

2088W/12/01/88

EXHIBIT C

ARCHITECTURAL PLANNING CRITERIA

WHEREAS, the Declaration of Covenants and Restrictions for Grand Oaks, being recorded simultaneously herewith in the Public Records of Palm Beach County, Florida, provides that Arvida/JMB Partners (the "Developer"), a Florida General Partnership, shall form a committee known as the Architectural Review Board (the "ARB"); and

WHEREAS, the above-referenced Declaration of Covenants and Restrictions for Grand Oaks provides that the Board of Directors of Grand Oaks Property Owners' Association, Inc. (the "Association") on recommendation of said Committee shall adopt and modify or amend from time to time Architectural Planning Criteria for Grand Oaks which criteria is to be set forth in writing and made known to all Owners and all prospective owners in Grand Oaks.

NOW, THEREFORE, the Developer has appointed a committee to be known as the ARB, and in accordance with the duties and obligations imposed upon said Committee by the Declaration of Covenants and Restrictions for Grand Oaks, the Board of Directors of the Association, upon recommendation of the ARB, does hereby adopt the following Architectural Planning Criteria:

1. **BUILDING TYPE.** No building shall be erected, altered, placed or permitted to remain on any Lot, other than one (1) detached single family residence designed by a Florida registered architect containing not less than three thousand four hundred (3,400) square feet of livable enclosed floor area (exclusive of open or screen porches, patios, terraces, garages and carports) not to exceed thirty-five feet (35') in height and having a private and enclosed garage (or carport if approved) for not less than two (2) nor more than four (4) cars. Unless approved by the ARB as to use, location and architectural design, no garage, tool or storage room may be constructed separate and apart from the residential dwelling, nor can any such structure(s) be constructed prior to construction of the main residential dwelling.

2. **LAYOUT.** No foundation for a building shall be poured, nor shall construction commence in any manner or respect, until the layout for the building is approved by the ARB. It is the purpose of this approval to assure that no trees are unnecessarily disturbed and that the home is placed on the Lot in its most advantageous position.

3. **EXTERIOR COLOR PLAN.** The ARB shall have final approval of all exterior color plans and each owner must submit to the ARB prior to initial construction and development upon any Lot a color plan showing the color of the roof, exterior walls, shutters, trims, etc. The ARB shall consider the extent to which the color plan is consistent with the homes in the surrounding areas and the extent to which the color plan conforms with the natural color scheme of and for Grand Oaks. Earthtones are recommended.

4. **ROOFS.** Flat roofs shall not be permitted unless approved by the ARB. Such areas where flat roofs may be permitted are Florida rooms, porches and patios. There shall be no flat roofs on the entire main body of a building; provided that, the ARB shall have discretion to approve such roofs on part of the main body of a building, particularly if modern or contemporary in design. Minimum pitch of roof will be four-twelfths (4/12) on homes containing more than three thousand four hundred (3,400) square feet. Mansard roofs will not be permitted. The composition of all pitched roofs shall be tile, cedar shake shingle, slate or concrete construction, or other composition approved by the ARB. Asphalt shingles will not be allowed.

White roofs will not be permitted without specific approval from the ARB.

5. Similar elevations shall not be built directly adjacent, diagonally or across from each other.

6. GARAGES. In addition to the requirements stated in Paragraph 1 hereinabove, all garages shall have a minimum square footage of four hundred fifty (450) square feet as measured from the inside wall of the garage. All garages must have either a single overhead door with a minimum width of eighteen feet (18') for a two (2)-car garage, or two (2)-eighteen foot (18') doors for a four (4)-car garage, or two (2), three (3) or four (4) individual overhead doors, each a minimum of nine feet (9') in width, and a service door. No carports will be permitted unless approved by the ARB.

7. DRIVEWAY CONSTRUCTION. All dwellings shall have a paved driveway of stable and permanent construction of at least eighteen feet (18') in width at the entrance to the garage. All driveways must be constructed with stamped colored concrete, pavers or a comparable material approved by the ARB. Where curbs are required to be broken for driveway entrances, the curb shall be repaired in a neat and orderly fashion acceptable to the ARB. No plain concrete or cool deck driveway surfaces will be permitted.

8. DWELLING QUALITY. The ARB shall have final approval of all exterior building materials. Exposed concrete block shall not be permitted on the exterior of any building or detached structure unless prior approval is obtained from the ARB. The ARB shall discourage the use of imitation materials for facades and encourage the use of front materials such as brick, four inch (4") or five inch (5") block, stone, wood and stucco, or a combination of the foregoing.

9. SIGNS. No sign of any kind shall be displayed to the public view on any Lot except the following:

A. The exclusive sales agent for the original building of a single family residence on any Lot(s) may place one (1) professional sign, approved in advance by the ARB, advertising the property for sale.

B. Homeowners shall not display or place any sign of any character including "for rent" or "for sale" signs except that a sign displaying the word "open", not to exceed six (6) square feet, may be displayed during anytime the homeowner or his designated representative is in attendance.

The size and design of all signs shall be subject to approval by the ARB.

10. GAMES AND PLAY STRUCTURES. All basketball backboards, tennis courts and play structures shall be located at the rear of the dwelling, or on the inside portion of corner Lots within the setback lines. No playform, doghouse, tennis court, playhouse or structure of a similar kind or nature shall be constructed on any part of a Lot located in front of the rear line of the residence constructed thereon, and any such structure must have prior approval of the ARB and include sufficient landscaping treatment acceptable to the ARB.

11. FENCES AND WALLS. Fences are discouraged, and when a barrier is desired, landscaping is suggested as a substitute. The composition, location and height of any fence or wall to be constructed on any Lot shall be subject to the approval of the ARB. The ARB shall require the composition of any fence or wall to be consistent with the material used in the surrounding homes and other

fences, if any. Fences will not be permitted on Lot lines. Pool fencing must be accomplished directly adjacent to pool decking unless otherwise approved by the ARB.

12. LANDSCAPING. A landscaping plan and specifications, prepared by a Florida registered architect for each Lot must be submitted to and approved by the ARB prior to initial construction and development therein. The landscape plan must be at one-eighth (1/8) scale and must show the following:

- A. Lot property lines
- B. Lot sidewalks and street pavement edge
- C. Any and all easements
- D. All exterior walls with all window and door openings
- E. All site paving, pools, planters and constructed landscape features
- F. All existing and proposed vegetation
- G. A plant list showing quantity, scientific name, common name, size/description, per unit cost and total cost for each plant.

A minimum of Fifteen Thousand and No/100 U.S. Dollars (\$15,000.00) in landscape plant material is required on each Lot, excluding sod and irrigation. Not more than twenty-five percent (25%) of the required landscaping shall be of groundcover and/or seasonal planting. In addition to required landscaping, each Lot is required to be sodded with St. Augustine "Floritam" sod and have an automatic irrigation system. The entire Lot, including that portion of the Lot between the street pavement and the right of way line, shall be irrigated and maintained. It shall be the goal of the ARB in the approval of any landscape plan and layout plan to preserve all existing trees where possible.

The Developer shall supply a detailed criteria for landscaping in Grand Oaks. Each builder and/or homeowner shall be required to plant a minimum of eight (8) shade trees per Lot. The trees shall have an initial installation size of not less than eighteen feet (18') in overall height and not less than twelve feet (12') in spread. Three (3) of the initial eight (8) trees shall be required to be planted in the rear yard (the types to be selected by the owner with a minimum of sixteen feet [16'] in height and a ten foot [10'] spread). Palms can be substituted for shade trees. However, three (3) palms will be required to receive credit for one shade tree. The Developer will plant a minimum of two (2) live oak (of the eight [8] required) near the street. A unit price shall be established for these trees which the builder will pay and which the builder may apply in satisfying the minimum landscaping requirements.

13. SWIMMING POOLS AND TENNIS COURTS. Any swimming pool or tennis court to be constructed on any Lot shall be subject to the requirements of the ARB, which include, but are not limited to the following:

- A. Composition to be of material thoroughly tested and accepted by the industry for such construction;
- B. The outside edge of any pool wall may not be closer than four feet (4') to a line extended and aligned with the side walls of the dwelling;
- C. No screening of pool area may stand beyond a line extended and aligned with the side walls of the dwelling unless approved by the ARB;

D. Pool screening may not be visible from the street in front of the dwelling;

E. Location and construction of tennis or badminton court must be approved by ARB;

F. Any lighting of a pool or other recreation area shall be designed so as to buffer the surrounding residences from the lighting;

G. Tennis court lighting shall not be permitted.

If one owner elects to purchase two (2) adjoining Lots and use one for recreation purposes, the Lot used for recreation purposes must be adequately screened by landscaping and/or walls or fences on both the front and side as required by the ARB. It shall be the intent of the ARB to screen any such use from public view.

14. GARBAGE AND TRASH CONTAINERS. No Lot shall be used or maintained as a dumping ground for rubbish, trash or other waste. All trash, garbage and other waste shall be kept in sanitary containers and, except during pickup, if required to be placed at the curb. All Lots shall be maintained during construction in a neat and nuisance-free condition.

15. TEMPORARY STRUCTURES. No structure of a temporary character, trailer, basement, tent, shack, garage, barn, or other out building shall be used on any Lot at any time as a residence either temporarily or permanently, except that the Lot may be used as a sales office during the development of Grand Oaks, or other developments by Developer in the same area. A construction trailer may be parked during the construction phase only with the express written consent to Developer on certain designated Lots.

16. REMOVAL OF TREES. In reviewing building plans, the ARB shall take into account the natural landscaping such as trees, shrubs and palmettos, and encourage the Owner to incorporate them in his landscaping plan. As a result a tree survey will be required clearly indicating which trees will be removed and which trees will remain. No trees of two inches (2") in diameter at one foot (1') above natural grade shall be cut or removed without approval of the ARB, which approval may be given when such removal is necessary for the construction of a dwelling or other improvement.

17. WINDOW AIR CONDITIONING UNITS. No window or wall air conditioning units shall be permitted.

18. MAILBOXES. No mailbox or paperbox or other receptacle of any kind for use in the delivery of mail or newspapers or magazines or similar material shall be erected on any Lot other than that approved by the Developer. If and when the United States mail service or the newspaper or newspapers involved shall indicate a willingness to make delivery to wall receptacles attached to dwellings, each property Owner, on the request of the ARB, shall replace the boxes or receptacle previously employed for such purpose or purposes with wall receptacles attached to dwellings.

19. SIGHT DISTANCE AT INTERSECTION. No fence, wall, hedge, or shrub planting which obstructs sight lines and elevations between two feet (2') and six feet (6') above the roadways 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 them at points twenty-five feet (25') from the intersection of the street lines, or in case of a rounded property corner, from the intersection of a street property line with the edge of a driveway or alley pavement. No trees shall be permitted to remain within such distances of such intersections unless the foliage line is maintained at sufficient height to prevent obstruction of such sight-lines.

20. UTILITY CONNECTIONS. Building connections for all utilities, including, but not limited to water, electricity, telephone and television shall be run underground from the proper connecting points to the building structure in such a manner to be acceptable to the governing utility authority.

21. SETBACKS. A minimum of a twenty-five foot (25') front setback must be adhered to in the construction of all houses. The rear setback must be a minimum of fifteen feet (15'). Minimum side yard setbacks will be ten feet (10').

22. ARB REPORTS. The ARB's approval or disapproval as required in the foregoing Architectural Planning Criteria shall be delivered in writing to the Board of Directors of the Association and to the Lot owner submitting same, together with a copy of the approved plans and specifications signed by the Lot owner and the contract purchaser of the Lot, if any. In the event the ARB fails to approve or disapprove plans and specifications within thirty (30) days of submission thereto, or in any event, if a suit to enjoin the construction has been commenced prior to the completion thereof, approval will not be required and the related criteria shall be deemed to have been fully complied with.