

Prepared by:

Flowers Plantation Foundation

Upon recording, please return to:

Flowers Plantation Foundation

4880 NC Hwy 42 E

Clayton, NC 2727

INDEXING NOTE TO CLERK'S OFFICE:

Please index in Grantor index under "DWF Development, Inc."

Please index in Grantee index under "[Cottages at Evergreen at Flowers Plantation]," and "Cottages at Evergreen at Flowers Plantation Homeowners Association, Inc."

Please cross-reference to Declaration at Book 5164, Page 444-474

Please cross-reference to Development Agreement at Book 1615, Page 601

STATE OF NORTH CAROLINA

COUNTY OF JOHNSTON

**DESIGN GUIDELINES
FOR
Cottages at Evergreen at Flowers Plantation**

THESE DESIGN GUIDELINES are made as of the date set forth below by DWF DEVELOPMENT, INC., a North Carolina corporation ("**Declarant**").

WITNESSETH:

WHEREAS, Declarant filed that certain Declaration of Covenants, Conditions, and Restrictions for Cottages at Evergreen at Flowers Plantation which was recorded in Deed Book 5164, Page 444-474, et seq., in the office of the Register of Deeds, Johnston County, North Carolina ("**Declaration**") as amended from time to time; and

WHEREAS, Article IV of the Declaration establishes architectural standards and review procedures applicable to the property submitted to the Declaration. Article IV of the Declaration authorized Declarant to adopt and amend design guidelines ("**Design Guidelines**") to provide guidance to property owners and builders regarding matters of particular concern to the reviewer in considering applications for architectural approval. Such Design Guidelines are not intended to be the exclusive basis for decisions of the reviewer and compliance with the Design Guidelines does not guarantee approval of any application; and

WHEREAS, Declarant has sole and full authority to amend the Design Guidelines until the later of (i) that time which Rebecca D. Flowers or a successor entity owns any portion of the real property identified in Exhibits "A" or "B" to the Declaration, or (ii) such time as Declarant has a right to expand the Properties, as such term is defined in the Declaration, in accordance with Article II of the Declaration. Upon termination or delegation of Declarant's right to amend the Design Guidelines, the Architectural Review Committee established by the Board of Directors of Cottages at Evergreen at Flowers Plantation Homeowners Association, Inc. ("**Association**"), shall have the authority to amend the Design Guidelines, with the consent of the Board; and

WHEREAS, the right to expand the Properties pursuant to Article II of the Declaration has not expired; and

WHEREAS, the Properties are also subject that certain Development Agreement for Flowers' Plantation which was recorded in Deed Book 1615, Page 601, *et seq.*, by Rebecca Flowers Finch, now known as Rebecca D. Flowers ("**Development Declarant**") in the office of the Register of Deeds, Johnston County, North Carolina ("**Development Agreement**"), as amended from time to time; and

WHEREAS, the Development Agreement reserved to Development Declarant the right to review and approve or disapprove development plans and architectural guidelines, including the Design Guidelines, applicable to all of the development and construction activities within Flowers' Plantation to ensure quality development and protection of Development Declarant's residual property interests; and

WHEREAS, the right to approve the development plans and architectural guidelines pursuant to the Development Agreement has not expired;

NOW, THEREFORE, pursuant to the authority set forth in Article IV of the Declaration, Declarant has previously adopted the Design Guidelines attached hereto as Exhibit "A," and desires to record the Design Guidelines to memorialize them to be administered pursuant to the Declaration.

FURTHERMORE, Development Declarant, by executing below, has previously approved the Design Guidelines and hereby consents to and approves the recording of the Design Guidelines attached hereto as Exhibit "A" which shall continue to be applicable to the Properties.

[CONTINUED ON NEXT PAGE]

IN WITNESS WHEREOF, the Declarant hereby executes this instrument under by and through the duly authorized officer, this 28 day of July, 2021.

DECLARANT: DWF DEVELOPMENT, INC., a North Carolina corporation

By: Rebecca D. Flowers
Name: Rebecca D. Flowers
Title: President

STATE OF NORTH CAROLINA)
)
COUNTY OF JOHNSTON)

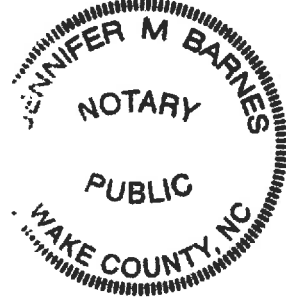
I, a Notary Public of Johnston County and State aforesaid, certify that Rebecca D. Flowers personally appeared before me this day and acknowledged to me that she voluntarily signed the foregoing document for the purposes stated therein and in the capacity as President of DWF DEVELOPMENT, INC., a North Carolina corporation.

Witness my hand and official seal, this 28th day of July, 2021.

(Official Seal)

Jennifer M. Barnes
Notary Public
Jennifer M. Barnes
(Printed Name of Notary Public)

My Commission Expires: March 17, 2024



DEVELOPMENT DECLARANT CONSENT

IN WITNESS WHEREOF, the undersigned, the Development Declarant under the Development Agreement, hereby consents to the recording of the Design Guidelines attached hereto as Exhibit "A" this

28 day of July, 2021

DEVELOPMENT DECLARANT:

Rebecca D. Flowers

Rebecca D. Flowers (formerly known as Rebecca Flowers Finch)

STATE OF NORTH CAROLINA)

)

COUNTY OF JOHNSTON)

I, a Notary Public of aforesaid County and State, certify that Rebecca D. Flowers, formerly known as Rebecca Flowers Finch, personally appeared before me this day and acknowledged to me that she voluntarily signed the foregoing document for the purposes stated therein.

Witness my hand and official seal, this 28th day of July, 2021.

(Official Seal)

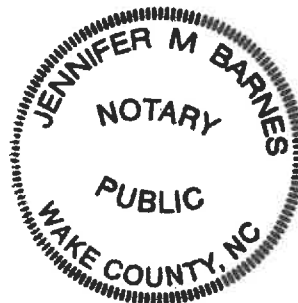
Jennifer M. Barnes

Notary Public

Jennifer M. Barnes

(Printed Name of Notary Public)

My Commission Expires: March 17, 2024





FLOWERS PLANTATION

DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR COTTAGES AT EVERGREEN AT FLOWERS PLANTATION

DESIGN GUIDELINES SPECIFIC TO COTTAGES AT EVERGREEN SUBDIVISION

- Each home must be submitted for architectural review and approved by the Declarant before construction begins.
- All homes must be one of the approved color palettes chosen by the Declarant.
- Fencing is allowed per specification in covenants.
Site plan and setbacks and photo required to be submitted to Declarant of approval prior to installation.
- Exterior materials shall be brick, stone or cement board, or a combination of the two. No vinyl siding allowed.
- Exterior roof line shingles are to be weathered wood and architectural and dimensional.
Color schemes and metal roofs over the porches etc. are to be pre-approved prior to installation.
- Columns will be a minimum of 10".
- Spectrum Cable is preferred over satellite dishes however if dish is chosen it must be 18" or less in diameter and inconspicuous.
- GFL is the company that must be used for trash removal.
- No outbuildings are allowed.
- Bermuda sod will be used on all lots in Cottages at Evergreen.