or staying overnight in uncompleted houses are not allowed. Presence in areas other than those permitted will be considered an **act of trespass**.
4. Your subcontractors and suppliers must know the site where they are to go (with directions), Builders' name, Owners' name, and must be aware of the above restrictions.
5. **Contractors/builders and subcontractors must complete the gate pass form and submit \$50.00 fee at the Public Safety Office in order to receive pass. Daily gate passes are also available at a cost of \$5.00 per day.**
6. Subcontractors for lot and street _____ are:

**Name of company or contractor
and approximate number of workers**

**Name of company or contractor
and approximate number of workers**

Contractor/Builder signature

Pager, cell phones, other immediate numbers

Date

WATER METER SERVICE FEE SCHEDULE

page 7 of 10

Homes are billed **quarterly** with a minimum bill per quarter, regardless of usage. **Billing begins at the time of installation of water meter**, regardless of construction status. A water contract must be signed by the owner at time of submission of meter fee and before a Building Permit is issued.

Villa units are billed **monthly**.

I understand and agree to this water fee schedule.

(Owner sign and date)

As a courtesy, upon initial installation of the water meter for your property, Bent Tree will install a pressure reducing valve at the water meter as a precautionary measure to protect your water service line. The installation of this pressure reducing valve is not required by code nor does it replace county requirement to install a pressure reducing valve in your home. These pressure reducing valves are installed with no adjustment to the factory presets. Bent Tree assumes no responsibility for the operation or maintenance of this pressure reducing valve and any subsequent replacements needed due to breakage or malfunction are strictly the responsibility of the property owner.

REQUEST FOR TREE REMOVAL OR VISTA PRUNING

Tree removal is allowed for the foundation, septic area, the driveway and twenty (20) feet from the structure of the proposed home. Crossing any property line or entering into Bent Tree Common Property or Right of Way is strictly prohibited to achieve the 20 feet allowed. Approval of the AC or AC Coordinator would be required. Trees, shrubs or vegetation over 4 inches in diameter at the base requires approval.

Form included in this package. (See Addendum C). Additional forms are available at the Administration Office.

Contractor/Builder signature

Date

Owner signature

Date

IRREVOCABLE LETTER OF CREDIT

Expires upon receipt of the certificate of occupancy and after inspection and approval of completion of the exterior by the AC. No personal checks can be taken as credit.

Letter of Credit number _____

Made payable to:

**BENT TREE COMMUNITY, INC.
40 LITTLE PINE MOUNTAIN ROAD #20202
JASPER, GEORGIA 30143**

To Whom It May Concern:

The FDIC-Governed Financial Institution (bank or credit union) named here:

_____ has established this Irrevocable letter of credit in your favor at the request of and for the account of:

_____ (owners' name) in the total amount of **THIRTY-FIVE THOUSAND (\$35,000.00) DOLLARS** or **10%** of the total estimated construction costs, whichever is less, to secure the satisfactory performance of all site preparation, exterior construction and landscaping for

LOT NUMBER _____ SECTION _____ in **BENT TREE, JASPER, GEORGIA** in accordance with the plans and specifications approved by the Bent Tree Architectural Committee.

Said funds are available by presentation of your sight draft clearly specifying the number of this credit and drawn in favor of the lot number cited above.

Drafts drawn in conformity with the conditions of this credit will be honored by us when presented at our offices on or before 2:00 p.m. on _____

Name of Institution _____

Authorized Officer (print name) _____

Authorized Officer (signature) _____

Date _____

Other notation, if any _____

Page 10 of 10

INFORMATION ON STOP-WORK ORDERS

Stop Work Orders are placed on a project when non-compliance of policy occurs, non-payment of fines, or violations are continual and not resolved.

1. If a Stop Work Order remains in effect for more than 30 days, the Bent Tree Building Permit will be revoked and will have to be renewed at current rate for such renewal.
2. The Bent Tree Building Permit will not be renewed until said violation has been satisfied.
3. A per diem fine of \$25.00 will be levied for each day during the original 30 days that a Stop Work Order is in effect. The Stop Work Order will not be lifted until such time as all applicable fees have been paid.

(Applicable Fees include the building permit renewal fee, the per diem fine and any costs assessed by Bent Tree)

During a Stop Work Order, there will be **NO** construction activity on site. Please advise your contractors and sub-contractors that when a Stop Work Order has been placed on the site, they will not be allowed to perform work of any kind until the SWO has been released. This policy also applies to any owner/contractor/builders. The violation (s) is listed on the SWO itself and must be satisfied prior to the SWO being released.

I have read and understand the above policy and will distribute this information to any involved contractors or sub-contractors.

Signature

Date

ADDENDUM “B”

ALTERNATIVE ENERGY SOURCE POLICY

The protection and betterment of Bent Tree continues to be a main concern to the Architectural Committee and the consideration of new or advanced technology is an important element of their success. Considerations that will allow compliance and reasonable decisions are vital in pursuing usage of these technologies. It is important to remember it is possible that not all properties are conducive to installation or maintenance. This policy will be added to the Building Standards Package and will read as follows:

SOLAR PANELS

Solar panels will be approved for use under the following conditions:

- Panels **must be** dark in color,
- Panels **must be** non-reflective.
- Panels **must be** flush mounted.
- Panels can only be located on the home. **No “yard” panels will be allowed.**
- **No additional** trees to be removed other than in allowed areas.

Request for approval must be submitted in writing to the AC and must include the above information as well as the number of panels and location on the home.

Please provide a copy of the agreement signed with Amicalola EMC.

Panels installed without prior approval will be treated as any other violation of policy.

NO OTHER ALTERNATIVE ENERGY DEVICES WILL BE PERMITTED WITHOUT FUTURE BOARD APPROVAL.

BENT TREE ENCOURAGES EXTENSIVE RESEARCH PRIOR TO SUBMISSION OF APPROVAL REQUESTS.

ADDENDUM "C"



Tree Removal/ Vista Pruning for New Home Construction Request Form

Property Owner _____ Telephone _____
Address _____ Section/Lot Number _____

E-Mail Address : _____

See Guidelines on page 34 for the process to follow when requesting tree removal and/or vista pruning and other applicable policies. **The owner is responsible for the removal from the lot of all debris including but not limited to cut trees, branches, logs, brush, shrubs or vegetation as an on-going process of construction.**

TREE REMOVAL Tree removal is allowed for the foundation, septic area, driveway area and twenty (20) feet from the proposed structure of the home. All trees, scrubs, or vegetation within this footprint require submission of this application and written AC approval.

Removing trees from a lot owned by another to achieve the twenty (20) feet safety zone or for any other reason is prohibited. However, this goal may be considered for AC approval through an application by the other lot owner. All native plant removal must be noted on this form. This includes, but is not limited to, native azalea and mountain laurel. Any tree, scrub, or vegetation removal on common property requires AC and GM approval if deemed minor in nature and requires BTCI approval if deemed major in nature. The AC coordinator will assist in this determination.

VISTA PRUNING

NO TOPPING ALLOWED

Vista Pruning on *privately owned property* is allowed upon approval from the AC Coordinator. Vista pruning on *common property* is allowed when approved by the AC and GM if deemed minor in nature and if deemed major in nature, the request will be referred to the Board of Directors for approval. The AC coordinator will again assist in this determination.

Describe requested action and include all required documentation.

Please make sure that all trees, shrubs and bushes are marked for Removal/Vista Pruning. Then take pictures and submit them with this form. You may drop off form and pictures at the Admin office or submit electronically: btcompliance@bent-tree.com

Owner's Signature Date _____

Approval Signature Date _____

**BENT TREE COMMUNITY, INC.
TREE REMOVAL and VISTA PRUNING GUIDELINES**

These guidelines apply to both privately owned properties and common area.

1. Request to be submitted on "Tree Removal/ Vista Pruning for New Home Construction Request Form" (previous and current page) complete with detailed description, photos, and location drawing of proposed house with reference to the trees to be cut/trimmed. Rough hand-drawn drawings are perfectly acceptable.
2. Applicant Process:
 - a. Mark each tree affected (Colored landscape tape works well):
 - (1) Tree #
 - (2) Procedure requested (R = Remove; P = Prune)
 - c. If any affected tree is on the common area, mark the boundary line with colored tape and a stick, rebar or something similar.
 - d. Take photos of marked trees and include with application. If the tree is to be removed, provide the reason on the application form and the back of the photo. If the tree is to be pruned, provide the pruning details and reason on the back of the photo and on the application.
3. Canopies must remain intact.
4. **Topping** is strictly prohibited. (Fine - \$500.00 per tree).
5. Pruning will consist of no more than 20% of the number of branches (live or dead) per tree.
6. The conditions must be met, inspected and approved prior to the tree work being begun.
7. AC coordinator will visit site to consider request.

If you have questions, ask the AC Coordinator 770-893-2629, ext. 106

Or email at btcompliance@bent-tree.com

Diagram requirement: Using copy of plat or survey (letter size), mark where trees are located that are to be cut or trimmed. Show proposed foundation, driveway, septic tank and field.