

EXHIBIT "A"

ARCHITECTURAL PLANNING CRITERIA

WHEREAS, the Declaration of Covenants and Restrictions for Vista Verde, as recorded in Official Records Book _____, at pages _____ through _____, of the Public Records of Palm Beach County, Florida, provides that Vista Verde Ltd. (the "Developer"), a Florida Limited Partnership, shall form a committee known as the Architectural Review Board (the "ARB"); and

WHEREAS, the above-referenced Declaration of Covenants and Restrictions for Vista Verde provides that the Board of Directors of Pond Apple Maintenance Association, Inc. (the "Association") on recommendation of said committee, shall adopt and modify or amend from time to time Architectural Planning Criteria for Vista Verde, which criteria are to be set forth in writing and made known to all owners and prospective owners in Vista Verde.

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 Vista Verde, 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 in Vista Verde, other than one detached single-family dwelling containing not less than fifteen hundred (1,500) square feet of liveable enclosed floor area (exclusive of open or screen porches, terraces, garages and carports), not to exceed thirty-five (35) feet 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 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 Vista Verde.

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 or 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. No built-up roofs shall 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.

5. Garages: In addition to the requirements stated in Paragraph 1 hereinabove, all garages shall have a minimum width of eighteen (18) feet measured from the inside walls of the garage. All garages must have either a single overhead door with a minimum door width of sixteen (16) feet for a two-car garage, or two (2) individual overhead doors, each a minimum of eight (8) feet in width, and a service door. No carports will be permitted unless approved by the ARB.

6. Driveway Construction: All dwellings shall have a paved driveway of stable and permanent construction of at least sixteen (16) feet in width at the entrance to the garage. Unless prior approval is obtained from the ARB, all driveways must be constructed with concrete or asphalt. Where curbs are required to

be broken for driveway entrances, the curb shall be repaired at the Lot owner's expense in a neat and orderly fashion acceptable to the ARB.

7. Dwelling Quality: The ARB shall have final approval of all exterior building materials. Eight-inch (or larger) 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 material for facades and encourage the use of front materials such as brick, four or five-inch block, stone, wood, and stucco, or a combination of the foregoing.

8. Signs: No sign of any kind shall be displayed to the public view on any lot except for the following:

(a) The exclusive sales agent for the original builder of a single-family residence on any Lot(s) may place one professional sign 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 five square feet, may be displayed during any time the homeowner or his designated representative is in attendance.

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

9. Games and Play Structures: All basketball backboards and any other fixed games 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 platform, dog house, 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.

10. Fences and Walls: 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.

11. Landscaping: A basic landscaping plan for each Lot must be submitted to and approved by the ARB. For each Lot, the landscape plan shall include a minimum expenditure of \$500.00 at Builder's actual cost, for landscaping materials (excluding labor) other than sod. The front yards of all Lots are required to have installed a standard underground sprinkler system which irrigates and maintains said front yard, including the portion of the Lot between the street pavement and the right-of-way line and/or the sidewalk. Sod shall be required in the front, back and side yards unless otherwise approved by the ARB. 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.

12. 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 (4) feet 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 courts must be approved by ARB; and

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

If the 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.

13. 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 container and, except during pickup, if required to be placed at the curb, all containers shall be kept within an enclosure which the ARB shall require to be constructed with each dwelling.

14. 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 any Lot may be used by Developer, as a sales office during the development of Vista Verde, or other developments by Developer in the same area.

15. 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. No trees of two (2) inches in diameter at one (1) foot 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.

16. Window Air Conditioning Units: No window or wall air-conditioning units shall be permitted.

17. 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 unless and until the size, location, design and type of material for said boxes or receptacles shall have been approved by the ARB. 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 receptacles previously employed for such purpose or purposes with wall receptacles attached to dwellings.

18. Sight Distance at Intersection: No fence, wall, hedge or shrub planting which obstructs sight lines and elevations between two (2) and six (6) feet 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 (25) feet from the intersection of the street lines, or in case of a round 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.

19. 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.

20. 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. 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 no 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.

EXHIBIT "B"

TO

DECLARATION OF CONVENANTS AND RESTRICTIONS

FOR

VISTA VERDE

All of VISTA VERDE SECTION ONE, Via Verde P.U.D., according to the Plat thereof, as recorded in Plat Book 36, at Page 54 and 55 of the Public Records of Palm Beach County, Florida.

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