

MERRIMAC

Homeowner's Association Architectural Control Committee Guidelines

The Merrimac Architectural Control Committee (the Committee) has been established pursuant to the Merrimac Declaration of Covenants, Conditions and Restrictions in order to preserve property values and maintain a harmonious and compatible relationship among the houses in Merrimac. In performing this role, the Committee will use its best efforts to apply standards in a fair, consistent and predictable manner and to minimize any delays or other inconveniences to homeowners in having their plans approved.

All improvements of any kind to the lot or house (including, without limitation, residences, accessory buildings, decks, gazebos, walkways, patios, porches, terraces, pools, fences, walls, antennas, satellite dishes, lighting and landscaping) must be approved in writing in advance by the Committee.

The Committee is comprised of representative(s) of Merrimac HOA's professional management company, currently Omni Management Services Inc.

All requests must be submitted in writing to Merrimac ACC on the Merrimac Homeowner's Association Architectural Approval Request Form and must include all required items on said form. Any application without all required documentation or sufficient detail will be denied.

The Committee will be allowed 15 days from the date of receipt of the request and all required supporting documents to return its answer. If the Committee does not answer within 15 days, pursuant to the Declaration, approval may be assumed.

Submit all requests to:

Merrimac HOA
Architectural Control Committee (ACC)
C/O Sentry Management
8425 Keystone Crossing, Suite 108
Indianapolis, IN 46240
Phone: 317-251-9393
Fax: 317-251-3404

If your application pertains to construction of a new residence you must also obtain and adhere to the Merrimac Construction Guidelines "Exhibit B" which may be obtained from the Merrimac ACC.

The following guidelines are included to provide general information on how the Committee will review specific requests. All requests must be submitted in writing individually.

1. FENCING REQUIREMENTS: The ACC will generally approve the following types of fences:
 - A. Non-stockade style wood fences are generally approved, provided such fences do not exceed 4-feet in height.
 - B. Wrought iron fences are generally approved provided such fences do not exceed 4-feet in height.
 - C. Only fences constructed of a see through material such as ornamental iron or aluminum not exceeding 42 inches in height will be approved by the committee for installation on those Lots that are adjacent to the Lakes.
 - D. In no event will any stockade, horizontal wood, galvanized chain link, vinyl coated chain link, wire, or solid aluminum fences be permitted.

The design, materials and location of all fences must be approved by the ACC prior to installation.

FENCING LOCATIONS: All fencing must be approved prior to the installation of a given fence. The following are guidelines regarding fencing location, which generally will be, approved by the ACC:

- A. No fencing will be allowed in the front set back line of the house. For corner lots, this includes the side yard facing the side street of the residence.
- B. The fencing of drainage and utility easements is prohibited.

FENCING: APPROVED CONSTRUCTION TECHNIQUES: All fencing shall be constructed of quality material such as wrought iron, and treated lumber. All fencing shall be properly braced with all posts either concreted into ground or placed a depth whereby the fence will be secure and will not move.

FENCING: BRACING: All fence bracing or ribbing shall be on the inside of the fence unless otherwise approved by the ACC.

FENCING: MAINTENANCE: All fences must be maintained in a reasonable fashion. All warped boards shall be replaced in a timely basis. Any painted fences shall be maintained whereby the fence always has a reasonable appearance. The ACC shall provide notice of any maintenance violation. Such violations shall be corrected within 15 days of receipt of said notice. If the violation is not corrected, the ACC, through the Homeowners Association, retains the right to correct the violation and bill the homeowner of all applicable costs including but not limited to: Lien rights, Attorney fees, cost of repairs, interest at the manumit rate allowable by law, and all reasonable cost of collection.

2. DOG-KENNELS AND HOUSES: All kennels and doghouses must be approved by the ACC prior to construction in terms of size, location and materials. Chain link (vinyl or painted) will be allowed as long as the final location and screening as required by the ACC is approved prior to the commencement of construction. Dog kennels and houses should be placed in a location whereby they are not eyesores or nuisances to surrounding homeowners. Each kennel must be screened with either fencing or trees as approved by the ACC, depending on the individual request. All doghouses must be constructed of quality material with neutral roof colors, siding and trim painted to match the primary colors of the residence

of the applicant.

3. MINI-BARNS AND ACCESSORY STRUCTURES: Requests for the approval of mini-barns and accessory structures generally will be denied. Any other accessory structure must be approved by the ACC prior to construction and must be appropriately screened from view.
4. ANTENNAS- TV. RADIO AND SATELLITE: Generally, requests for the attachment of a TV or radio antenna to the exterior of the home or the placement of satellite dishes over 30 inches in diameter on a given lot will be denied. TV antennas will be allowed inside the attics of residences. Small satellite dishes, fewer than 30 inches in diameter, will be approved, but placement must be approved before installation.
5. DECKS: Generally, requests for decks will be approved subject to the following requirements:
 - A. The deck shall be constructed with quality materials.
 - B. Railing on the deck shall not exceed 4' in height.
 - C. Final configuration of the deck must be approved prior to the commencement of construction.
6. PORCHES, SCREENED IN PORCHES, ROOM AND GARAGE ADDITIONS: Generally, requests for attached screened in porches, room and garage additions will be approved subject to the following guidelines:
 - A. The additions shall be constructed with quality materials.
 - B. The roofline shall follow the natural roofline of the home, or be approved by the ACC.
 - C. The roof, siding and trim shall match the colors of the primary residence.
7. GAZEBOS: Generally, requests for the installation of Gazebos will be approved subject to the following guidelines:
 - A. Structure shall be built with quality materials.
 - B. Final placement of the structure must be approved by the ACC.
 - C. Height of structure shall not exceed 15'.
8. POOLS: Generally, only requests for in-ground type pools will be approved by the ACC. Any proposed grade changes must be shown on proposed plans and approved by the ACC. Generally, guidelines on fences around in-ground pools will conform to State and Local Ordinances.

POOL HOUSES: Generally, requests for pool houses and storage sheds will be denied. Pool equipment storage areas generally will be approved as long as the structure is solely used for the storage of chemicals, pumps, heaters and other pool related maintenance supplies. This structure shall not exceed 6' to the top of the roofline and shall be located directly behind the primary residence. All structures are subject to the following guidelines:

- A. The structure shall be constructed with quality materials.
- B. The roof colors shall match the color of the primary residence.
- C. No metal structures will be approved.

D. All detailed construction plans must be approved prior to the commencement of construction.

9. BASKETBALL GOALS/COURTS: Generally, requests for the installation of Basketball Goals/Courts will be approved subject to the following guidelines:

BASKETBALL COURTS:

- A. The final location of the courts shall be approved by the ACC.
- B. Generally, courts will not be approved in excess of 25'x25'.
- C. The court may consist of concrete or asphalt materials.
- D. Generally, no lighting will be permitted.

BASKETBALL GOALS:

- A. The backboard shall be made from one of the following types of materials:
 - 1. Clear Plexiglas
 - 2. Acrylic
 - 3. Graphite
- B. No wooden backboards will be approved
- C. No basketball rim/board shall be attached to the primary residence. Final location of the goal/board shall be approved by the ACC prior to installation. Generally, basketball goals will be approved if they are located adjacent to driveways.
- D. Generally portable basketball goals with graphite backboards will be approved so long as they are hidden from view when not in use.

10. LAWN ORNAMENTS: All lawn ornaments and other items added to the lot beyond the primary residence are subject to the approval of the ACC. Generally, ornamental birdbaths will be approved as long as they do not exceed three (3) feet in height. Generally, concrete lawn ornaments, which exceed 24 inches in height, such as deer, etc., will not be approved by the ACC.

11. LANDSCAPE DESIGNS & PLANTING BEDS: All landscape designs and planting beds shall be reviewed by the ACC. The ACC reserves the right to deny any request based upon a lack of conformity to the established aesthetics of the neighborhood.

12. SIGNAGE: All signage is subject to Section 6.6 of the Declaration of Covenants, Conditions and Restrictions of Merrimac in addition to local and state regulations.

The following signage is prohibited:

- A. Signs advertising goods, services or home occupations.
- B. Pennants, banners and portable signage.

13. SODDING & TREES: Generally, all front yards to front of house must be sodded, unless specifically approved by the ACC. Generally, hydro seeding of yards will be approved during certain times of the year as established by the ACC. On all corner lots, both areas adjacent to roadway shall be treated as front yards and shall be subject to sodding requirements and fencing limitations.

TREES: Minimum tree and planting bed requirements shall be established by the ACC in the New Construction Guidelines.

14. MAILBOXES: The ACC shall dictate a standard mailbox AND post in regards to size, style, color and lettering style. The mailbox will be the responsibility of the Owner or Builder.

15. LIGHTING:

EXTERIOR LIGHTING: Pursuant to the Declaration, each residence shall have one (1) coach light adjacent to the main entry door and one (1) yard light/lamp post adjacent to the sidewalk. Both must be approved by the ACC.

The cost of both shall be the responsibility of the Owner or builder of the home.

The title owner shall be responsible to keep each in good repair and shall not alter either without ACC approval.

The title owner at all times shall keep the dusk to dawn lighting in good repair with working light bulbs.

All additional lighting is subject to ACC approval prior to installation

SECURITY LIGHTING: Generally speaking, requests for the installation of outside security lighting will be approved subject to the following conditions being met:

- A. Outside light fixtures shall not exceed two standard double floodlights with light bulbs not to exceed 150 watt and 90 watt Halogen bulbs.
- B. The following lights are not approved for outside security lighting -High Intensity Discharge (H.ID.) lighting or Halogen lights in excess of 90 watts.
- C. No more than two double floodlights fixtures are requested.

16. PLAYGROUNDS: All requests for playground structures must be approved by the ACC prior to installation. Generally, requests for playgrounds will be approved subject to the following guidelines:

- A. Approved location.
- B. Construction with quality materials. Generally, requests for the installation of non commercial metal playgrounds will be denied.
- C. Height not to exceed 15' unless specifically approved by the ACC.

17. BUG ZAPPERS: Generally, requests for Electric Bug Zappers will be denied.

18. FLAG POLES: Generally, requests for flag poles will be approved subject to the pole being make of quality materials firmly secured into the ground and not exceeding twenty feet in height.

19. BIRDHOUSES: Generally, requests for birdhouses will be approved subject to the following criteria:

- A. All pole-mounted birdhouses shall be located in the rear yard of a residence secured firmly into the ground in an approved location.
- B. Quality materials shall be utilized in the construction of the birdhouse.

C. All colors shall be approved by the ACC.

20. EXTERIOR PAINTING: No change to any exterior color (base or trim) shall be made without the consent of the ACC.
21. OTHER: Any alteration or improvement made to a lot within the Community is subject to ACC approval prior to its commencement. All questions should be directed in writing to the Architectural Control Committee at the previously stated address.
22. NON INVALIDITY OF ACC GUIDELINES: No Declaration of a Court of competent jurisdiction of the invalidity of any regulation or part of a regulation contained in these guidelines shall invalidate any other portion of these guidelines.
23. CONFLICT: Any conflict or ambiguity arising from the application of the requirements of these guidelines and the requirements of the Declaration of Covenants Conditions and Restrictions shall be resolved in favor of the application of the Declaration of Covenants Conditions and Restrictions.

This document was last reviewed and revised on 4/1/09 by the Merrimac Homeowner's Association's Architectural Control Committee to preserve the property values and maintain a harmonious and compatible relationship among the houses in Merrimac as well as for compatibility with:

- A) The Declaration of Covenants, Conditions and Restrictions of the Merrimac Homeowner's Association Inc.
- B) The Amendment to the Declaration of Covenants, Conditions and Restrictions of the Merrimac Homeowner's Association Inc.
- C) The Construction Guidelines of the Merrimac Homeowner's Association "Exhibit B".

As well as to remove no longer applicable references to the Declarant and/or Developer.