



Foothills Pointe Owners' Association

CONSTRUCTION & EXTERIOR REMODELING GUIDELINES

INTRODUCTION and CONTENTS

Building in Foothills Pointe is governed by numerous Federal, State, and County organizations, in addition to the Foothills Pointe Owners' Association (FPOA). These Guidelines have been assembled to assist FPOA property owners in the building and exterior remodeling process. Since the owner is responsible for his/her and the builder's and contractors' actions, we have tried to incorporate the information needed for both. These *Guidelines* consolidate information from the FPOA's Amended and Restated Declaration of Covenants, Conditions and Restrictions of Foothills Pointe on Tellico Lake (CC&R) and the Amended and Restated By-Laws of Foothills Pointe Owners Association, Inc. (By-Laws); Tellico Reservoir Development Agency (TRDA); United States, Tennessee, and Loudon County governments; and other local sources. Information is subject to change without notice. Additional information may be obtained from the Architectural Review Committee (ARC) and/or Board of Directors.

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NOTES:

1 - The owner is responsible for furnishing the contractor a copy of the Construction/Exterior Remodeling Guidelines.

2 - No building, fence, wall, structure on a boat dock, mailbox or other structure shall be commenced, erected or maintained on or in the community, nor shall any exterior addition, change or alteration be made, until and unless the plans and specifications show in the nature, kind, shape, height, materials and location of the same shall have been submitted to and approved by the Architectural Review Committee. This requirement also pertains to any contemplated exterior remodeling or additions to an existing structure.

3 - The contents of the Construction/Exterior Remodeling Guidelines notwithstanding, the owner is responsible for reading and complying with all provisions of the Foothills Pointe CC&R and By-Laws. FPOA is not responsible for changes in other agencies' rules, regulations, or publications.

4 – The terms “remodel” and “remodeling” within this document refers to exterior remodeling only.

BUILDING/REMODELING PERMIT PROCEDURES

The following procedures, based on the CC&R, Article IX, General Restrictions, will be used in obtaining a permit for building/exterior remodeling at Foothills Pointe. All remodeling documents are based on the technical and legal requirements for both new buildings and remodels, as applicable.

1) For new construction and remodeling, the owner will submit the following to:

Architectural Review Committee
Foothills Pointe Owners' Association
350 Southshore Drive
Greenback, TN 37742

- a) Foothills Pointe Building/Remodeling Application (two copies). (Page 7 or 8)
- b) Signed certification of receipt and understanding. (Pages 25)
- c) One set of building plans (returned by FPOA at completion of construction) to include:
 - (1) Floor plan, each level elevation drawing, each side (two copies)
 - (2) Engineers site plan showing building location within setbacks, driveway, utilities, waste treatment tank, property lines, and easements (two copies)
 - (3) Material specifications detailing exterior materials and colors, and types of windows and doors
 - (4) Mailbox design, unless constructed using a single wood or metal vertical post.
 - (5) Copy of Certificate of Insurance for building contractor.
 - (6) For new construction, a payment to "*Foothills Pointe Owners' Association*" of:

Sewer Tap Fee	\$1,130.00 (Per CC&R, Article III, Section J)
Impact Deposit	<u>\$5,000.00</u>
Total Due	\$6,130.00

- (7) The amount of Impact Deposit required on addition or remodel construction will be determined by the Architectural Review Committee but will not exceed \$5,000. Usual remodel impact deposit amount is \$1,500.00 payable to "*Foothills Pointe Owners' Association*."
- 2) The following will be used in obtaining a permit for remodeling and/or additions to existing structures:
- a) Plan for remodeling of existing structure.

- b) Elevation drawing of addition.
- c) Site plan showing entire building location within setbacks.
- d) Material specifications detailing exterior materials and colors.

Note: All Association fees must be paid through the current quarter prior to approval. An As-Built Survey is required upon completion of construction.

- 3) The Owner and Contractor will meet with the Roads and Waste Treatment Committee chairpersons to discuss and reach agreement on work site maintenance, location of the Septic Tank Effluent Pump (STEP) tank and alarm control (See **WASTE TREATMENT SYSTEM INSTALLATION section below**), and water flow. No STEP tank shall be installed without first having received FPOA approval of the location of such tank through the Waste Treatment and Architectural Review Committee chairpersons.
- 4) Upon submission of a complete set of the items indicated above, the Architectural Review Committee will review the plans at its next scheduled meeting. Within seven days of this review, the Architectural Review Committee:
 - a) Will either approve the plans or make recommendations for change.
 - b) Upon approval, the two copies of the Foothills Pointe Building or Remodeling Application will be signed and returned to the owner.
- 5) Upon completion of items 1, 2 and 3 above, the owner will submit the following to:

Tellico Reservoir Development Agency (TRDA)
59 Excellence Way
Vonore, TN 37885-9641

- a) Two signed copies of the Foothills Pointe Building or Remodeling Application
- b) One complete set of building plans.
- c) One copy of the approved site plan
- 6) The Tellico Reservoir Development Agency (TRDA) will, normally in 10 days, do the following:
 - a) Review the plans for final approval.
 - b) Compute the fees for the Building Plans Review and Handling and the Building Permit, which are dependent on the size and cost of the building.
 - c) Issue the Building Permit and the TRDA Inspection Letter upon the owner's payment of the fee to TRDA.

- 7) The County of Loudon also requires a Building Permit be issued for all construction within the county. Contact the Loudon County Building Commission and provide them with:
 - a) A set of plans for inspection
 - b) Site plan
 - c) Copy of Contractor's license and proof of Workers Compensation Insurance

Note on Loudon County Building Permit Fees:

The County building permit fee schedule is based on the estimated cost of construction. Additionally, a one-time fee for School Facilities Privilege Tax may be assessed.

- 8) The owner then needs to:
 - a) Provide the Architectural Review Committee with one copy of the Foothills Pointe Building Application, signed by the TRDA representative.
 - b) Begin construction within 90 days of the TRDA approval, if applicable.
 - c) Post both building permits at the site once construction commences.
 - d) Provide the Architectural Committee with a Drainage Plan for approval prior to final grading and driveway paving, supported by topographic drawings, showing how the drainage from the lot will be directed toward easements and existing ditch networks, including water from runoff and down spouts. Some lots can be particularly challenging to adequately drain without negatively impacting neighbors so hiring a Civil Engineer may be required to ensure that an effective plan is developed. It is the responsibility of the homeowner to successfully establish acceptable water flow from their property.

APPLICATION FOR BUILDING PERMIT

Date: _____

TO: Tellico Reservoir Development Agency
FROM: Foothills Pointe Owners Association

OWNER: _____ PHONE: _____

ADDRESS: _____

CONTRACTOR: _____ PHONE: _____

LOCATION OF BUILDING: _____

PURPOSE: Residential Solely Owner Occupied Other (explain) _____

NO. OF FLOORS: _____ HEIGHT ABOVE 1ST FLOOR LEVEL: _____

NO. OF BEDROOMS: _____ BATHS: _____ KITCHENS: _____

GARAGE (Size): _____ ATTACHED: _____ DETACHED: _____

EXTERIOR MATERIALS: _____ COLOR: _____

ROOFING MATERIAL: _____ COLOR: _____

NO. OF CHIMNEYS: _____ MATERIALS: _____

DRIVEWAY MATERIAL: _____ DRIVEWAY WIDTH: _____

TOTAL SQUARE FOOTAGE: _____ FIRST FLOOR SQUARE FOOTAGE: _____

CONDITIONED SQUARE FOOTAGE: _____ UNFINISHED SQUARE FOOTAGE: _____

DECKS (No. & size): _____ OUTBUILDINGS: _____

OTHER: _____

UTILITY CONNECTIONS (check applicable):

WATER _____ SEWER _____ ELECTRIC _____ GAS _____

SETBACKS REQUIRED: FRONT _____ SIDE _____ REAR _____

EST. CONSTRUCTION COST: _____ EST. COMMENCEMENT DATE: _____

I hereby certify that I am the owner, or agent of the owner, and that the information given herein is true and correct, and that I am authorized to obtain the Building Permit. I certify that the construction authorized by the Building Permit will be in substantial compliance with the information herein and with the Plans and Specifications submitted herewith (which are a part of the Application), that construction will comply with applicable International Building Codes, local and State Fire Codes, and building requirements and restrictions contained in the Covenants, Conditions and Restrictions of Foothills Pointe dated December 18, 2018 and recorded in Trust Book 1392, pages 457-567 in the Register of Deeds Office, Loudon County, Tennessee. I understand that if the construction and/or installation for which the Permit is issued is contrary to or not in compliance with the above requirements and regulations, violations or deficiencies must be immediately corrected, or the Permit issued may be voided and construction stopped.

Signature of Applicant Date

APPROVALS:
Plans, Specifications and Site Plan reviewed and approved for compliance with the Covenants, Conditions and Restrictions of Foothills Pointe dated December 18, 2018, and any applicable modifications thereto.

FOOTHILLS POINTE OWNERS ASSOCIATION, INC.

Date: _____

TELLICO RESERVOIR DEVELOPMENT AGENCY, APPROVAL OF PERMIT ISSUE

Date: _____

APPLICATION FOR BUILDING (REMODELING) PERMIT

Date: _____

TO: Tellico Reservoir Development Agency
FROM: Foothills Pointe Owners Association

OWNER: _____ PHONE: _____

ADDRESS: _____

CONTRACTOR: _____ PHONE: _____

LOCATION OF BUILDING: _____

PURPOSE: Remodel Add-On Extension Other (explain) _____

Project Description: _____

IF APPLICABLE:

NO. OF BEDROOMS: _____ BATHS: _____ KITCHENS: _____

GARAGE (Size): _____ ATTACHED: _____ DETACHED: _____

EXTERIOR MATERIALS: _____ COLOR: _____

ROOFING MATERIAL: _____ COLOR: _____

NO. OF CHIMNEYS: _____ MATERIALS: _____

DRIVEWAY MATERIAL: _____ DRIVEWAY WIDTH: _____

TOTAL SQUARE FOOTAGE: _____ FIRST FLOOR SQUARE FOOTAGE: _____

CONDITIONED SQUARE FOOTAGE: _____ UNFINISHED SQUARE FOOTAGE: _____

DECKS (No. & size): _____ OUTBUILDINGS: _____

OTHER: _____

UTILITY CONNECTIONS (check applicable):

WATER _____ SEWER _____ ELECTRIC _____ GAS _____

SETBACKS REQUIRED: FRONT _____ SIDE _____ REAR _____

EST. CONSTRUCTION COST: _____ EST. COMMENCEMENT DATE: _____

I hereby certify that I am the owner, or agent of the owner, and that the information given herein is true and correct, and that I am authorized to obtain the Building Permit. I certify that the construction authorized by the Building Permit will be in substantial compliance with the information herein and with the Plans and Specifications submitted herewith (which are a part of the Application), that construction will comply with applicable International Building Codes, local and State Fire Codes, and building requirements and restrictions contained in the Covenants, Conditions and Restrictions of Foothills Pointe dated December 18, 2018 and recorded in Trust Book 1392, pages 457-567 in the Register of Deeds Office, Loudon County, Tennessee. I understand that if the construction and/or installation for which the Permit is issued is contrary to or not in compliance with the above requirements and regulations, violations or deficiencies must be immediately corrected, or the Permit issued may be voided and construction stopped.

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FOOTHILLS POINTE OWNERS ASSOCIATION, INC.

Date: _____

TELLICO RESERVOIR DEVELOPMENT AGENCY, APPROVAL OF PERMIT ISSUE

Date: _____

TRDA CONSTRUCTION INSPECTION INFORMATION

The TRDA construction inspection requirements and procedures are dictated by that organization. Please contact them for their latest guidelines.

ELECTRICAL PERMIT & INSPECTION INFORMATION

Any subcontractor performing electrical work must obtain electrical permits through the Fort Loudoun Electric Cooperative. All electrical work must be done under a permit --- including the installation of the waste treatment pump and control box at each house. Call Fort Loudoun Electric Cooperative for permit information.

Electrical Inspections will be conducted by a State Inspector attached to the Fort Loudoun Electric Cooperative.

BUILDING/REMODELING REQUIREMENTS

All building must conform to the Foothills Pointe CC&R, which includes, but is not limited to, the following:

ARTICLE IX

GENERAL RESTRICTIONS

Section A. Applicable to all Lots and Living Units.

1. Use Restrictions. No Lot shall be further divided for any purpose and all Lots and Living Units are to be used solely for single family residences. Commercial activities are specifically prohibited except as stated herein. Customary home occupations which do not cause, through their operation, any increase in traffic to the community, are allowed. No stock in trade or signs shall be displayed outside a dwelling, and no alteration to any building, including permitted accessory buildings, shall indicate from the exterior that the building is being used in whole or in part for any purpose other than a residential unit. Further regulation on the uses of Lots or Living Units may be contained in Contract TV No. 60,000A.

2. Utilities Connections. Water, natural gas, electricity, and sewage disposal systems are provided with each Lot and Living Unit. All Lot and Living Unit Owners must use these and no other utility connection. The use of cesspools, septic tanks and septic tank drain fields are prohibited except those installed and maintained by the Association.

3. Structures and Size Limitations.

a. Residences.

(1) Each Lot shall have one main living structure having at least 1,400 square feet of conditioned space.

(2) Each new house shall have at least 1,000 square feet of conditioned space on the floor level at above finished grade, excluding a basement defined as a structure having 50 percent or more of the deed outside wall covered with dirt. The additional 400 square feet of conditioned space required to meet the 1,400 square foot minimum may be on the same or any other level.

(3) Building heights shall not exceed two stories, and a maximum of thirty (30) feet as measured from the main entry level to the highest peak of the roof except for Lots 162-190 which are governed by a Deed Restriction recorded at the Loudon County Tennessee Register of Deeds in Trust Deed Book 628, pages 400-407, dated August 22, 2002.

b. Garages. Each new house shall have a fully enclosed garage of sufficient size to park at least one automobile.

c. Out-Buildings; Mobile Homes. Detached garages, boat houses, and other accessory buildings are allowed with the provision that these are single story and do not exceed 1,200 square feet and are of similar and complementary architecture to the main building. Square footage of the out-building cannot exceed the square footage of the conditioned space on the floor level at or above finished grade, excluding the basement of the house on the same Lot. Mobile homes are prohibited. No home or accessory building may be located on any portion of the Lot which is outside of the designated construction area as defined by the various set-back and easement restrictions applicable to each Lot.

4. Architectural Control and Regulation. The Architectural Review Committee (the "Committee") shall be a standing committee appointed by the Board of Directors whose function is to aid Owners in their effort to build to the specifications and restrictions of the community and in aesthetic harmony with the standards of the community. No building, fence, wall, structure on a boat dock, mailbox or other structure shall be commenced, erected or maintained on or in the community, nor shall any exterior addition, change or alteration be made, until and unless the plans and specifications show in the nature, kind, shape, height, materials and location of the same shall have been submitted to and approved by the Committee. This Committee, composed of not less than three nor more than seven representatives, shall make such decision of acceptance by a majority vote. In the event that said Committee fails to accept or deny in writing any complete submissions made to it within thirty (30) days of the date of submission, the submission shall be deemed to have met the requirements of the Committee except as such construction may be in violation of the restrictions of Contract No. TV 60,000A, to which this Committee has no power to grant a variance. The Committee shall have the right to set a reasonable fee to offset the expense of review of such plans and specifications or aid it may give to Owners in the preparation of suitable submissions. This Committee may also, through its Owners or duly authorized agents, and after sufficient notice to the Owner, exercise a right of access to any individual Lot or Living Unit at reasonable hours pursuant to the performance of its function.

5. Building Plan Approval. Prior to the construction of any new residence or other structure, a complete plan shall be submitted to the Committee for review. To be complete, plans must include a site plan showing utilities, drives, building locations, property lines, easements and set-backs, a floor plan, an elevation of each side of each building, and material specifications. All construction must comply with applicable International Building Codes and local and State Fire Codes. The owner assumes all liability for completion and suitability of the structure and drainage and the Association or Architectural Review Committee shall not be held liable for any issues involved in the building, demolition, or completion of any structure.

6. Set-Back Requirements. All buildings and structures shall be set back from the street or road right of way lines and from the periphery of the Property to comply with the following standards:

a. Front Yard - there should be a minimum front yard set-back of twenty (20) feet.

b. Periphery Boundary - all buildings or structures shall be set back from the periphery boundary not less than thirty-five (35) feet.

c. Side Yard - side yard setback shall be at least seven and one-half (7½) feet from the property line to the furthest outside wall unless the set back is also the periphery boundary.

d. Rear Yard - rear yard setback shall be at least twenty (20) feet unless the set back is also the periphery boundary.

7. Driveway Requirements. To ensure adequate access for fire and other emergency equipment, no driveway shall be less than twelve (12) feet in width, nor climb grades incompatible for access by emergency vehicles, nor have an inside turning radius incompatible for access by emergency vehicles. All drives shall be paved with asphalt or concrete. Where the driveway is above the road level and to prevent water shedding from the driveway into the street, a culvert with drainage grates will be installed over the ditch and properly graded to drain in the direction of the water flow of that ditch.

8. Erosion Control/Drainage. During and after construction, soil erosion shall always be controlled in accordance with Contract TV No. 60,000A. Where an Owner causes or allows activities which cause erosion and no correction is made, the Association may, but is not obligated to, make corrections due to soil erosion and then lien the property for an amount equal to all the cost of such correction, including, but not limited to, the legal, administrative, and labor and materials costs involved.

a. Catch basins and drainage areas are for the purpose of natural flow of water only. No improvements, obstructions, or debris shall be placed in these drainage areas. No Lot or Living Unit Owner or other Person may obstruct or rechannel the drainage flows after location and installation of drainage swales, storm sewers, or storm drains.

b. Each Lot or Living Unit Owner shall be responsible for maintaining all drainage areas located on his/her Lot and, along with his/her neighbor, between his/her Lot and the neighboring Lot. Required maintenance shall include, but not be limited to, maintaining ground cover in drainage areas, and removing any accumulated debris from catch basins and common area drainage.

c. Each Lot or Living Unit Owner shall be responsible for controlling the natural and man-made water flow from its Lot or Living Unit. No Owner shall be entitled to overburden the drainage areas or drainage system within any portion of the community with excessive water flow. Lot or Living Unit Owners shall be responsible for all remedial acts necessary to cure any unreasonable drainage flows from his/her Lot or Living Unit.

d. Use of designated drainage easement areas shall be subject to prohibitions against encroachment of structures into, over, or across the drainage easement areas that impedes water flow. The Association maintains the right, but not the obligation, to enter upon and maintain drainage Easement areas along streets.

9. Antennae. No antennae or other device for the transmission or reception of radio or television signals or any other electromagnetic radiation shall be erected, used or maintained outdoors and above ground, whether attached to a building or otherwise, within the community without the written approval of the Board of Directors or its designated committee, with the exception of antenna or dish of a diameter of one meter or less. Antennas must blend with surroundings and disguised to be unobtrusive.

10. Waste Storage. All waste must be stored in sealed containers in controlled areas that are not visible to any resident and are not subject to scattering of waste by animals. The burning of waste shall not be allowed at any time.

11. Firearms. (This section of the CC&R is not applicable to construction projects.)

12. Fences. Fencing of property shall be permitted provided the design, color, and construction materials are approved by the Architectural Review Committee. No fence, gates, supporting structures, etc., shall permanently obstruct any Easement of record or exceed six feet in height. Fencing is to be for the backyard of the residence only except for instances approved by the Architectural Review Committee. All fencing will, in material, style and color, be compatible with the general appearance of the Foothills Pointe Community. No chain link fences are permitted on private property.

13. Animals/Pets. (This section of the CC&R is not applicable to construction projects.)

14. Equipment Storage. No boat, personal watercraft, mobile home, motor home, travel trailer, trailer, boat rigging, work truck larger than one-ton, recreational vehicle, motorcycle, bus, or unused or inoperable automobiles shall be parked/stored or kept in the street adjacent to any Lot or Living Unit or on any Lot or Living Unit within view of a street. No Owner of any Lot or Living Unit or any visitor or guest of any Owner shall be permitted to perform work on automobiles or other vehicles in driveways or streets other than work of a temporary nature. For

the purposes of parking, storing, or repairing a vehicle, the term "temporary" shall mean that the vehicle shall not remain in driveways or streets more than seven (7) days. An Owner can request extension of time from the Board for unusual circumstances.

15. Assurance of the Completion of Buildings. Except for construction by the Developer which is exempt, any Owner or contractor, or builder constructing structures in the Community shall furnish the Association with proof and evidence that such construction will be completed in a timely fashion, as set forth herein. At the same time, the Association shall be furnished with proof that appropriate insurance is in effect to protect the Owner from such losses which would affect the completion of the structure. The building of a house is expected to be completed within one year of the start of construction. The Lot or Living Unit Owner can request an extension in writing from the Architectural Review Committee due to extenuating circumstances. In the event of noncompliance with the time limitations set forth above, the Association shall have the right, but not the obligation, to complete the construction and to bill the Owner for actual costs incurred plus ten (10%) for administration. In the event the Owner does not pay same, the Association can collect such amounts in the same manner as Assessments.

16. Maintenance by the Association. The Association shall maintain all roads, road easements and Common Areas as shown on the Plat. The Association shall not be obligated to maintain or perform any work on private property contained on or in any Lot, except as otherwise provided herein.

The following Building Requirements are in addition to those defined by the CC&R

1. As noted in CC&R, Article IX, General Restrictions, Section A, 3, a., (3), referenced above, Phase VI (Lots 162-190) has a deed restriction specifying the elevation point from which the height of the house will be measured. It states that: "The elevation of the highest ridge of the roof on any lot in the Property may be, but shall not exceed, thirty (30) feet above the benchmark elevation. The benchmark elevation shall be the higher of the following two points: (1) the highest point along the line that is parallel to, and twenty feet into the lot from, the front lot line, and (2) the highest point along the line that is parallel to, and twenty feet into the lot from, the rear lot line." (Agreement Vacating Plat in Part and Restricting Land)

2. Roof and house colors must blend with the natural environment and be approved by the Architectural Review Committee.

3. All exposed block or concrete material on foundations, retaining walls, outbuildings, and any other concrete or block structure must be covered or colored to complement the rest of the exterior of the house, using vinyl or aluminum siding, stone, brick, stucco, or factory- or locally applied paint or stain. All architectural blocks, including the factory color, are subject to approval by the Architectural Review Committee. Painting after construction may or may not be required.

4. No structure (i.e., storage shed, deck, gazebo, fence, garage, boathouse, etc.) shall be constructed on an unimproved lot, until such time as the main structure plans have been approved; building permits issued; and construction has commenced.

5. The prohibition of constructing 'structures' in property setbacks, as defined above and in the FPOA Covenants, Conditions & Restrictions (CC&R) Article IX, General Restrictions, Section A, Para. 6, Set-back Requirements, includes any man-made object that is above grade (i.e., storage shed, deck, gazebo, fence, garage, boathouse, etc.)

6. If any obstruction is placed into a set-back that restricts authorized access, it will be the owner's responsibility to remove that obstacle, at the owner's expense, to allow access.

7. All utility lines must be placed in separate 4" sleeves whenever they pass under concrete.

8. Allow for the fact that boats, campers, recreational vehicles, and recreational equipment may not be stored in a manner to be visible from any street. Reference Article IX General Restrictions, Section A, Number 14 Equipment Storage.

9. Exteriors shall be completed within six months of the start of construction (defined as "changing the contour of the lot for the foundation or "seat")

10. Above-ground swimming pools are prohibited. All in-ground pools must be placed within the setback requirements. Concrete patios surrounding pools may extend to the lot line. The owner is responsible for any plumbing, drainage, filter lines, etc. placed within or under the concrete.

11. Strings must be placed along the side and rear lot lines prior to and during construction.

12. Prior to occupancy, an As-Built Survey must be provided to the Architectural Review Committee. All Association rights-of-way, roads and/or common property must be returned to an acceptable condition. All survey pegs, water shut off valves, and the waste treatment (sewer) shut off valves must be visible and accessible without digging. (Sewer shut off valves must be visible during the entire construction process.).

13. Mailboxes are to be installed at a height of 41-44" from the road surface to the bottom of the mailbox or point of mail entry and set back 6-8" from the front face of the curb or road edge to the mailbox door.

14. Lots 115 through 137 and lots 191 through 193 have a deed restriction that "No trees larger than 6" in diameter may be cut without written approval of the FPOA" (Plat map of Phase III, including the Villa Replat, Note 8). Trees below the "820 Line" may not be cut without permission of TVA. Heavy fines can result. Call TVA.

15. Solar panels are permitted only on structures.

OWNER/CONTRACTOR RESPONSIBILITIES

The property owner and the contractor are responsible for continually preventing damage to roads, keeping roads clean, picking up and removing debris from the roadway and neighboring lots, controlling erosion, and maintaining water drainage flow.

ROADS AND RIGHT-OF-WAY

The owner and contractor must take appropriate precautions to ensure that construction trucks and/or equipment do not damage the roads. This is particularly critical where heavy trucks leave the pavement onto soft soil, often breaking the asphalt.

Contractors/vendors **MUST** adhere to the following maximum allowable axle weights for Construction and Commercial trucks:

- **No single axle shall carry a load more than 20,000 pounds.**
- **No tandem axle group shall carry a load more than 34,000 pounds.**
- **No axle group of 3 axles (tridem) shall carry a load more than 54,000 pounds.**
- **Not to exceed 60,000 pounds Gross Vehicle Weight**

The following vehicle types and usage are exempt from the weight limits established in this notice:

- **School buses.**
- **Public and private emergency vehicles.**
- **Public utility companies and associated contracted services, including Sewage Waste Pumping Trucks.**
- **County vehicles or any other vehicle providing services for the County, including but not limited to contract services, and public and private mail service.**

The owner and contractor must keep the roads and grounds neat and clean. Realistically, in all construction there may be a certain amount of dirt on the road, especially during rainy periods. However, to prevent soil and debris from being washed, the contractor must set up silt retainers using straw bales, permanent and moveable (for driveways) plastic fencing, or other effective methods of keeping soil off the roads. If these actions fail to keep the dirt off the roads, it is the owner's and contractor's responsibility to remove dirt clumps and other debris from the roads at the end of each workday.

Cement truck drivers must be informed by the owner and contractor to dump excess cement and clean the truck only on the building site (lot) or back at their plant, and not on other lots, roadways, or common ground.

Any oil, hydraulic fluids, diesel fuel, or gasoline spilled onto the asphalt road surface must be cleaned or neutralized immediately.

You may provide parking for your workers by placing gravel on the road easement in front of your property. The gravel must be removed, and the easement reseeded at the completion of construction.

Remember, all roads in Foothills Pointe are owned by the Association members. They are private roads, not owned or maintained by the County; therefore, treat them like your own driveway.

WORKSITE (LOT) AND ROADWAY

A clean, neat worksite must be maintained and all debris, excess building materials and trash (soda cans and bottles, fast-food containers, cement bags, etc.) must be picked up from the area and properly disposed of in a commercial dumpster daily.

If you are going to use a neighbor's vacant lot for storing materials and equipment, contact that neighbor for permission first, and start your relationship off on a good note.

ASSOCIATION ACTION

Damage, including road damage, and debris not repaired or cleaned up by the owner or contractor will be repaired or cleaned by the FPOA, and the cost will be deducted from the impact deposit. Any costs more than the impact deposit will be billed to the owner.

EROSION CONTROL

Erosion control is a Federal Government requirement administered by the Tennessee Valley Authority (TVA). Appropriate erosion control methods must be employed to prevent runoff from the property into Tellico Lake or onto adjoining lots, community property, or roads. Existing drainage flow must be maintained.

SANITATION

In consideration of your neighbors and the people working on your house, a commercial portable toilet must be provided.

COMMON AREA PROTECTION

Although the Common Areas belong to all members, individual owners or their agents/contractors must not make any changes to those areas without the express written permission of the Board of Directors. This includes accessing lots with vehicles by crossing common areas, cutting trees or brush on the community property, or storing items or putting trash on the common land.

BURNING

See burning guidelines and requirements on pages 19-20. Please be considerate of your neighbors when burning; no one likes to have a house full of smoke or fires smoldering for days at a time.

DIGGING AND UTILITIES

For your safety, and in consideration of your neighbors, you should have the underground utilities on your lot marked before any digging or excavation. Call to arrange for the marking of underground gas and water pipes. Call Fort Loudoun Electric Co-op and ask for engineering to arrange for marking of underground electric lines. The utility companies require three working days' prior notification.

Call to inquire about the location of underground sewer lines. Of utmost importance is the main Waste Treatment sewer line for the community which runs between Lots 51 and 52 to the Waste Treatment facility. Lots 51 and 52 cannot be combined into one lot due to the potential damage to the main waste treatment sewer line. Before any digging occurs in the easement between Lots 51 and 52, the Waste Treatment Committee chairperson must be contacted so the line can be marked to ensure the main line is not damaged.

INFORMATION TO CONTRACTOR

The owner is responsible for providing the builder/contractor with a copy of the FPOA Construction/Exterior Remodeling Guidelines and ensuring that the builder/contractor understands and meets those requirements applying to construction and site management.

COST INFORMATION

As a homeowner, you are responsible for the following one-time connection fees and recurring costs:

UTILITY CONNECTION FEES include but are not limited to:

Water	Tellico Area Service System (TASS)
Sewer	Foothills Pointe Owners' Association (FPOA)
Electricity	Fort Loudoun Electric Cooperative (FLEC)
Gas	ATMOS Energy
Telecommunications	AT&T

WASTE TREATMENT SYSTEM INSTALLATION

The cost of the individual waste treatment system (i.e., septic tank), its installation, and its connection to the community system is the responsibility of the lot owner. The Association pays for maintenance of the system from the tank through the cells after the contractor's warranty expires.

FOOTHILLS POINTE OWNERS' ASSOCIATION FEES

Initial Contribution (when lot/house is purchased):

Unimproved	\$200.00
Improved (house on lot)	\$500.00

Construction Impact Deposit \$5,000.00 on new construction
(Refundable, see page 18 for more information)

The amount of Impact Deposit required on addition or remodeling construction will be determined by the Architectural Review Committee but will not exceed \$5,000. The amount of Impact Deposit posted will be refundable upon completion of construction as set forth on page 18.

FPOA Monthly Maintenance Fee: Billed quarterly (July, October, January, April)

MONTHLY UTILITY BILLS FOR WATER, ELECTRICITY, GAS, AND TELEPHONE.

TRASH PICK-UP

REAL ESTATE TAXES ON YOUR PROPERTY

VOLUNTEER FIRE DEPARTMENT MEMBERSHIP

Annual membership. Contact the Fire Chief at the Fire Station in Greenback for details.

NOTE: There is a significant charge for a fire call to a non-member's property.

INSURANCE COVERAGE ON YOUR PROPERTY

EXTERIOR AND INTERIOR MAINTENANCE OF YOUR HOME AND GROUNDS

ASSOCIATION FACILITIES USE

There are charges for use of some Association-owned facilities.

Note: Association fees and assessments are subject to change upon Board of Directors action.

EXPLANATION OF CONSTRUCTION/REMODEL IMPACT DEPOSIT

When you apply for a permit to build or remodel at Foothills Pointe, you provide the Association with an Impact Deposit to ensure that:

- 1) Any damage which occurs to the road, the easement area between the road and your property, neighboring lots, etc., will be repaired.
- 2) All utility access boxes, i.e., sewer and water, are uncovered or accessible without always digging during construction and thereafter.
- 3) An As-Built Survey has been provided, and the property boundary markers (survey pins) on all four corners of the lot are uncovered and visible.

- 4) Any exterior modifications, including exterior additions, changes or alterations to the original plans are submitted to and reviewed by the Architectural Review Committee prior to commencing work. Failure to do so may result in forfeiture of the deposit.

After you have completed construction/remodeling and repaired any damage done by you and/or your contractor, please send a letter to the Association at 350 Southshore Drive, Greenback, Tennessee 37742, requesting a refund of your deposit.

Upon receipt of your request, the Architectural, Roads, and Grounds Committees will inspect the area to determine that you have met the requirements. The Wastewater Treatment committee will inspect the septic system for the approved standardized installation, and proper working order. The Committees will provide their recommendation to the Board, which will take the action necessary to:

- 1) refund your deposit, or
- 2) notify you of additional corrective action/repairs that need to be accomplished prior to return of the deposit.

RULES FOR OUTSIDE BURNING IN FOOTHILLS POINTE

PURPOSE: To make members aware of State and local laws and ordinances governing outside burning, as well as presenting the guidelines established by the FPOA, to ensure that all outside burning is done legally, safely, and with the consideration of neighbors in mind.

- 1) Only natural, untreated wood products may be burned.
- 2) The following items are specifically prohibited from being burned:
 - a) Tires & other Rubber Products
 - b) Plastics
 - c) Paper products & cardboard
 - d) Paints & Chemicals
 - e) Aerosol and Food cans
 - f) Treated Wood
 - g) Building materials
 - h) Copper & electrical wires
 - i) Household trash & garbage
 - j) Leaves & trees not grown at burn site
 - k) Asphalt shingles & oils
 - l) Clothing & furniture.
- 3) No burning of standing grass, brush, or trees is permitted. All burning must take place in a controlled burn pile.
 - a) The diameter of the fire base of the pile may not exceed ten (10) feet.

- b) Only No. 1 or No. 2 grade fuel may be used to start the fire. No accelerant or other flammable may be used in the vicinity of the fire.
- 4) To ensure the safety of the neighborhood:
- a) **All fires must be attended during the entire time of the burning and must be completely extinguished and wet down before being left.**
 - b) A means of emergency extinguishing must be readily available during the entire time of burning.
 - c) The Greenback Fire Department (non-emergency number: 856-6670) should be notified prior to the beginning of the burning.
- 5) **State law requires** all persons doing outdoor burning between October 15 and May 15 to obtain a no-cost burn permit from the Tennessee Division of Forestry. Simply call the Loudon County Division of Forestry office at 986-8395, Monday through Friday from 8:00 a.m. to 4:30 p.m., and the burn permit number will be issued to you over the phone. Violation of this law is a class C misdemeanor (30 days in jail and/or \$50 fine). Tickets are issued by the Division of Forestry firefighters. Also, persons doing open burning can be held liable for all damages and suppression costs resulting from an escaped fire.

Failure to adhere to these fire rules may result in the Fire Department making a run to the fire and billing the lot owner for the cost of that run.

If possible, please consider the alternative of a chipper, shredder or like equipment.

ANTENNAS AND SATELLITE DISHES

GUIDELINES FOR INSTALLATION OF ATENNAS AND SATELLITE DISHES

To contribute to the esthetics of the community and therefore enhance the property values of all members, the Foothills Pointe Owners' Association asks that satellite dishes and/or antennas be installed with reasonable conformance to the following guidelines:

1. In all cases, satellite dishes should be placed as inconspicuously as possible when viewed from the road. Ideally, placement would be on or near the roof on the rear of the structure. If installation on the house is not a viable option, the free-standing dish should be painted to blend with its background or be hidden by surrounding vegetation.
2. Antennas should be free-standing or use another existing structure for support. Whenever possible, the antenna should be disguised or concealed as viewed from the road.

3. Both satellite dishes and antennas should always be maintained in a safe, functioning condition. When no longer in use and disconnected from the equipment they serve, these devices should be promptly removed from the property.

PROHIBITED DEVICES

In accordance with the Federal Communication Commission Rules (C.F.R. Section 1.400), the Foothills Pointe Owners' Association has prohibited installation of the following devices within the confines of the subdivision:

1. Satellite "dish" antennas with a diameter greater than one meter (39.37 inches).
2. Antenna masts higher than twelve (12) feet above the roofline.
3. Both guyed and free-standing towers.

WASTE TREATMENT SYSTEM INSTALLATION

The Foothills Pointe Owners' Association (FPOA) owns and operates the Waste Treatment System in Foothills Pointe. The collection portion of the system consists of Septic Tank Effluent Pump (STEP) tank located at each residence with a pump that transfers liquid effluent from the tank through FPOA sewer lines to the FPOA constructed wetland cells where it is treated by aerobic and anaerobic action. Solid waste remaining in STEP tanks is measured annually and pumped as required. After one (1) year from the date the lot owner takes initial occupancy of the dwelling (after contractor warranty expires), FPOA will assume responsibility for maintaining the tank, effluent pump, and control box provided the STEP tank is used in compliance with Association rules. Initial Occupancy shall be established by written notice from the lot owner to the Association. Failure to provide such notice shall relieve the Association from any obligation to repair or maintain the equipment until such notice is provided. FPOA reserves the right to specify the equipment, the manner of its installation, the installer, and the location of the STEP tank. Only FPOA approved STEP tanks can be used.

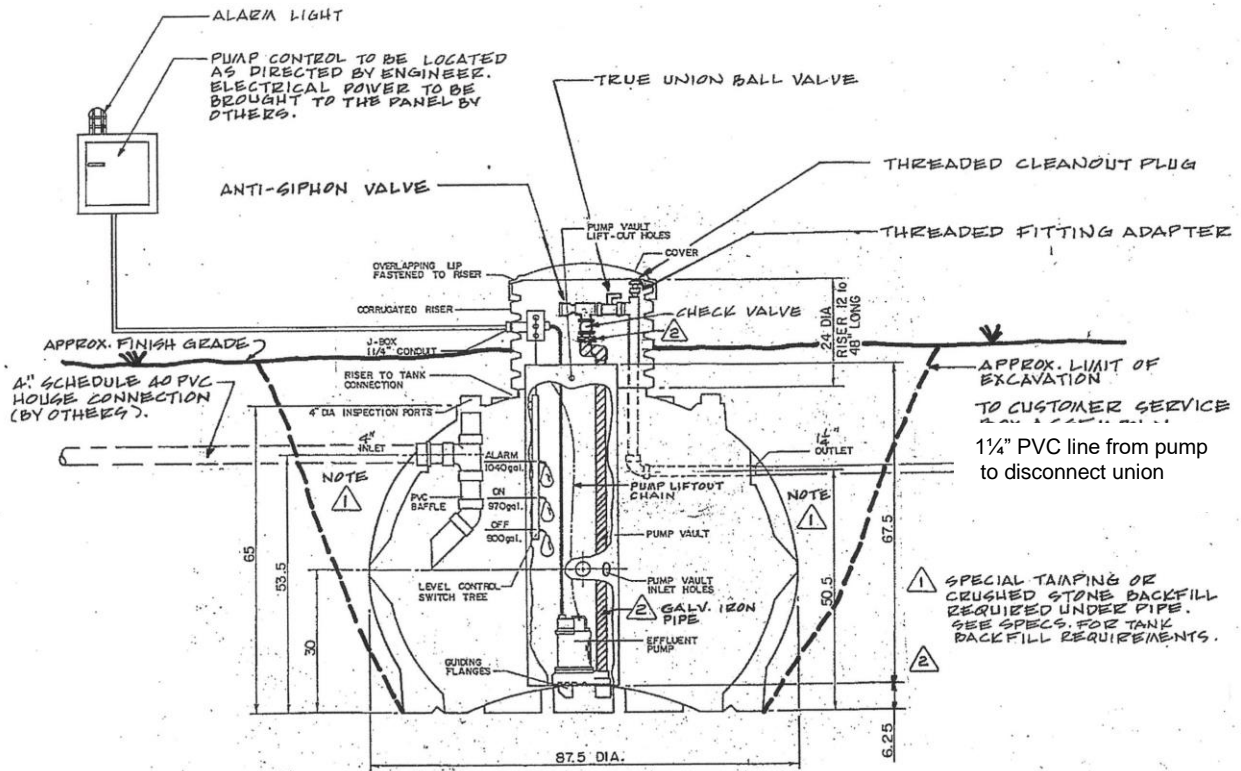
1. The STEP tank effluent pump and control panel shall be installed at owner's expense and located no more than 100 feet from a paved subdivision street or an owner's paved drive connected to a subdivision street to allow access by septic pumping vacuum trucks. For the vacuum truck to be able to remove the STEP tank contents, the tank must be located no more than 30 vertical feet lower than the logical pumper tank parking location. If access to a STEP tank requires use of a private drive, the property owner assumes any risk of damage to the paving. The Association will not provide pumping services for a tank that requires entry on a lot that is not the lot on which the serviced tank is situated, unless he/she owns that lot or has written permission from the owner of that adjoining lot for such entry. The building sewer slope from the building to the STEP tank inlet shall be 1/4 inch per foot where possible and no less than 1/8 inch per foot. The inlet of the installed STEP tank

must be located below the finished floor elevation of any surface. Regardless of the location chosen, the entire tank must be situated on the lot on which the house is located.

2. A dedicated 100-volt or 220-volt power circuit (depending on design) must be installed at a point on the dwelling immediately adjacent to the tank location. This circuit must be connected to a dedicated 30-amp, double pole breaker in the main breaker box with 10/3 wire plus a ground. A separate electrical disconnect must be installed at the site of the outside wall mounted control panel. A pump and alarm control panel will be installed immediately adjacent to the electrical disconnect at the owner's expense. The electrical disconnect and control panel must be viewable by anyone working on the pump.
3. A four-inch building drain must be extended at least 24" outside of the dwelling wall by the owner/building contractor for tank hookup. A four-inch cleanout with a removable plug must be installed in the building sewer as close to the dwelling as possible and at any change of direction in the sewer line between the dwelling and the tank. The building sewer stub-out must be located immediately adjacent to the STEP tank location unless an alternate location has been previously agreed to during initial site planning.
4. The tank must be a 1,000-gallon polyethylene tank (two access ports) for four bedrooms or less. The tank must be a 1,500-gallon polyethylene tank (two access ports) for five bedrooms or more. The STEP system must be a STEP pump with three (3) floats (pump vault with filter, union coupler and vibration damper). The recommended brand is **Goulds** or equivalent. The pump must be **.5HP** or **2HP** depending on home elevation. The pump vault needs a check valve and a True union ball valve to prevent sewer backflow during tank maintenance. A septic tank with effluent pump diagram is included in this policy.
5. Installation must be done by a **licensed state septic installer** per state law which states, "No person shall engage in the business of constructing, installing, altering, or extending or repairing a subsurface sewage disposal system unless he has a valid annual permit issued by the Commissioner."
6. Immediately upon installation, the STEP tank shall be half-filled with water. The Association has no responsibility for a tank that "floats" due to the failure of the owner to fill the tank to at least half full immediately upon installation of the tank.
7. THE FPOA RESERVES THE RIGHT TO DENY ACCESS TO THE FPOA WASTEWATER TREATMENT SYSTEM AND NOT PROVIDE EQUIPMENT MAINTENANCE.
8. There shall be a one-time sewer tap assessment to be paid by the Owner of a Lot or Living Unit to FPOA to allow the house to be tied into the Waste Treatment System.

- The newly installed septic system will be inspected by a committee member of the Wastewater Treatment committee for proper installation and functionality before the \$5,000 refundable deposit will be returned to homeowner. The septic system inspection process will be done on an as needed basis for major remodels.

SEPTIC TANK WITH EFFLUENT PUMP



CHECKLIST FOR PRE-CONSTRUCTION/REMODEL DISCUSSIONS

ROAD AND OTHER ASSOCIATION PROPERTY PROTECTION

- 1) Protect the road edge as vehicles are driven off the road, using gravel, etc.
- 2) Protect the road from scarring by tracked vehicles, vehicle braces, etc.
- 3) Spot all utility lines and protect them.
- 4) Immediately clean up or neutralize spillage of fuel and fluids on the road.
- 5) Ensure cement trucks clean out on your lot, not on the roadway or other lots.
- 6) Ensure that the workers’ parking does not damage shoulder or neighboring lots.
- 7) Restore all shoulders, easements, and neighboring lots to original conditions.
- 8) Clean dirt/mud/gravel off roads at end of each workday.
- 9) Keep trash picked up along roadway and on the lot on a daily basis.

EASEMENTS

- 1) Respect the easement lines and place all utility lines in separate 4” sleeves whenever they pass under concrete. Do not cover sewer pipes with concrete drives.
- 2) Restore to original grade and composition.

WATER FLOW AND EROSION

- 1) Do not change existing water flow patterns by dumping water on neighboring lots or roads.
- 2) Drainage problems with community water flow will be addressed by the Roads and Ditches Committee.
- 3) Silt fences must be used to protect the lake, roads, and neighboring property from soil movement.

OTHER PROPERTY

- 1) For lakefront lots, TVA owns and exclusively controls the land below the 820-foot line.
- 2) Cut no trees below the 820-foot line without TVA permission.
- 3) Make no alterations to any other lot or Association property, including drainage ditches, without permission from the FPOA Board.
- 4) Remove no trees greater than 6 inches in diameter from lots 115-137 and 191-193, without permission from the FPOA Board.
- 5) Contact the owner of neighboring property before using it for storage, parking, etc.
- 6) Place in-ground pools within the setbacks.

RESPONSIBILITY

Ultimate responsibility rests on the owner.

Discussed on: _____ By: _____

RECEIPT AND UNDERSTANDING

I have received the following documents:

- 1) Foothills Pointe Owners' Association Construction/Exterior Remodeling Guidelines
- 2) Amended and Restated Declaration of Covenants, Conditions and Restrictions of Foothills Pointe on Tellico Lake
- 3) Amended and Restated By-Laws of Foothills Pointe Owners Association, Inc.
- 4) Rules enacted by the Board of Directors of Foothills Pointe Owners' Association covering Waste Treatment System, Clubhouse, Guestrooms, Pavilion, Docks, Pool, Other, and outside burning

I understand that I am responsible for all actions taken by me and my contractors in the building/remodeling process on my Foothills Pointe property and I will furnish my contractor a copy of the Construction/Exterior Remodeling Guidelines.

I AGREE TO COMPLY WITH ALL THE REQUIREMENTS SET FORTH IN THE ABOVE-CITED DOCUMENTS.

Property Owner Signature

Date

Property Owner Printed Name

Lot Number