

SECOND MODIFICATION TO THE  
DECLARATION OF RESERVATIONS AND RESTRICTIVE COVENENANTS  
ROCK HARBOR

WHEREAS, the undersigned president is the elected President of the Board of Directors of the Rock Harbor Property Owners Association, Inc., and;

WHEREAS, Article XVIII of the Reservations and Restrictive Covenants, dated September 20, 2006, confer upon the Board of Directors the authority to waive or modify any of the provisions of the restrictions in its sole discretion, and;

WHEREAS, the undersigned president represents the Board of Directors of the Rock Harbor Property Owners Association, Inc. and their desire to modify the Reservations and Restrictive Covenants as more particularly set out herein.

NOW THEREFORE, be it resolved by unanimous vote of the Board of Directors of the Rock Harbor Property Owners Association, Inc. taken at the meeting dated September 29, 2013 that the Reservations and Restrictive Covenants and Modifications are modified in the following respects:

1. Article IV, paragraph 5; Contact information for Rock Harbor Property Owners Association is: Rock Harbor POA, c/o KRENZER PROPERTY MANAGEMENT, INC., 525 West Morris Blvd. Suite F, Morristown, TN 37813. Building Standards and other community information can be reviewed on the Association's website, [www.rock-harbor.com](http://www.rock-harbor.com), or by calling the PROPERTY MANAGER at phone (423) 581-4537 or FAX (423) 587-9450.
2. Article V, Clarification of acceptable home exterior materials. New technology home exterior material and their integral installation parts that replicate the natural appearance of the listed materials may be considered by the ACC. Composite, fiber- cement, hardboard, and plastic-based sidings that are not made of vinyl or aluminum are acceptable as long as they meet the association's Building Standards, are manufactured by a reputable established company and are installed according to the manufacturer's instructions. Plastic-based siding panels must be no less than (.050) inches thick. Siding means materials (as boards, logs, stones, etc.) forming the exposed surface of outside walls of frame buildings. The dominant siding material will define the classification of the siding.
3. Article V, paragraph 2, exterior staining requirement. Longer staining intervals are acceptable if selected stain manufacturer recommends a longer interval and the aesthetics of the exterior is pleasing overall. Stain or exterior treatment must not be allowed to fade and/or peel to the point the aesthetic appeal is compromised.
4. Article V, paragraph 2, exposed concrete requirement. In the case of off-site system-built foundations (for example, Superior Walls, or equivalent providers) the exposed exterior texture must be a finished product that meets one of the approved material finishes for exposed concrete.
5. Article V, paragraph 2, roof pitch requirement. The dominant/main roof must meet this requirement; a lower pitch in select areas may be considered by the ACC as long as the architectural designed roof line, overall, is aesthetically appealing.
6. Article V, paragraph 4, concrete truck restriction. Concrete truck "cleanout" is prohibited in Rock Harbor on adjacent lots, common areas or roadways. Concrete truck "cleanout" on the lot owner's property is at the discretion of the owner; however, the owner must insure "cleanout" concrete is properly disposed of before completion of exterior. Cleanout in the roadway ditches is strictly prohibited without special authorization.

7. Article V, paragraph 5, dumpster requirement. The dumpster must be on the site from start until construction is complete. The ACC may approve dump-trailers on a case by case basis. Trash and excess waste building material shall be placed in the dumpster at the end of each work day to present a clean lot and prevent debris from spreading to adjacent lots and/or throughout the development.
8. Article VII, paragraph 3, Floor Area of Residence. Completion of construction is defined as the structures exterior is finished according to approved specifications and lot is cleared, shaped and laid to lawn or seed.
9. Article VII, paragraph 7, Signs. The following exceptions to the restriction are added:
  - a. Signs must be installed in metal or wood frames rather than "made of metal or wood." Heavy wire base supported signs are not allowed. Signs attached to trees are prohibited.
  - b. Sign color and graphic design may be at the discretion of the lot owner or real estate professional rather than limited to "brown or black in color with gold or white lettering."
  - c. Signs shall be placed near/next to lot identification signs so they are less obstructive to association contracted mowing/landscape operations.
10. Article VII, paragraph 8, Fences. Retaining walls must be of material approved by the ACC and may be higher than three (3) feet above grade on a case by case basis; however, they must be approved by the ACC and comply with national, state and county safety codes and ordinances and must be installed per manufacturer's requirements.
11. Article VII, paragraph 9, Driveways. Hard non-friable surfaces (cobblestone, pavers, etc.) installed per manufacturer's requirements may be considered by the ACC on a case by case basis.
12. Article VII, paragraph 25, Antennae. See <http://www.fcc.gov/guides/over-air-reception-devices-rule> for further guidance.

The undersigned president of the Board of Directors has executed these Modifications to the DECLARATION OF RESERVATIONS AND RESTRICTIVE COVENENANTS, ROCK HARBOR, this 25<sup>th</sup> day of October, 2013.

ROCK HARBOR PROPERTY OWNERS  
ASSOCIATION, INC.

*Seaborn W. Chavers, Jr.*

SEABORN W. CHAVERS, JR., PRESIDENT

STATE OF TENNESSEE  
COUNTY OF CLAIBORNE

I, Melissa Ann House, a Notary Public of the State and County aforesaid, certify that Seaborn W. Chavers, Jr. personally appeared before me this day and acknowledged the foregoing instrument.

WITNESS my hand and official seal, this the 25<sup>th</sup> day of October, 2013.

*Melissa Ann House*  
Notary Public

My commission Expires: 3-5-17

