

SHAKILA HOME OWNERS' ASSOCIATION

BUILDING AND ARCHITECTURAL GUIDELINES

GENERAL

If the Association is not registered and functional the Owner/Developer shall be responsible for the Association's Rules and Regulations. The Owner/Developer will nominate a Project Architect to assist him in approval of all building plans and Architectural Guidelines, or as signed off by the Aesthetics Committee.

These guidelines set out for prospective homeowners, builders and developers, are the design criteria they will have to comply with if they wish to build at SHAKILA. The guidelines have been developed to preserve, protect and maintain the unique environmental and physical attributes of SHAKILA rather than to hamper the development.

SHAKILA HOME OWNERS' ASSOCIATION

The function of the SHAKILA Home Owners' Association is to ensure that the character and quality of SHAKILA is maintained, thereby protecting the value of individual homes as well as the environment. Development within SHAKILA must conform to the fundamental intention of establishing an environment that is in harmony with the nature in and surrounding the property. It is not the intention to unreasonably restrict building design. The Architectural Guidelines are a condition of the Agreement of Sale and will be enforced by the SHAKILA Home Owners' Association. The SHAKILA Home Owners' Association shall in addition to any other remedy be entitled to impose fines in respect of approved building plan deviations. The SHAKILA Home Owners' Association reserves the right to alter or amend the Architectural Guidelines.

1. TOWN PLANNING CONTROLS

GENERAL

The restrictions/guidelines set out below are in addition to any restrictions imposed in terms of conditions of title, town planning schemes or national or any other building regulation. Notwithstanding any plans or improvements might comply with any such restrictions imposed by any authority, the approval of any plans or improvements within SHAKILA shall be at the sole discretion of the SHAKILA Home Owners' Association, which shall not be unreasonably withheld. Similarly, compliance with restrictions imposed by the SHAKILA Home Owners' Association shall under no circumstances absolve the resident from the need to comply with restrictions imposed by any authority nor shall SHAKILA Home Owners' Association's approval be construed as permitting any contravention of restrictions imposed by any authority having legal jurisdiction.

The architectural style of the house-type will be considered in conjunction with that of other houses in the area, as well as aesthetic appearance and the proposed placing of the building, and such other factors as the SHAKILA Home Owners' Association in its entire discretion may deem appropriate. Every effort will be made to ensure that high standards are observed by all stand owners. However, the right to final approval of building plans is ultimately vested in the Local Authority and no assurance can be given to individual owners that such standards will be adopted throughout the development.

TIME LIMIT FOR CONSTRUCTION

The construction of improvements should be concluded within 3 (three) years from date of registration of transfer of ownership. In order to reduce inconvenience to neighbours and to prevent unsightliness, construction should proceed without lengthy interruptions, and must in any event be completed within one year from commencement. Phased design should be handled in such a way that the end of each phase should be aesthetically acceptable to the SHAKILA Home Owners' Association. Any deviation from the above time limits will be subject to penalties calculated on a daily basis according to tariffs determined by the SHAKILA Home Owners' Association.

2. TREATMENT OF BOUNDARIES, FENCING, SIGHTING FROM ROADS AND ADJACENT STANDS AND SCREEN WALLS:

- 2.1. No fencing on the boundaries of a stand will be allowed;
- 2.2. The natural environment will be left untouched except for that area designated by the Project Architect for the erection of the buildings on the stand and garden purposes on this area the environment must be disturbed as little as possible. The purpose hereof is to impose as little as possible on the natural habitat of the game and create the feeling of "being in the bush" as opposed to city living.
- 2.3. Therefore no trees, bush, grass or any natural growth will be disturbed or removed without written approval of the Project Architect as this also serves as natural screening of buildings from the roads and buildings on adjacent stands.
3. If solid walling is required to enhance the privacy of certain parts of the property (for example, to screen the Jacuzzi's or splash pools from the road or adjacent stands), then such walling should be as low as possible, and has to be approved by the Project Architect.
4. All TV aerials should be aesthetically acceptable.
5. Lean-to and temporary carports will not be allowed.
6. Roofing materials for patio's, carports and outbuildings must be approved by the Project Architect.

7. No shade cloth and metal sheeting will be allowed.
8. No Wendy houses or other temporary structures may be erected.
9. Waste bins will be stored and concealed in a structure inaccessible to rodents, baboons, monkeys and other animals or birds. Structure's to be built in accordance with prescription issued by the SHAKILA Home Owners' Association.
10. No swimming pools except jacuzzis and splash pools will be allowed, or as approved by the Aesthetics Committee/Homeowners Association. No pool larger than 40000 Litres will be allowed.
11. Wooden houses, Log Cabins as well as luxury tents will be allowed as approved by Homeowners Association and AC.

3. **PROHIBITED BUILDING MATERIALS:**

Within the style and outside finishing prescribed by the Project Architect in principle no limitations are placed on building materials other than the following items, the use of which is not allowed:

1. Unpainted plaster (except where the plaster is coloured naturally - to be approved by the Project Architect);
2. Unpainted or reflective metal sheeting;
3. Reflective or false roofing materials;
4. Pre-cast concrete walls;
5. Razor wire, security spikes or similar features;
6. Lean-to and metal roof or temporary carports or patent type shade netting structures;
7. Flat metal roofs; unless painted in earthy colours as approved by the Homeowners Association.
8. The approval of the Project Architect should be obtained for the use of any materials other than conventional bricks and mortar, cast slabs, rib and block floors, roofs and tiles.
9. Only quality face bricks are allowed. The quality and colour must be approved by the Project Architect. A natural (earthy) colour is recommended.

4. **MISCELLANEOUS ARCHITECTURAL GUIDELINES:**

1. The general style prescribed is a farm or lodge type design with natural look and natural outside finishing's and colours
2. Only thatch, Harvey tile, concrete tiles or natural slate roof coverings will be allowed. Colour and type to be approved by the Home Owners Association. IBR roofs will be allowed provided it is non-reflective, these roofs are to be painted in earthy colours as approved by the Homeowners Association.
3. A plinth of at least 600 mm from the ground built with natural stone. Other features built in natural stone will be allowed and encouraged.
4. Plaster on outside walls should be rough cast and coloured only in natural (earthy) colours approved by the Project Architect.
5. Details of the design of parapets, fascias, capping eaves, roof trim, guttering and roofing materials in general should be specified for approval.
6. All external finishes and colours should be specified, and colour samples to be approved by the Homeowners Association/Aesthetics Committee.
7. Awnings, TV aerials and other items, which do not form part of the basic structure should be clearly shown and annotated on drawings.
8. Solar heating panels, if used, should be incorporated into the buildings to form part of the basic structure and should be clearly shown and annotated on drawings.
9. Outbuildings and additions should match the original design and style of the original plan.
10. Staff accommodation and kitchens should open onto screened yards or patios.
11. Yard walls and screen walls should complement the basic materials of the building.
12. The privacy of surrounding properties should be respected. As a general rule, no windows or balconies on the upper storey should overlook the "living space" (for example, the splash pools) of adjacent dwellings. Furthermore the placing of the buildings on the stand will be done in conjunction with the Project Architect. If agreement cannot be reached, the decision of the Project Architect will be final.
13. All exposed plumbing and washing lines should be fully screened from the roads or adjoining properties.

14. All external security gates and burglar fencing will have to be approved by the Project Architect. Not nearer than 10 (TEN) metres from the stand boundaries.
15. The ground floor space of all dwellings must exceed 200 square metres with a maximum of 500 square metres exclusive of lapa's, undercover garages or parking but including undercover patios.
16. The owner will install and maintain the septic tank prescribed by the Project Architect in the manner and in the position prescribed by the Project Architect.
17. No dwelling will exceed two storeys (ground floor plus one additional storey as to not disturb the skyline).
18. If staff accommodation is provided by the owner, no staff accommodation should be nearer to the road than the main dwelling unless contained under the same roof or integrated into the total design.

5. **ARCHITECTURAL GUIDELINES:**

All covered parking areas have to be permanent structures. (No shade net or metal sheeting)

Windows and Doors:

External doors and window frames must be wooden or natural coloured aluminium and suit the style of home. External burglar bars will not be permitted unless incorporated in the overall design.

Garage doors must be of wood.

Verandas, Porches and Pergolas:

Supports shall be masonry (face brick or plastered and painted) piers, timber, natural wooden or metal posts. Timber lattice enclosure to verandas painted to colour guidelines will be permitted. Any other materials must be approved by the Project Architect.

Waste Pipes:

Waste and drainage pipes must be concealed.

6. **PROCEDURE FOR THE APPROVAL OF BUILDING PLANS:**

1. Conceptual designs and sketch plans together with site plans must be submitted to the Project Architect, for the consideration and approval. Only plans drawn by an Architect registered with the S. A. Architect Board will be allowed. Two copies of each plan must be submitted.
2. Working drawings in compliance with the approved sketch plans, together with R500.00 approval fee, are to be submitted to the Project Architect for approval

prior to being submitted to the Local Authority for approval. Note that the Local Authority will not accept plans that do not bear the Project Architect stamp of approval.

3. The building site must be kept clean and tidy during the building process. Failure to do so will result in penalty fees being charged by the Homeowners Association, and this will be for the Owner/Builders Accounts

4. No construction will be allowed to commence before the Project Architect has granted the approval of the working drawings in writing, and the builder's deposit has been received. One copy of the original sketch submitted, together with one coloured copy of the final submission, must be submitted to the Project Architect, which will be kept for record purposes. Perspective drawings and photos may be requested.

7. **ALTERATIONS OR ADDITIONS:**

The same design criteria and rules will apply as set out herein.

8. **PENALTIES:**

The SHAKILA Home Owner's Association and/or Project Architect will be entitled to claim penalties from the owner or contractor in their absolute and sole discretion if any breach of these rules caused damage to or jeopardizes the fauna and flora or security of the farm.

SHAKILA HOME OWNERS' ASSOCIATION

CONDITIONS WITH REGARD TO BUILDING CONTRACTOR ACTIVITY

The SHAKILA Home Owner's Association, the representative of the residents of SHAKILA, has adopted certain rules relating to building contractor activity in the development. The primary intention of the provisions hereunder is to ensure that all building activity at SHAKILA occurs with the least possible disruption to residents, the environment and game. In the event of uncertainty, residents and/or their contractors should contact the SHAKILA Home Owners' Association and/or the Seller.

1. **LEGAL STATUS:**

The conditions governing building activities, which are set out in this document, are rules adopted by the SHAKILA Home Owner's Association and are therefore binding on all residents, their professionals, contractors and sub-contractors in any building contract concluded in respect of the property in the township and all such contracts may be required to be submitted to the SHAKILA Home Owners' Association and or the Seller for prior approval. The SHAKILA Home Owners' Association and/or the Seller has the right to suspend any building activity in contravention of any of the conditions and to refuse access to SHAKILA to the contractor or other workers and the SHAKILA Home Owners' Association accepts no liability whatsoever for any losses sustained by a resident as result thereof.

2. **CONDITIONS REGARDING BUILDING CONTRACTOR ACTIVITY:**

1. Contractor activity is only allowed during the following hours:

06h30 - 17h30 during weekdays

Note: No contractor activity is permitted on weekends and Public Holidays without special permission, as these days are viewed as private time. Special applications for contractor activity during private time must be lodged with the SHAKILA Home Owners' Association and/or Seller, together with the approval of all adjacent neighbours one week prior to the required private time activity. No contract workers will be allowed to overnight on the SHAKILA property at all times.

2. All the contractor's workers and/or the contractors' sub-contractor workers must comply with security arrangements and is subject to these rules. The owner must ensure that this is done.
3. The site is to be kept as clean and neat as possible, the contractor shall provide facilities for rubbish disposal, ensure that the workers use the facility provided and ensure that the rubbish is removed weekly and not burnt on site. During the construction period the area designated by the SHAKILA Home Owners' Association and/or Seller for building purposes must be screened on all boundaries thereof by Hessian cloth or other screening material approved by the SHAKILA Home Owners' Association and/or Seller.
4. All material should be off-loaded within the screened area and the contractor will ensure that this is done. If in large quantities only eight (8) to ten (10) ton trucks will be allowed to deliver buildings materials at the buildings sites due to lack of space and the terrain.
5. Deliveries from suppliers must be scheduled during the times in Clause 1 above.
6. Prior to the commencement of building, the contractor must provide chemical toilet facilities for the workers allowing for the disposal of all waste.
7. No building boards may be erected.
8. Access from the road to the building area will be gained only along the route that will finally serve as the access road to the dwelling so as to cause as little as possible damage to the environment. The contractor and owner will ensure that this is adhered to.
9. The owner and the contractor shall be responsible for damage to roads and plants and/or damage to private or estate property.

10. If the conduct of the Contractor and/or sub-contractor causes any concern to the SHAKILA Home Owner's Association and/or Seller, the SHAKILA Home Owners' Association may rectify as deemed necessary and/or reserve the right to suspend building activity until such undesirable conduct is rectified. The SHAKILA Home Owner's Association and/or Seller is empowered to act at any time and without notice, and without recourse from the owner and/or contractor and/or subcontractor.
11. The above document is fully understood and the contractor and owner undertake to comply with the above points, in addition to any further controls which may be instituted by the SHAKILA Home Owners' Association and/or Seller from time to time in the form of a written notification, and ensure compliance by any subcontractor employed by the contractor.
12. Any professional or Contractor of whatever nature will have to be approved by the SHAKILA Home Owners' Association and/or Seller.
13. All Professional people involved in the individual home owners developing the properties e.g. Architects, Engineers, Landscaping Architects or Land Surveyors but not limited to the aforementioned categories all have to be approved by the SHAKILA Home Owners' Association and/or Seller.
14. No fauna or flora may be damaged or removed. Only indigenous plant to be planted.
15. The contractor, his sub-contractors and his suppliers will follow the route to the stand prescribed by the SHAKILA Home Owners' Association, keep to the speed limit and not disturb or harm the fauna or flora on the farm in any way. If any contractor or supplier or any person in his employ is noticed or found on any other part of the farm not required for the fulfilment of his duties it will be deemed that he is in breach of this clause and the SHAKILA Home Owners' Association and/or Seller will be entitled to invoke the prescribed penalties.
16. No dry wood may be collected on the property.
17. No open fires are allowed and cooking should only be done on gas or paraffin stoves in a safe position under supervision of the contractor. This is the owner/s responsibility.
18. Fines of R1000.00 per time will be instituted should any flora be used for firewood. Contractors are to bring their own wood/charcoal.