

TILGHMAN-ON-CHESAPEAKE COMMUNITY ASSOCIATION, INC.

AMENDMENT

TO

HOMEOWNERS ASSOCIATION DISCLOSURE STATEMENT

The disclosures set forth in this Statement of Disclosure are made by Tilghman-on-Chesapeake Community Association, Inc., a Maryland corporation, and the homeowners association of the community of Tilghman-on-Chesapeake in Talbot County, Maryland. These disclosures are required to be made by the Association, pursuant to the *Maryland Homeowners Association Act*, Md. *Real Prop.* Code Ann. Section 11B-101, *et seq.* (2003 Repl. vol., 2005 Cum. Supp.).

This Amendment is intended to supplement that Amended and Restated Document Book and that Amended and Restated Disclosure Statement by Tilghman-on-Chesapeake Community Association, Inc. with respect to the community of Tilghman-on-Chesapeake filed on or about October 18, 2002, and recorded among the Homeowners Association Disclosure Statement records of Talbot County, Maryland, at Liber 0002, folio 278.

1. Design Guidelines.

The Tilghman-on-Chesapeake Community Association, Inc. Design Guidelines, having been revised by the Architectural Review Committee and approved for adoption by the Board of Tilghman-on-Chesapeake Community Association, Inc. on July 6, 2021, are set forth in **Exhibit A** attached hereto.

2. Disclaimer.

NOTHING IN THIS STATEMENT OF DISCLOSURE IS IN ANY WAY INTENDED TO ALTER OR AMEND THE COVENANTS, CONDITIONS, RESTRICTIONS, EASEMENTS, POWERS OR DUTIES CONFERRED OR SET FORTH IN THE GOVERNING DOCUMENTS OF THE ASSOCIATION. ANY CONFLICT BETWEEN THESE DISCLOSURES AND THE TERMS OF THE GOVERNING DOCUMENTS IS PURELY INADVERTENT, AND ANY PROSPECTIVE UNIT PURCHASER IS CAUTIONED THAT, IN THE CASE OF ANY SUCH CONFLICT, THE TERMS OF THE GOVERNING DOCUMENTS ARE INTENDED TO CONTROL.

These amended disclosures are made as of this 7th day of July, 2021.

TILGHMAN-ON-CHESAPEAKE
COMMUNITY ASSOCIATION, INC.

By: _____



Ian Jones, President

Exhibit A
Design Guidelines

BOOK: 4 FOLIO: 540

Tilghman-On-Chesapeake Community Association, Inc.
Architectural Design Guidelines
Amended and Adopted July 6, 2021

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GENERAL STATEMENT

The TOCCA Covenants specifically call for the Architectural Review Committee (ARC) to issue Design Guidelines periodically. The Design Guidelines do not alter the Covenants but generally guide the ARC's interpretation and application to individual properties in the community. Filing Guideline amendments with the Talbot County Land Records office is not required. However, it is necessary to file updated versions in the Talbot County HOA Depository in order to be enforced by the courts.

It is the intent of this document to help each Owner comply with the Covenants that are intended to assure us of a community consistent with the best local architecture and landscaping.

The Design Guidelines presented here are general in nature, with reliance on the ARC to interpret and apply them to the individual properties and house designs.

BUILDING BULK AND MASSING

The zoning regulations of Talbot County, Maryland are in force throughout. All setback requirements, side yards, and height restrictions must conform to either those of Talbot County or these guidelines, whichever are most restrictive. Building location restrictions and view easements are as expressed by the site planning section of these criteria and "Tilghman-On-Chesapeake" plats.

In order to maintain an appropriate residential scale in the community, the height of the building, measured from adjacent grade to the highest point of the roof shall not exceed 35 feet. Sloping roofs are required, and shall be configured in gable, hip, gambrel, shed, flat, dormer shape/designs. Shed shape/design roofs are permitted when configured against a principal building wall. Flat roofs are permitted when used as balconies. Though not required, the use of dormers is strongly encouraged to further break up the mass of the roof and introduce light into the second story rooms.

The roof space area above garages may be used for finished accommodations in both attached and detached locations providing the entire property remains for single family use only. Detached garages (provided not in addition to attached garages) are not considered accessory structures and are exempt from the fifteen (15) foot height restriction noted in the Covenants.

LANDSCAPE AND ARCHITECTURE GUIDELINES

The house lot is divided into 6 zones, as shown on the Lot Zoning Plan. These are: Front Yard Zone, the front yard portion of the Lot nearest the street; House Zone, the building footprint; Side Yard Zone, adjacent side yards; Recreational Zone, the portion of the rear yard closest to the dwelling in which swimming pools, hot tubs, decks,

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limited fencing, etc. are permitted; and the Back Yard Zone and the Natural Area are the rear portions of the Lot reserved for open space and view corridors in which improvements are restricted. There are characteristics of each zone which determine positive relationships between lots and preserve view lines. These Design Guidelines provide the framework for consistent evaluation of plans. All designs are subject to review and approval by the ARC prior to construction, repair or modification. Any lot zoning plan, as part of the Design Guidelines, is subject to amendment by the ARC with Board approval.

The drawings attached hereto are for guidance and they do not reflect a true representation of all property lines.

All alteration, additions or enhancements to the exterior of a home or yard zones requires ARC approval.

When placing landscaping or individual plants, ensure that mature growth will stay within the property boundary. No volunteer trees, shrubs or grasses inconsistent with the Design Guidelines will be permitted. Trees or shrubs, feeders, lawn art, bird houses or other similar additions also must be placed only in areas that will not interfere with neighboring view lines as described in **TOCCA Covenants, Conditions and Restrictions under Lot Zoning Plan.**

The failure or tolerance by the Association to enforce any covenant, conditions or restriction shall in no event be deemed a waiver of the right to do so at a later time as described in the **TOCCA Covenants, Conditions and Restrictions under MISCELLANEOUS, No Waiver.**

MAINTENANCE

Owners are responsible for regular maintenance of all structures, surfaces and plant materials. They shall, at all times, maintain their Lots and all appurtenances thereto in good repair and in a state of neat appearance, including but not limited to seeding, and mowing of all lawns or open plots (grass not longer than 9") and yards. All sidewalks and driveways shall be kept neat, clean and in good repair.

Pruning and cutting of all trees and shrubbery, painting (or other appropriate external care) of all buildings and structures on the lot, is to be performed in a manner and with such frequency as is consistent with good property management and maintenance.

If, in the opinion of the ARC, any Owner fails to perform the duties imposed herein, the Association, on affirmative action of a majority of the Board of Directors, after fifteen (15) days written notice to such Owner to remedy the condition in question, and upon

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failure of the Owner to remedy the condition, may through its agents and employees, enter upon the Lot in question to repair, maintain, repaint and restore the Lot and the improvements or Structures thereon, and the cost thereof shall be a binding, personal obligation of such Owner, as an additional assessment on the Lot.

Alternatively, on the recommendation of the ARC, the Board may file a notice of Covenant violation lien with the Talbot County Land Records Office indicating the property is in violation of TOCCA Covenants, Conditions and Restrictions and Architectural Design Guidelines. When the violation has been removed, the lien will be removed.

SUBMISSIONS

Any substantial exterior construction or repair to the home requires ARC approval. Where County permits are appropriate they must be obtained in addition to ARC approvals. In the event of a conflict in interpretation County rules prevail. Submission of preliminary drawings indicating alterations, repairs or changes, or, in the case of new construction, the volume of the house, its location on the site, and access from the street is strongly encouraged. Final submission should include full drawings, plans, and elevations, building sections and construction details as well as material and color selections. Final details of any new construction must provide its location on the site and its access from the street.

New construction submissions follow 3 phases. The first involves a preliminary review where the owner provides to the Architectural Review Committee (ARC) conceptual design drawings (depictions of exterior finishes including materials and colors are helpful), preliminary drawings indicating the volume of the house, its location on the site and access from the street. Following preliminary approval, the owner prepares final, comprehensive plans and seeks appropriate permitting from Talbot County. Upon approval by the County, the owner submits the final plans approved by the County and evidence of County approval to the ARC for final review and approval. Construction may begin when the TOCCA Board/ ARC confers final approval. During construction, any significant changes to the plans that impact the exterior of the structure(s) must be submitted to the ARC for review, in advance. When construction is complete, the owner must submit a landscaping plan to the ARC for review and approval.

Any landscaping additions, whether new or enhancements, require ARC approval. Submission of preliminary plans are recommended; final plans for ARC approval are required.

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DESIGN CRITERIA

Building Materials

In accordance with the requirement that all buildings fit within the local natural context, cedar shingle siding, beveled wood siding, and natural cedar siding are the preferred building materials. These materials can be stained, painted or allowed to weather naturally.

Painted or stained fiber-cement siding and premium grade vinyl siding (such as 6" beaded edge siding) may be allowed if it is compatible with the design of the proposed home. Masonry and natural stones may be used as secondary building materials only.

Crawl Space

The areas below structures and decks shall be enclosed by a masonry foundation, lattice or other suitable materials compatible with the body of the house.

Garage - Detached

The use of detached garages are permitted where appropriate but the scale, color, materials and roof shape of such buildings should be compatible with the main house. Also see **BUILDING BULK AND MASSING**, above.

Minimum Square Footage (Heated Area)

One story

Dwellings must enclose a minimum of 1,800 square feet of heated space.

Two story

Dwellings must enclose a Minimum of 2,000 square feet of heated space. All dwellings in excess of two stories must enclose a minimum of 2,100 square feet of heated space.

Outbuildings and Sheds - General

All outbuildings and sheds must have the prior approval of the ARC.

Many lots do not present opportunities for outbuildings. All such proposals will be held to the highest industry standards and in strict compliance with the restrictions that follow.

When a comprehensive design proposal is approved with a storage element, then the entire proposal must be contracted and constructed as a single project. Phasing will not be permitted.

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Talbot County Building Permits and/or Zoning Certificates must accompany proposals. (See Talbot County Building Permit and Zoning Certificate Guide, available online.)

Storage Sheds - Freestanding

Freestanding storage sheds are not appropriate for TOC and are not permitted.

Storage Sheds - Attached

The ARC will approve attached sheds only if attached to the rear or rear sides of the house, and the proposal adheres to all of the following restrictions.

- a. The architectural design of the shed must be compatible with the design of the house and must be screened with landscaping from street views.
- b. Sheds must not exceed 48 square feet of floor space and eight feet in height at the highest point.
- c. The finish materials must be identical to those of the house.
- d. The color scheme must be the same as for the house.
- e. The type and color of roofing materials must match the house.
- f. Sheds must comply with Talbot County building codes.

Outbuildings - Detached

Placement in the Natural Zone or Back Yard Zone will not be approved.

The ARC will approve an outbuilding for storage and/or recreational use (e.g. pool house, gazebo or potting outbuilding) only if the building is placed in the Private Recreation Zone near the home, is an element in a fully integrated, comprehensive landscape plan, is not visible from the roadways or other homes, does not block view lines, is designed to blend with the architectural elements of the house, and is constructed on-site of materials similar to the house.

All utilities (gas, electric and water) must be underground.

Comprehensive designs with elements to enhance outdoor living spaces are encouraged (e.g. decks, outdoor kitchens, screened porches, pergolas.)

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Although size restrictions are not provided herein, appropriate scaling of the structure in the design proposal will be a key consideration for approval.

Miscellaneous Equipment

Heating and air conditioning equipment, power and utility meters and equipment, garbage cans and garbage can enclosures, clothes lines satellite dishes and other miscellaneous equipment must not be placed in the front yard and must be out of view from the street.

Roof Materials - Gutters

Premium asphalt composition shingles of appearance consistent with the community are the usual acceptable materials, but Cedar shingles, shake and painted metal will be permitted when approved by the ARC. Gutters shall be ½ round at roof overhangs and ogee where there is no overhang. Gutters and downspouts shall be copper or painted galvanized steel or aluminum.

Roof Shapes

Roofs should be gable, hip, gambrel, shed, flat or dormer. In the case of detached outbuildings the roof shape must match that of the house.

Windows and Doors

Windows and doors should be of material that can be painted, with divided lights where appropriate. High quality vinyl or aluminum clad wood windows and patio doors will be accepted. Window and door trim should be wood and either painted, stained or wrapped in aluminum or vinyl. Window types should be double hung, casement or awning. Patio doors may be hinged or sliding. Exterior front doors may be either wood or metal insulated with a painted finish.

Window patterns and trim work are major contributing elements to the character of Tilghman-on-Chesapeake and will be carefully reviewed by the ARC. Painted trim bands, window trims and door surrounds are elements of the local vernacular which should be incorporated into each dwelling design.

FRONT YARD ZONE

Culvert Headwalls

Where culvert footwalls are installed they shall be soundly constructed of brick, stone or paver masonry.

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Driveway

Driveways shall be 8' to 10' wide and shall be constructed of pervious stone, concrete, asphalt, paver stones, brick, gravel or crushed shell surface. A 2' to 3' wide grass strip down center of the driveway may be included if approved by the ARC.

A Landscape island in the motor court must have an 8' to 10' driveway clearance. The island should be planted with ornamentals/native grasses/perennials, wildflowers or shrubs.

Fencing

4'0" Maximum.

Style must be same as the community entrance fence or must complement the architectural style of the house and must not extend toward the road beyond the front face of the house or garage.

Finish: Must be stained or painted to complement the architectural style of the house and can be high quality white vinyl. To be approved by ARC.

Landscaping - Lawn

Not more than 75% of front yard to be lawn area and driveway.

Beds Border

Not less than 25% of front yard to be beds/borders to consist of ornamental/native grasses, perennials, wildflowers or shrubs.

Entry Walk

Shall be between 3'0" and 4'6" wide. Materials to be crushed shell/stone mix, brick or stone pavers and/or exposed aggregate. Natural wood edging may be utilized along edges (1" x 6") on edge with not more than 2" exposed, bend boards to follow radius.

SIDE YARD ZONE

Berms

Berms that interfere with proper drainage will not be allowed.

Hedge

Minimum 3' tall as screening element.

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Trees

Small and medium size trees may be planted in the side yard zone and shall be placed so that their mature size will not extend beyond property boundaries or block neighbor's view lines. Existing trees that are pushing their boundaries must be pruned back in a manner to maintain their normal shape. Trees are not to extend beyond the back line of the "house zone". The ARC will give consideration to trees that pre-date the development of a property or that could not create an obstruction to any other Property Owner.

PRIVATE RECREATION ZONE

Elements shall be restricted to Lawn, Terrace, Patio, Deck, and Pool

Hot Tubs - Above Ground

Shall be situated out of sight of neighboring views. Placement to be approved by the ARC.

Swimming Pools and Hot Tubs - In Ground or Below Ground

All outdoor swimming pools must be of permanent type of construction and must be constructed substantially below grade, commonly referred to as an "in ground" or below ground" type and located in accordance with the Lot Zoning Plan.

Pool Fencing

Shall be enclosed by 4'0" (exact height above grade) security fence, semi-transparent that is 50% or more open to solid, style to complement architecture. To be approved by the ARC.

Pool Surround

Not to exceed boundaries of the private recreation zone and constructed only of brick, interlocking pavers, or decorative concrete. To be approved by the ARC.

Kayaks and Canoes

Must be located in the Recreational Zone where they will not be seen by neighbors. In situations where the rear of the home is seen by neighbors they shall be located to the rear of the Side Yard Zone and shall be screened in a manner approved by the ARC.

BACK YARD ZONE

Landscaping - lawn

Not more than 70% of the combined Back Yard Zone and Recreation Zone may be lawn area, pool, deck or patio.

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Beds/Borders

Annuals, ornamental native grasses, perennials, wildflowers and shrubs.

Trees

Trees will not be permitted in the back yard zone to preserve view lines. The ARC will give consideration to trees that pre-date the development of a property or that could not create an obstruction to any other Property Owner.

NATURAL AREA

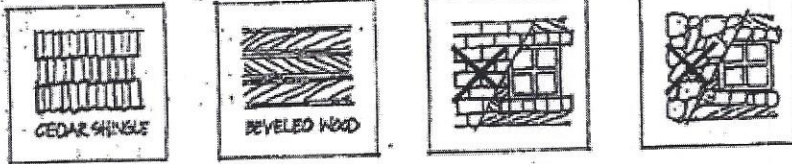
Applies to Lots 6 through 26 (Island Club Road and the North side of Avalon Court) and Lots 28 through 34 (South side of Avalon Court) as shown on the Lot Zoning Plan.

To ensure the natural edge of the common space, this area is to remain lawn only. No trees, shrubs or plantings of any kind will be permitted.

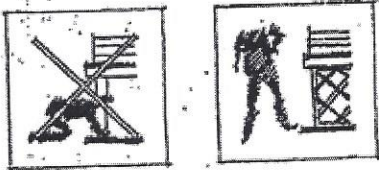
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ILLUSTRATIONS AND DRAWINGS
DESIGN CRITERIA ILLUSTRATIONS

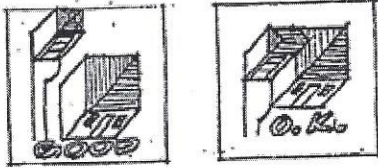
Building Material



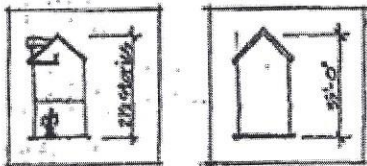
Crawl Space



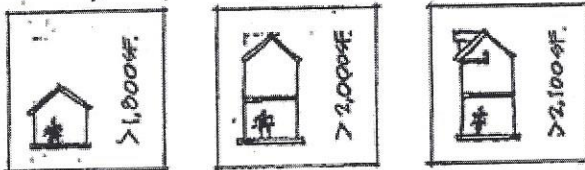
Garage



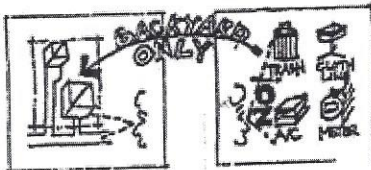
Maximum Height



Minimum Square Footage (Heated Area)

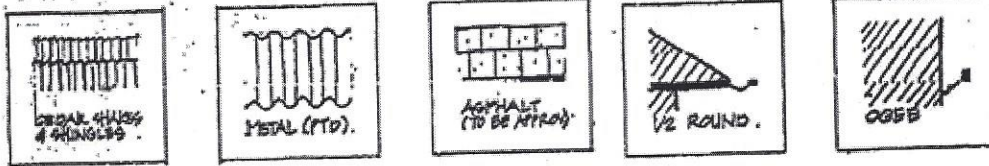


Miscellaneous Equipment

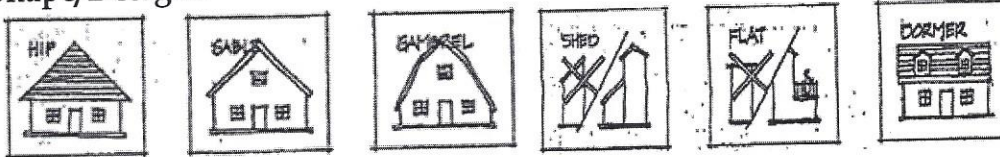


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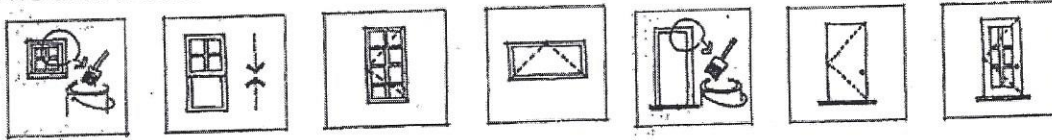
Roof Material and Gutters



Roof Shape/Designs



Windows and Doors



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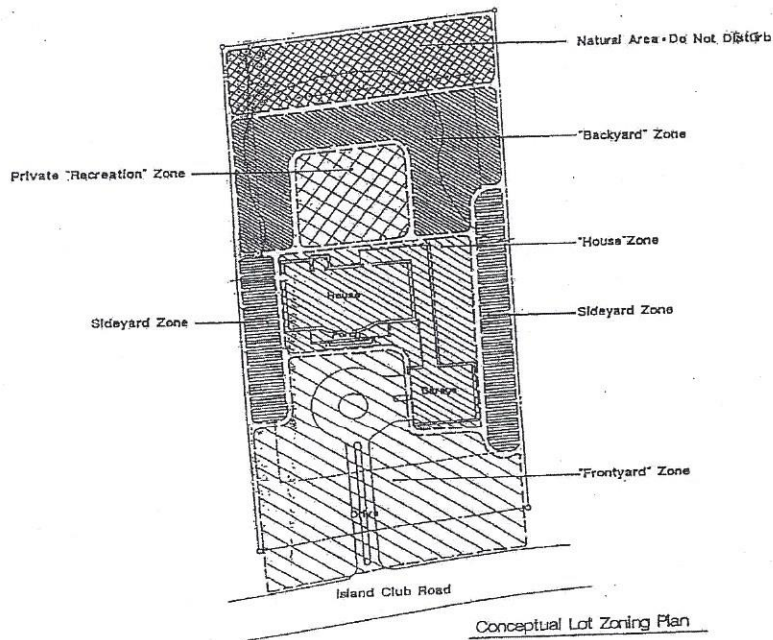
CONCEPTUAL LOT ZONING PLAN DRAWINGS

These drawings are intended to be guidelines only and do not reflect a true representation of all property lines. Actual limits will be based on individual Lot characteristics.

Drawing One

LOT #1, 2, 3, 4, 5, 6, 7, 16, 17, 18, 19, 26, 34, 41, 42, 50, 51, 52, 53, 54, 72, 73, 74

11/23/2010



Conceptual Lot Zoning Plan

Lots 1, 2, 3, 4, 5, 6, 7, 16, 17, 18, 19, 26, 34
41, 42, 50, 51, 52, 53, 54, 72, 73, 74

Niles Bolton Landscape Group

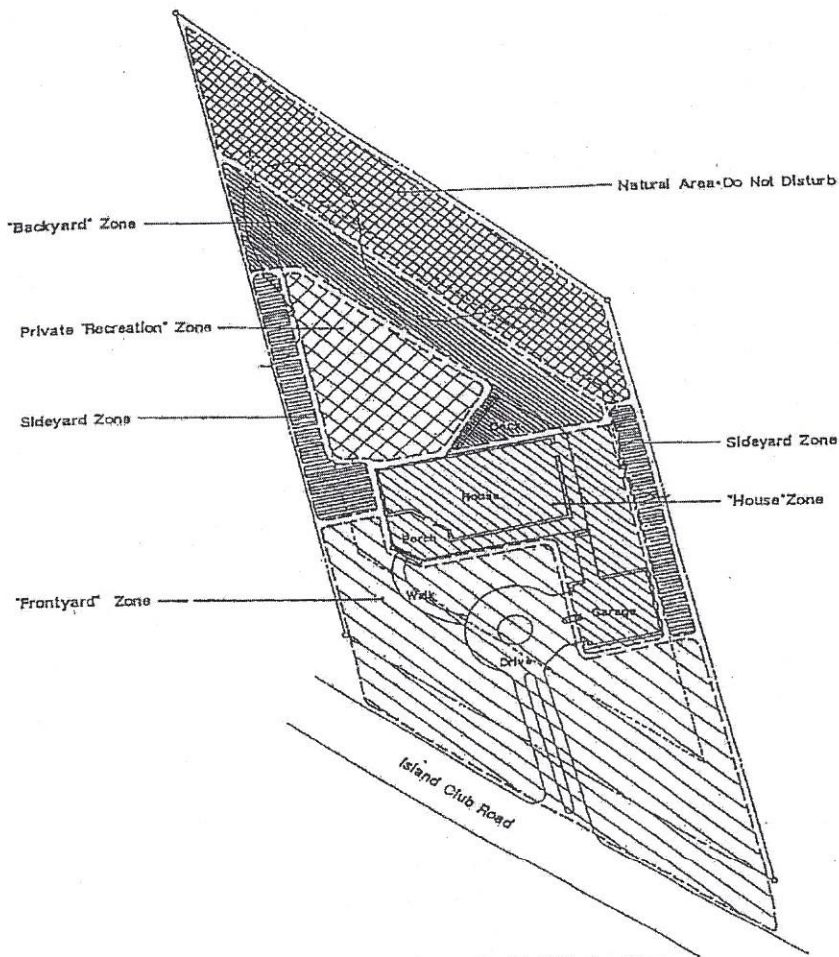
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* Actual Limits Will Be Based
On Individual Lot Characteristics.

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Drawing Two

LOT # 8, 9, 10, 11, 12, 29, 30, 31, 32, 33, 43, 44, 45, 46, 47, 48, 49



Conceptual Lot Zoning Plan

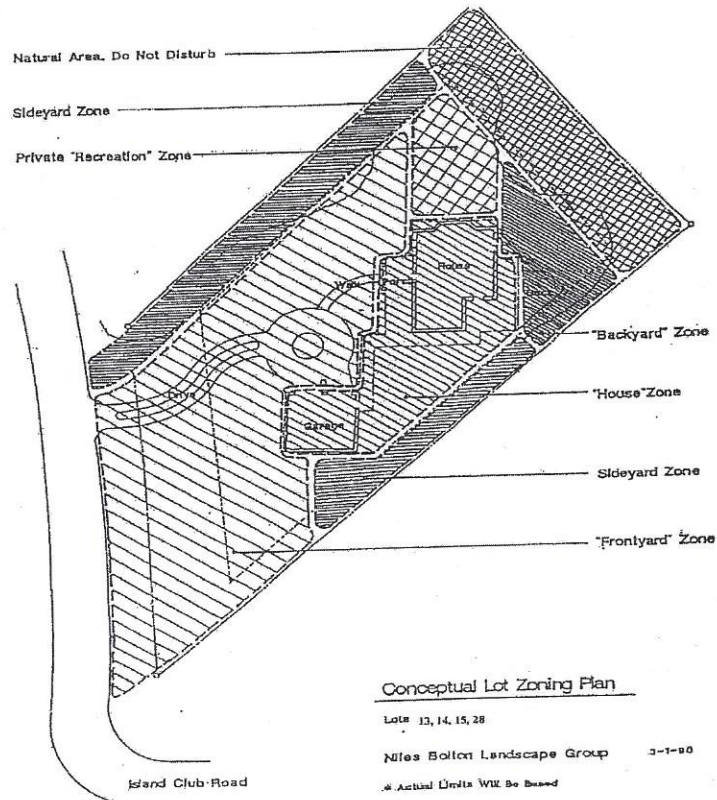
Lots 8, 9, 10, 11, 12, 29, 30, 31, 32, 33, 43, 44
45, 46, 47, 48, 49

Niles Bolton Landscape Group 3-1-90

* Actual Limits Will Be Based
On Individual Lot Characteristics.

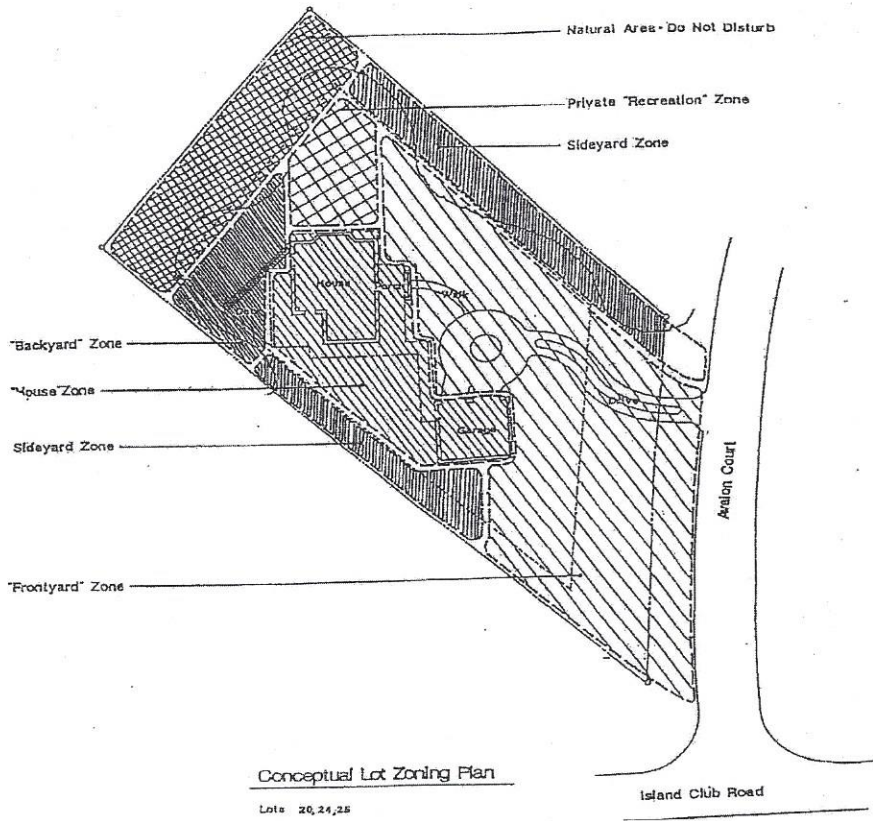
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Drawing Three
LOT # 13, 14, 15, 28



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Drawing Four
LOT # 20, 24, 25



Conceptual Lot Zoning Plan

Lots 20, 24, 25

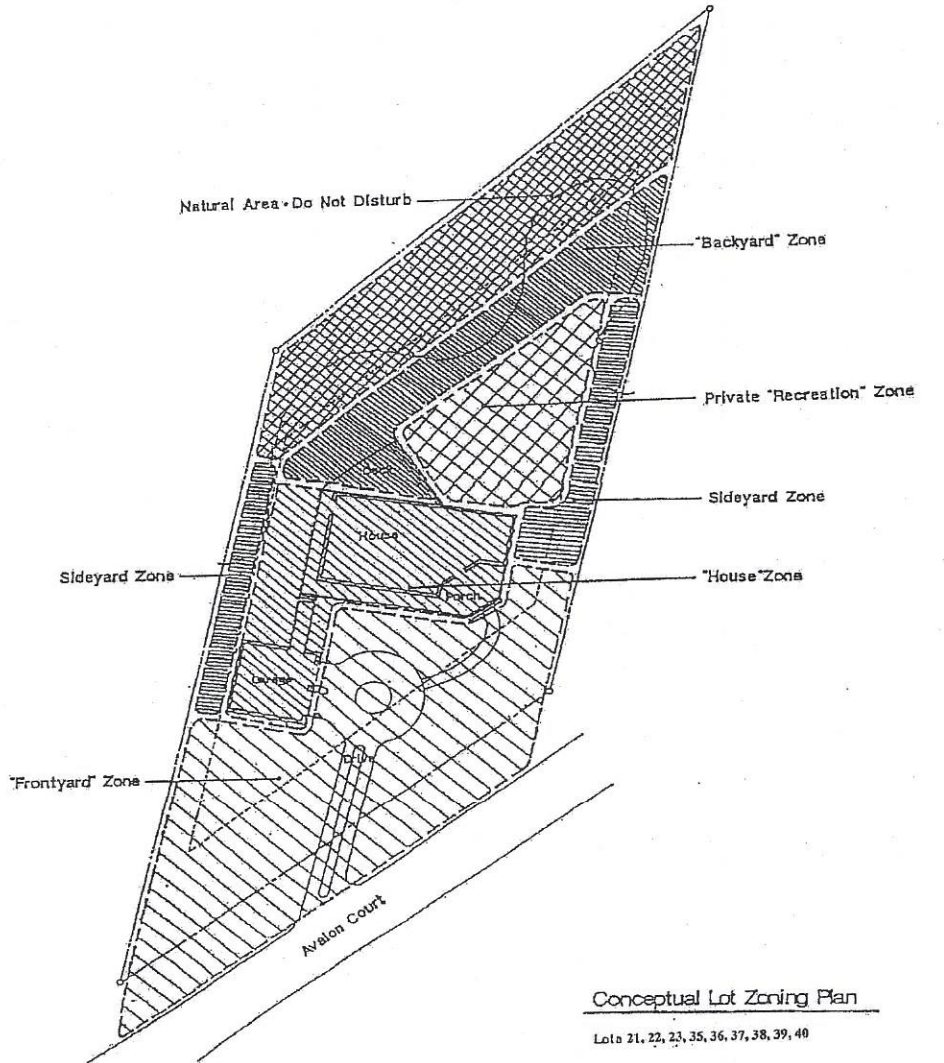
Niles Bolton Landscape Group 3-1-90

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Drawing Five

LOT # 21, 22, 23, 35, 36, 37, 38, 39, 40



Conceptual Lot Zoning Plan

Lots 21, 22, 23, 35, 36, 37, 38, 39, 40

Niles Bolton Landscape Group 3-1-90

* Actual Limits Will Be Based
On Individual Lot Characteristics



Kathleen M. Duvall, Clerk
Circuit Court for Talbot County
11 N. Washington St., Suite 16
Easton, Maryland 21601

License and Recording
410-822-2611 Ext. 4

LR - HOA Dep Amendment
25.00

HOA Name:
Tilghman-On-Chesapeake
Community Associa
Ref: KMD BDDK:4 FDLID:
539-559

Total: 25.00
07/07/2021 04:35

CC20-HG
#15167960 CC0205 -
Talbot
County/CC02.05.02 -
Register 02

DOCUMENT VALIDATION
(excluded from page count)

Book: 4 Folio: 560