

M I D L A N D

Residential Architectural and Landscape Design Guidelines

January 1, 2024

General Provisions

1. **Purpose.** The policies stated in this document are guidelines to be used by the Architectural Review Board (the “Board”) in the homeowner request review process. The final decision of the Board will consider these guidelines, each individual homeowner’s site plan, and impact on the overall community.
2. **Overview.** The Declaration of Covenants, Conditions, and Restrictions (“CCRs”) requires an application to be submitted to the Board prior to beginning of any exterior modifications. To avoid delay, include with the application dimensions, color, location, photographs, and material list. Any homeowner planning an exterior improvement/landscaping must contact the Midland Owners Association for approval **prior** to beginning the project. To avoid possible conflicts in the event an exterior improvement/landscaping is not in accordance with the CCRs, the Board urges homeowners to follow the application process.
3. **Schedule.** Requests for Architectural Review must be submitted on the approved form with a site layout showing the location of all changes. See Exhibit A for the required Architectural Review Form. While the CCRs allow for a lengthy time frame for review, the Board will endeavor to process all reviews within seven days.
4. **Fees.** The Board reserves the right to establish and collect fees for the review of applications. Review fees, if any, will be provided through notice to the applicants.
5. **Conflict.** Any conflict or ambiguity arising from the application of these Design Guidelines and the requirements of the Declaration of Covenants, Conditions, and Restrictions for Midland shall be resolved in favor of the application of the Declaration of Covenants, Conditions, and Restrictions.
6. **Separability.** No declaration of a court of competent jurisdiction of the invalidity of any single regulation or part thereof contained in these design guidelines shall invalidate any other portion of these design guidelines.
7. **Visibility at Intersections.** No fence, wall, hedge or shrub planting that obstructs sight lines at elevations between two (2) and six (6) feet above the street shall be placed or permitted to remain on any corner lot within the triangular area formed by the street property lines and a line connecting points twenty (20) feet from the intersection of said lines, or in the case of a rounded property corner, from the intersection of the street lines extended. The same sight-line limitations shall apply to any Lot within ten (10) feet from the intersection of a street line with the edge of a driveway pavement or alley line. No tree shall be permitted to remain within such distances of such intersections unless the foliage lines are maintained at sufficient height to prevent obstruction of such sight line.
8. **Changes That Do Not Require Approval.** The Board has adopted a policy that some exterior modifications will not require approval:
 - a. Decorative flower boxes
 - b. Repainting with colors identical to the existing colors
 - c. Gutters in materials and colors consistent with the color of the house
 - d. Removal and replacement of dead landscaping in existing beds/locations



9. **Prohibited Changes.** Some modifications will not be approved. The following are prohibited by the CCRS:
- a. Clotheslines
 - b. Dog runs
 - c. Any mailbox other than mailbox provided with the home
 - d. Chain-link and wood fences
 - e. Detached garages
 - f. Violations of setback lines
10. **Guidelines for Typical Architectural Requests.** In dealing with individual requests, the Board considers cohesiveness of design, location, topography, visibility to other units, suitability of materials, workmanship, and effect on property values. This means requests will be considered individually. What is approved for one lot may not be approved for another if those considerations are substantially different. In general, however, the same guidelines will apply to all lots. The following guidelines for typical architectural modifications are the current policy of HOA. All the following modifications require approval. However, this is not a complete list; the absence of an item does not mean approval is not required.
11. **Variable-Width Use Easement** Each Lot that has a use easement will have said easement on the living side of the home. The living side of the home is defined as the side that has the side porch. Generally, this use easement extends to within one (1) foot of the neighboring home. This use easement allows for landscaping and fencing including privacy screening provided none of same blocks the basement window wells or hose bibs of the neighboring home. The easement does not allow for any permanent structures to be constructed, nor does it allow for any fence or landscape feature to be attached to the neighboring home. See the Plat and the CCR's (Section 11.14) for detailed information about Variable-Width Use Easements.



Architectural and Landscape Design Guidelines

1. Accessory Structures

Mini-barns, sheds or other accessory structures are not allowed.

2. Antennae – Television, Radio and Satellite Dishes

- a. No installation or construction of the same shall begin or occur without express written approval by the Board.
- b. Television and radio antennas will not be allowed.
- c. Satellite dishes cannot exceed eighteen (18) inches in diameter and must be reasonably concealed from view of neighboring lots as is possible.
- d. The system must have an in-line surge protector and must be grounded separately so as not to interfere with the home's ground.
- e. The signal from a satellite dish cannot be shared with other homes.

3. Arbor/Trellis

- a. No installation or construction of the same shall begin or occur without express written approval by the Board.
- b. An arbor/trellis should be a continuation or complement of the architectural style of the house both in design, color and materials. Design, color and materials that are not part of or do not complement the house should not be introduced.
- c. Color must be solid earth tones, stained or natural.
- d. Overall height is limited to 10 feet.
- e. Locations are limited to within the side or rear yard and located within the building setback lines unless otherwise approved by the Board. For lake front lots, the structure cannot hinder the peripheral view of adjacent neighbors. Lot is limited the choice of one of the following: gazebo, arbor, trellis, swing set or play structure.

4. Awnings

- a. No installation or construction of the same shall begin or occur without express written approval by the Board.
- b. In general, exterior awnings will be prohibited unless demonstrated to be clearly compatible with the architectural design and qualities of the home.
- c. If approved, awnings must meet the following criteria:
 - i. They should be of a plain design without decorative features, including but not limited to: scallops, fringes, etc.
 - ii. Awning colors shall be compatible with the color scheme of the house.
 - iii. Awnings should be consistent with the visual scale of the home to which it is attached.
 - iv. Pipe frames or structural supports for canvas awnings (or similar material) should be painted to match the trim or dominate color of the house.



5. Basketball Courts

- a. No installation or construction of the same shall begin or occur without express written approval by the Board.
- b. Generally, requests for the installation of basketball courts will be approved subject to the following criteria being met:
 - i. The Board will not approve courts in excess of 50 feet by 50 feet.
 - ii. The court shall be constructed of concrete or asphalt materials.
 - iii. Generally, no lighting will be permitted.

6. Basketball Goals

- a. No installation or construction of the same shall begin or occur without express written approval by the Board.
- b. No backboard shall be attached to the primary residence.
- c. Permanent backboards must be of a translucent material such as Lexan and attached to a black pole or similar type of post. All posts must be installed in concrete.
- d. Portable basketball goals are prohibited.

7. Birdhouses

- a. No installation or construction of the same shall begin or occur without express written approval by the Board.
- b. Generally, requests for birdhouses will be approved subject to the following criteria:
 - i. All pole-mounted birdhouses shall be located in the rear yard of a residence secured firmly into the ground in a location approved by the Architectural Review Board prior to installation. The height of pole-mounted birdhouses is subject to Architectural Review Board approval.
 - ii. Quality materials shall be utilized in the construction of the birdhouse.
 - iii. The Architectural Review Board shall approve all colors.

8. Bug Zappers

Electric and electronic bug zappers or killers are not allowed.

9. Clothes Lines

Clotheslines or similar apparatus for the exterior drying of clothes will not be permitted.

10. Decks

No installation or construction of the same shall begin or occur without express written approval by the Board, other than those constructed by the builder. Homeowners are advised to consider the following factors:

- a. Scale and Style
 - i. Decks, particularly elevated decks, should be of a scale and style compatible with the home to which it is attached, adjacent homes, and the environmental surroundings.
 - ii. Railing on the deck shall not exceed four (4) feet in height.



b. **Materials and Color**

All decks, including their rails, landings and supporting posts, must be constructed only of cedar, redwood, pressure treated lumber or composite decking material; siding attached to deck must match the siding of the house to which the deck is attached. Wooden portions of the deck may not be painted. They may be stained or otherwise treated only with a transparent stain or preservative that allows the original wood grain to remain visible and that does not change its color to other than that of the types of wood cited.

c. **Under Deck Storage**

Elevated decks have an under-deck area which can have a negative visual impact on adjoining neighbors, particularly when used as an informal storage space. The use of decorative screening or landscaping to minimize adverse, visual impacts is encouraged and may be required by the Board.

11. Dog Houses

- a. No installation or construction of the same shall begin or occur without express written approval by the Board.
- b. A doghouse is limited to four (4) feet in overall height and must be located behind a perimeter fence on the lot in the rear or side yard.
- c. The roof is to be constructed of material similar to the main house (ie: asphalt shingles).

12. Exterior Air Conditioners

- a. Individual air conditioning units extending from windows are prohibited.
- b. Exterior air conditioning units or heat pumps may be relocated or added only after Board approval and if there is no adverse visual impact to adjoining properties.

13. Exterior Decorative Objects

Board approval is required for all exterior decorative objects, whether natural or man-made, that were not part of the original construction design, either as a standard or optional feature. Examples include, handrails, garden boxes and raised planters, bird baths, weathervanes, sculptures, fountains, free standing poles of all types, house identification numbers, and items attached to approved structures. These will be evaluated in terms of their general appropriateness, size, location, compatibility with architectural and environmental design qualities and visual impact on the neighborhood and the surrounding area.

14. Exterior Painting

- a. No exterior painting shall be permitted without the prior approval of the Board.
- b. Applications are not required for any repainting or re-staining that does not change a home's original colors. However, owners must obtain approval before changing the color of any externally visible portion of any unit, including siding, doors, shutters, trim, or roofing. The decision whether to approve each application will be based on a judgment as to whether the proposed change would be noticeably inconsistent or visually incompatible with the originally established color scheme of the applicant's property and surrounding neighborhood.
- c. Applications will be approved in accordance with neighborhood General Monotony Guidelines – see Exhibit C.



15. Fences & Privacy Screens

No installation or construction of the same shall begin or occur without express written approval by the Board. The Board reserves the right to inspect the fence at any time before, during, or after construction to ensure compliance with the approved fencing plan. The Board retains the sole and absolute right to dictate the use of a single fence design for installation. The attached Fence Plan indicates the types of fencing permitted, by lot type, throughout the community (see Exhibit B).

a. Approved Types

The Board will generally approve only the following for alley-load lots:

i. Fences

- a. Four foot (4'), Five foot (5') or Six foot (6') tall black metal fence of style shown as Exhibit B-1

ii. Privacy Screens

- a. Six foot (6') cedar or boral screen of style shown as Exhibit B-2
- b. Must be stained a natural or dark wood tone
- c. Must not exceed fourteen 14 feet in length. A minimum separation of seven (7) feet shall be provided between privacy screens if more than one is used on any Lot.
- d. May be located parallel to the front property line, parallel to the rear property line, or within the subject home's property line on the variable width use easement side of the home (see Exhibit B-3).
- e. Must not block basement windows or hose bibs of the home at which they are installed or either neighboring home.

b. Layout Requirements

All fencing must be approved prior to the installation of a given fence. **The approved layout of each fence will be subject to the consideration of the design of the home on the subject lot AND the design of the home on the variable width use easement side of the subject home's lot. In no case will a fence architectural review be considered prior to construction of the neighboring home being completed, including the installation of sod.** The following are guidelines regarding fencing locations that generally will be approved the Board:

- a. No fence or privacy screen will be allowed in the front yard of any home.
- b. No privacy screen will be allowed that will block a neighboring home's sight line to a lake, pond or common area.
- c. A minimum of one foot (1') of separation shall be provided between any basement window wells or hose bibs and a fence or privacy screen.
- d. Fences or privacy screens being installed on a subject lot shall not encroach into the variable width use easement area granted by the subject lot to the neighboring lot (see Exhibit B-4).
- e. No fence or privacy screen shall be placed within the utility easement located adjacent to the alley.
- f. If a fence is placed within a variable width use easement giving the appearance of connecting between two houses, the fence shall be placed a minimum of five feet (5') from the corner of the house furthest from the street (see Exhibit B-5).



c. Approved Construction Techniques

All fencing and privacy screens shall be constructed of quality materials. All fencing and privacy screens shall be properly braced and all posts shall be placed into the ground with concrete or placed at such a depth so as to ensure the fence and privacy screen will be secure and will not move. All fence and privacy screen bracing or ribbing shall be on the inside of the fence unless otherwise approved by the Board.

d. Invisible Fencing

Generally, requests for invisible fencing will be approved subject to the Board's approval of the proposed fence location prior to installation. All controller boxes and other equipment shall be hidden from view.

e. Maintenance

All fences and privacy screens must be maintained in a reasonable fashion. All damaged, dented, or faded fences and privacy screens shall be replaced on a timely basis. All stained privacy screens shall be maintained on a regular basis so the privacy screen always has a reasonable appearance. The Board 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 Board, through the Midland Owners Association, retains the right to correct the violation and bill the homeowner for all applicable costs, including but not limited to: lien rights, attorneys' fees, cost of repairs, interest at the maximum rate allowable by law, and all other reasonable costs of collection.

f. Exceptions

Fences at common amenities such as pools or other sports or entertainment facilities may be different than those allowed at private homes and are at the discretion of the Declarant.

16. Fire Pits

No installation or construction of the same shall begin or occur without express written approval by the Board.

17. Flagpoles & Flags

- a. Flagpoles are generally approved subject to Board approval of location, materials, and method of installation. Installation of the same may not begin prior to approval by the Board.
- b. Galvanized poles are not permitted.
- c. Flagpole displays of the American flag, State of Indiana flag, sport team flags and school flags including but not limited to: colleges, universities, and high schools are permitted without exception. All other flags must be approved by the Board.

18. Fountains

No installation or construction of the same shall begin or occur without express written approval by the Board.

19. Garage Additions

- a. No installation or construction of the same shall begin or occur without express written approval by the Board.
- b. Generally, requests for garage additions will be approved subject to the following guidelines:
 - i. The addition shall be constructed with quality materials.
 - ii. The roofline shall follow the natural roofline of the home or be approved by the Board.



- iii. The roof, siding, and trim shall match the colors of the primary residence.
- iv. All detailed construction plans must be approved prior to beginning construction.
- v. Garage additions must be substantially similar to the outside of the primary residence.

20. Garbage and Refuse Disposal

- a. Trash located outside residences will be kept only within covered, rigid metal or plastic containers manufactured specifically for trash purposes, or in tightly closed heavy-duty trash bags manufactured specifically for exterior use, except that recyclable material only may be left for pick-up in a bag or container provided by the collection agency. Containers should be placed at curbside no earlier than sunset before the day of regularly scheduled trash or recyclable pick-up.
- b. No lot shall be used or maintained as a dumping ground for trash. Rubbish, garbage, or other waste shall be kept in sanitary containers out of public view. Rubbish and garbage containers shall not be permitted to remain conspicuous except on days of trash collection.
- c. If trash cans are to be stored outside of the home, they are to be screened from neighboring view in any streets or alleys. All trash can screens are generally approved subject to Architectural Review Board approval of location, materials, and method of installation. Trash can screening is to be abutting house and contained in the variable width use easement that benefits subject home.
- d. Trash can screens are to be 48 inches tall, enclosed on all sides, and shall match the exterior trim of the home.

21. Gazebos

- a. No installation or construction of the same shall begin or occur without express written approval by the Board.
- b. A gazebo should be a continuation or complement of the architectural style of the house both in design, color and materials. Design, color and materials that are not part of or do not complement the house should not be introduced.
- c. Color must be solid earth tones, stained or natural.
- d. Overall height is limited to ten (10) feet.
- e. Overall area is limited to a maximum of seventy-five (75) square feet.
- f. Locations are limited to within the side or rear yard and located within the building setback lines unless otherwise approved by the Board. For lake front lots, the structure cannot hinder the peripheral view of adjacent neighbors. Lot is limited the choice of one of the following: gazebo, arbor, trellis, swing set or play structure.

22. Hot Tubs and Jacuzzis

- a. No installation or construction of the same shall begin or occur without express written approval by the Board
- b. Hot tubs and Jacuzzis are permitted in the rear yards of residences or within the variable width use easement.
- c. Hot tubs and Jacuzzis must be screened from views off of the property by a six-foot tall privacy screen or landscape screen.



23. Landscape Designs and Planting Beds

All landscape designs, including planting beds for front and side yards, are subject to review by the Board. Landscaping shall not block basement windows or hose bibs of the home at which they are installed or either neighboring home. The Board reserves the right to deny any request based upon a lack of conformity to the established aesthetics of the neighborhood.

24. Lighting, Outdoor

- a. Lighting which is a part of the original structure may not be altered or added to without prior approval of the Board. Such alterations or additions must be to improve footing, navigation or security, rather than being solely or primarily decorative.
- b. Proposed replacements or additions must be compatible in style and scale with the applicant's house, and applications must include their location, number, style, bulb color, and wattage. Recommended fixtures include low voltage ground-mounted styles that may be wholly or partially concealed by plantings.
- c. Lighting which illuminates either common areas or private property other than that on which it is installed, including reflected "backwash" behind houses, is prohibited.
- d. Proposed lighting shall not be approved if it will otherwise result in adverse visual impact to any other property, due to factors including but not limited to: location, color, or wattage. As the effects of proposed lighting may be difficult to assess prior to installation, the Architectural Review Board reserves the power to require correction, including but not limited to: removal or modification of lighting found to cause adverse impact after installation.
- e. The homeowner shall be responsible for keeping lights in good repair and shall not alter lights without Board approval.
- f. The homeowner shall at all times keep dusk to dawn lighting in good repair with working light bulbs.
- g. Exterior security lighting shall not exceed two standard double floodlights. Light bulbs in such fixtures shall not exceed 150-watt incandescent bulbs or 90-watt halogen bulbs.
- h. The following lights are not approved for exterior security lighting:
 - i. High Intensity Discharge (HID) lighting
 - ii. Halogen bulbs in excess of 90 watts.
- i. Landscape lighting shall be low voltage type lighting and should be directed downward. The Board must specifically approve uplighting and fixtures. A total landscape lighting design must be presented and approved by the Board prior to installation.
- j. All exterior lighting (ie: landscape, security, etc.) must fall within the property limits of the lot. Lighting that is directed offsite shall be prohibited.

25. Livestock and Poultry

No animals, livestock, or poultry of any kind shall be raised, bred, or kept on any lot, except that dogs, cats, and other household pets may be kept provided that they are not kept, bred, or maintained for any commercial purposes. The owners of such permitted pets shall confine them to their respective lots in such a manner so as to prevent such permitted pets from being a nuisance. Owners of dogs shall control or confine them to avoid barking that will annoy or disturb adjoining homeowners.



26. Mailboxes and Newspaper Tubes

- a. No installation or construction of the same shall begin or occur without express written approval by the Board.
- b. Mailboxes may be replaced only with units similar in size and style to those installed by the builder
- c. Mailboxes may not be altered by applying non-standard letters (such as names) or numbers, may not be painted, finished, or covered in any color or pattern other than that of original installation.
- d. The addition of tubes or other containers for delivery of newspapers is prohibited.

27. Maintenance of Property

- a. Property ownership includes the responsibility for continued maintenance of all structures and grounds which are part of the owner's lot. This includes but is not limited to: keeping buildings and structures in good condition and repair, removing all debris and unsightly material, and keeping all shrubs, trees, grass and other plantings neatly trimmed, properly cultivated, and free of weeds. This also includes the maintenance of the trees and grass located in the area between the city walk and the street.
- b. Owners shall not allow trees, shrubs, or plantings of any kind to overhang or otherwise encroach upon any street, pedestrian way, other owner's property, or common area, from ground level to a height of twelve (12) feet without prior Board approval.
- c. The Variable-Width Use Easement on each Lot shall be maintained as follows:
 - i. If the neighbor granted the Variable-Width Use Easement chooses to use any portion of the easement, maintenance of same becomes that neighbor's responsibility.
 - ii. If the neighbor granted the Variable-Width Use Easement does not choose to use the easement, each neighbor shall maintain up to the property line between the homes.
- d. Violations of these maintenance standards are violations of the CCRs and may result in action by the Midland Owners Association to remedy the situation. Additionally, owners will not alter any common area or easement except for permitted encroachments into easements. Such alterations include but are not limited to: storing personal property, allowing debris to accumulate, establishing gardens, or otherwise adding, removing, or modifying trees or other plantings.

28. Mini-barns – See Accessory Structures

29. Nuisances

Noxious or offensive activity shall not be carried on upon any lot, nor shall anything be done thereon that may be or may become an annoyance or nuisance to the neighborhood. Barking dogs shall constitute a nuisance.

30. Other Elements Not Listed

Any alteration or improvement made to a lot within the neighborhood is subject to Board approval prior to its commencement. All questions should be directed in writing to the Board.

31. Patios

- a. No installation or construction of the same shall begin or occur without express written approval by the Board.
- b. A patio must be constructed of concrete, bricks, pavers, or stone.
- c. A patio may only be constructed on the variable width use easement side of the subject lot, remaining inside of the subject home's property line.



32. Patio Cover

- a. No installation or construction of the same shall begin or occur without express written approval by the Board.
- b. A patio cover must be constructed of redwood, cedar, pressure treated lumber or a material approved by the Board. Corrugated fiberglass sheeting is not an approved cover material.
- c. The patio cover finish must be a color similar to the main house, left to finish naturally, clear sealed or sealed/stained to give the appearance of new redwood or cedar.
- d. Height is limited to home's first floor sill plate.

33. Play Equipment

- a. Swing Sets and Play Structures
 - i. No installation or construction of the same shall begin or occur without express written approval by the Board.
 - ii. Playground equipment placed on a Lot must not exceed eighteen (18) feet in length, seventeen (17) feet in width and twelve (12) feet in height.
 - iii. No playground equipment shall be placed in the front or side yard or positioned such that it would be visible from a street in the front of the Lot. Playground equipment on corner lots should be screened by a live barrier (landscaping).
 - iv. The primary structure must be made of weather resistant wood of a color appropriate to the property and must be maintained for safety.
- b. Toddler Toys
Toddler toys are defined as movable plastic play structures four feet tall or shorter that are intended for young children. Toddler toys are permitted in the rear yard of residences. They must be stored inside the residence or tucked up against the rear wall of the residence when not in use.
- c. Playhouses
Playhouses are not permitted.
- d. Lot is limited the choice of one of the following: gazebo, arbor, trellis, swing set or play structure

34. Political Signs

Political signs may be placed on Lot 30 days prior to an election and must be removed the day after the election. Political flags are not permitted.

35. Ponds

No installation or construction of the same shall begin or occur without express written approval by the Board.

36. Porches, Screened

- a. No installation or construction of the same shall begin or occur without express written approval by the Board.
- b. Generally, requests for screened porches will be approved subject to the following guidelines:
 - i. The screened porch shall be constructed with quality materials.
 - ii. The roofline shall follow the natural roofline of the home or be approved by the Board.
 - iii. The roof, siding, and trim shall match the colors of the primary residence.



- iv. All detailed construction plans must be approved prior to beginning construction.
- v. Screened porches must be substantially similar to the outside of the primary residence.

37. Room Additions

- a. No installation or construction of the same shall begin or occur without express written approval by the Board.
- b. Generally, requests for room additions will be approved subject to the following guidelines:
 - i. The addition shall be constructed with quality materials.
 - ii. The roofline shall follow the natural roofline of the home or be approved by the Board.
 - iii. The roof, siding, and trim shall match the colors of the primary residence.
 - iv. All detailed construction plans must be approved prior to beginning construction.
 - v. Room additions must be substantially similar to the outside of the primary residence.

38. Security Bars

In general, the use of security bars or grates on windows and doors will be prohibited. Exceptions may be made where the security apparatus will not be visible from the street and from adjoining properties. Homeowners concerned about the security of their homes are advised to consider alternatives, including alarms and sophisticated lock systems.

39. Security Cameras

Security Cameras are permitted provided they adhere to the following guidelines:

- a. Cameras are to be of color, style and design compatible with the architecture of exterior of the home.
- b. Cameras should be installed on the corners of the home and be positioned so as to not view directly into a neighboring home via windows, doors or porches.

40. Signage

- a. All signage is subject to local and state regulations. The Declarant and its builders reserve certain sign rights as outlined in the Covenants, Conditions, Easements, and Restrictions. All signage, except as follows, is subject to the approval of the Board. The Declarant and its builders are hereby exempted from this requirement.
- b. No signage shall be located in such a place whereby it restricts or obstructs traffic visibility. No identification signage shall be allowed within the right-of-way of a dedicated public street, nor in any area not specifically approved by the Board.
- c. Prohibited Signage. The Board generally will not approve the following signage:
 - i. Signs advertising goods, services, or home occupations.
 - ii. Pennants, banners, and portable signage not approved by the Board.
 - iii. During development, no entranceway or common area signage shall be allowed except by the Declarant and its designated builders.
 - iv. No entranceway or common area signage is allowed with the exception of the approval by the Board.



- d. Temporary Signage.
 - i. One “For Sale” or “For Lease” sign may be displayed on a Lot that is being offered for sale or lease provided that it is in such form, style, and location as the Board may require.
 - ii. The Developer shall be permitted to erect and maintain upon the property such signs as it deems appropriate to advertise the development during the construction and sale periods.

41. Solar Panels

- a. No installation or construction of the same shall begin or occur without express written approval of the Board.
- b. Solar panels will generally be approved provided they are placed, constructed or maintained upon a Lot in such a location and with such means of screening or concealment as the Board may deem appropriate to limit the visual impact of same when viewed from any street or any other Lot, whether inside or outside of the neighborhood.

42. Storm/Screen Doors

- a. No installation or construction of the same shall begin or occur without express written approval by the Board.
- b. The storm/screen door shall be without ornamentation or grillwork and finished in a color complementary of the house. Storm doors shall have transparent glass. Screen doors shall have a mesh screen (dark in color) with an even transparent look.

43. Swimming Pools

- a. No above ground swimming pools shall be permitted.
- b. Portable or inflatable wading pools, also known as “kiddie” pools, without filters and up to two (2) feet high are permitted and do not require approval by the Board provided they are concealed from view of neighboring lots as is possible and that they are stored inside of the home or garage of the home during extended periods of non-use.
- c. No installation or construction of any in-ground pool shall begin or occur without express written approval by the Board.
- d. Submissions for approval of in-ground pools should include all of the following:
 - Pool construction plan
 - Contractor plan for installation of construction drive and material staging
 - Diagram of pool on plot plan or survey report
 - Fencing plan
 - Landscape plan
 - Grading plan
- e. Approval by the Board does not exempt the homeowner from obtaining all necessary permits from the local municipality. Additionally, the Board cannot approve encroachment on setback lines without prior approval of the local municipality, which must be obtained by the homeowner.
- f. No alteration of the existing grade of any lot may be done without prior approval of the Board. Any proposed grade changes must be shown on proposed plans.
- g. Pool equipment must be screened from offsite view by solid and/or landscape screening.



h. Pool Fencing

- i. Any application for construction of an in-ground pool will not be considered unless the application is accompanied by an application for an acceptable fence design.
- ii. Fences surrounding pools must comply with state and local ordinances. Fencing materials must comply with Section 15. Fences.

i. Pool Houses

Generally, requests for pool houses with changing areas and storage sheds or mini-barns will be denied.

44. Trampolines

In-ground trampolines are permitted. No installation or construction of the same shall begin or occur without express written approval by the Board. Above ground trampolines are prohibited.

45. Trees

- a. Tree locations shall be approved by the Board prior to installation.
- b. The trunks of trees may not be located any closer than 7½ feet to the property line within drainage, utility, and landscape easements. Items placed within easements are placed at risk. Should the utilities need to be accessed, removal of items will occur at the homeowner's expense.

46. Vegetation, Maintenance of

Homeowners shall not permit the growth of weeds and volunteer trees and bushes on their lots and shall keep their lots reasonably clear from such unsightly growth at all times. If a homeowner fails to comply with this restriction, the Midland Owners Association shall cause the weeds to be cut and the lot cleared of such growth at the expense of the homeowner and the Midland Owners Association shall have a lien against the cleared lot for the expense.

47. Walls

- a. No installation or construction of the same shall begin or occur without express written approval by the Board.
- b. The architectural style and materials of any proposed wall must be compatible with the exterior finishes of the residence.
- c. Walls that divert water onto adjoining properties or that otherwise substantially change the existing drainage pattern will not be approved.

48. Window Screens

Screens intended for windows shall be integral with the window, earth toned in color and complementary with the house.

49. Wires, Cables and Lightning Rods

Wires and cables, including those installed to convey radio or television signals, and lightning rods shall be hidden, buried or secured flush with the side of each home so as to minimize visibility of same.

50. Yard Ornaments – See 13. Exterior Decorative Objects.





M I D L A N D

Exhibit A

Architectural Review Form





MIDLAND

ARCHITECTURAL REVIEW FORM

How Can We Contact You?

Please Print

Name _____ Phone _____
 Address _____ Fax _____
 Lot Number _____ Email _____

Tell Us About Your Project

I am requesting architectural approval for the following (check all that apply):

- | | | | |
|--|---|--|--|
| <input type="checkbox"/> Basketball Goal | <input type="checkbox"/> Deck/ Patio | <input type="checkbox"/> Fence | <input type="checkbox"/> Flag Pole |
| <input type="checkbox"/> Hot Tub | <input type="checkbox"/> Landscaping | <input type="checkbox"/> Play Set | <input type="checkbox"/> Room Addition |
| <input type="checkbox"/> Satellite Dish | <input type="checkbox"/> Screened Porch | <input type="checkbox"/> Shade Trellis | <input type="checkbox"/> Swimming Pool |
| <input type="checkbox"/> Other (describe): _____ | | | |

Briefly Describe The Proposed Change

Location: _____

Dimensions: _____

Would any part of the proposed change extend into any Utility, Drainage, or Sewer Easement, Landscape Easement, or Use Easement shown on the plot plan for your lot? Yes No

Please List Below The Major Construction Materials That Will Be Used

Be as specific as possible: _____

Please Note:

- Exterior materials must conform to or be sufficiently compatible with the original construction.
- Requests for exterior color/materials changes MUST include samples of color, stain, paint, brick, etc.
- All submitted materials will be retained by the Association. You may wish to make a copy for your personal records prior to submitting this form.

What Is Your Schedule For The Project?

The work will be performed by (check all that apply):

- Homeowner
 Contractor Company Name: _____



Submittal Checklist

For **ALL** submissions, the following items are required. In order to provide a quick response to you, please make sure to submit all of items.

- Architectural Review Form. This form.
- Plot Plan for your lot. The builder at closing furnished you with a plot plan for your lot. On a copy, please draw the proposed changes in the location where they will be built.
- Elevations and blueprints or working drawings indicating all dimensions.
- If available, a photograph or drawing of a similar completed project.

Sign Here

I hereby acknowledge that I have read and understand the Design Guidelines set forth by the Board and in the Declaration of Covenants, Conditions, and Restrictions.

Homeowner's Signature: _____ Date: _____

Send Your Complete Application to:

Midland Owners Association Architectural Review Board
645 W. Carmel Drive, Suite #130
Carmel, IN 46032

For Office Use Only

Date initial application was received: _____ Complete? Yes No

Date complete application was received: _____

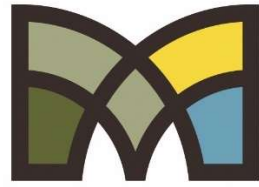
First request for additional information: _____ Submitted on: _____

Second request for additional information: _____ Submitted on: _____

Architectural Review Board Action

- Approved as submitted.
- Approved with conditions noted below.
- Disapproved. ARB Comments below.

ARB Signature: _____ Date: _____



M I D L A N D

Exhibit B

Fence Plan



Exhibit B-1

FENCE

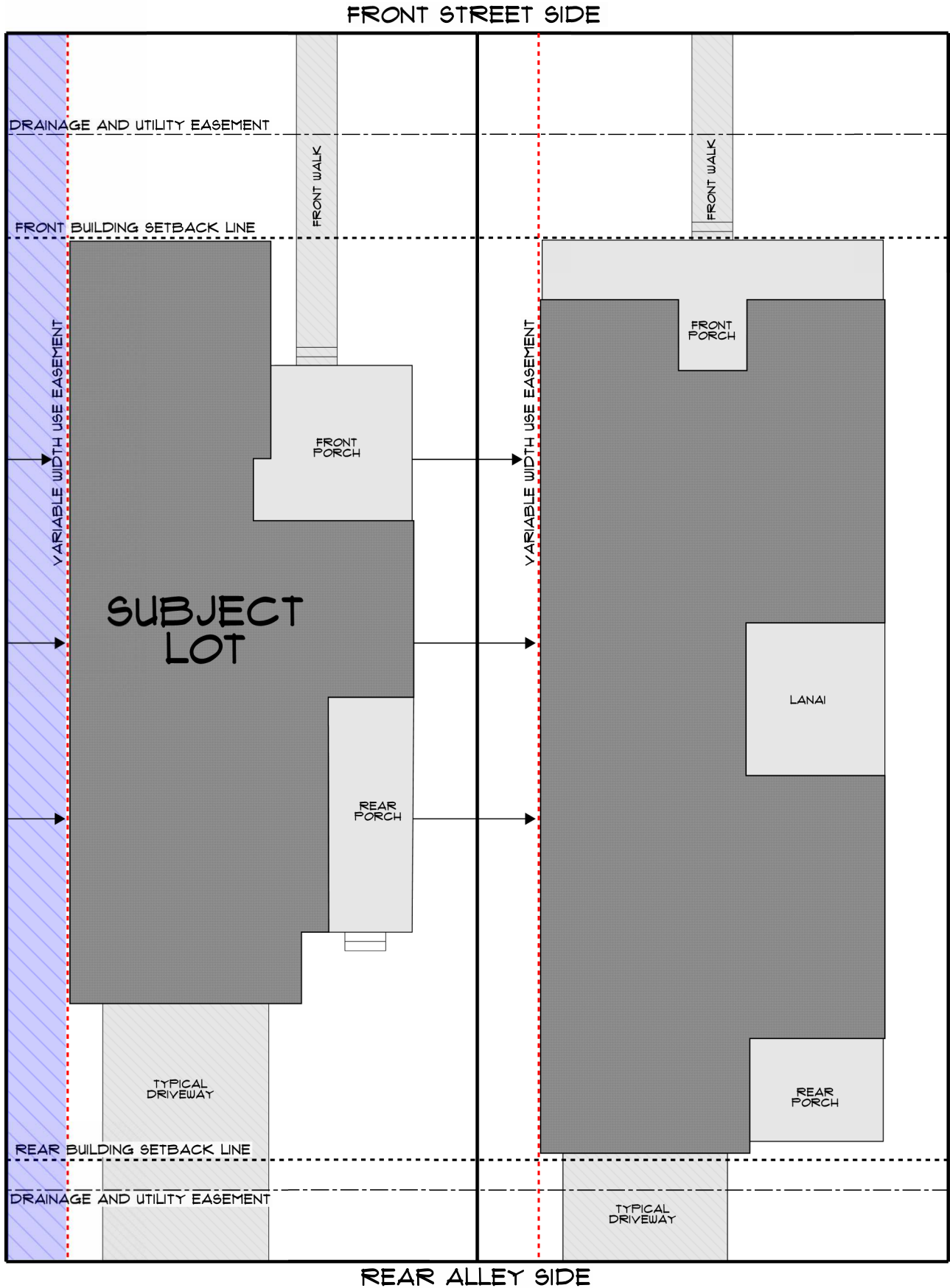


Exhibit B-2

PRIVACY SCREEN

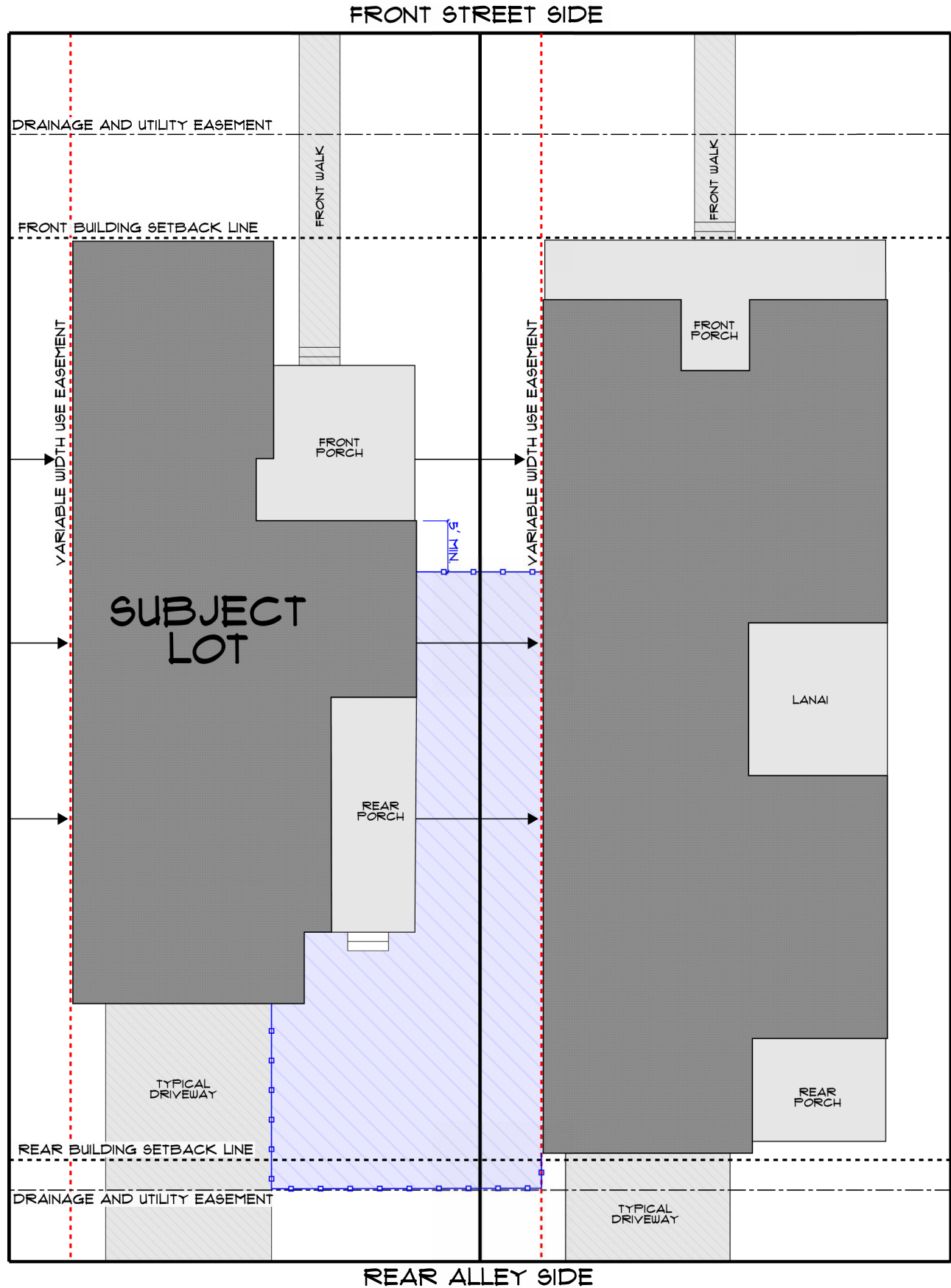


EXHIBIT B-4 NO ENCROACHMENT BY SUBJECT LOT



*FOR ILLUSTRATION PURPOSES ONLY

EXHIBIT B-5 ALLOWABLE FENCE LOCATION



*FOR ILLUSTRATION PURPOSES ONLY, SUBJECT TO BOARD REVIEW



M I D L A N D

Exhibit C

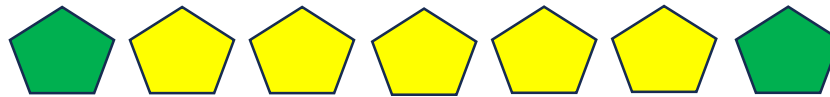
Exterior Paint Guideline




Midland Exterior Paint Guidelines





STREET




Key:

Subject home = 

NO element may be repeated = 

ONE element may be repeated = 

ALL elements may be repeated = 

Elements are defined as:

Main body of the home

Exterior trim of the home

Accents of the home (ie: doors, shutters, painted brick)

