



Legacy Bay Homeowners Association
6035 Paradise Cove Drive
Mooresburg, Tennessee 37811

Construction of a New Home in Legacy Bay

We are happy that you have chosen Legacy Bay for your new home! This document contains information and forms that you need to seek approval from the Legacy Bay Architectural Committee for your new home. Please read this information carefully and go over everything with your Prime Contractor before submitting the required documents.

Any construction within Legacy Bay must have the prior approval of the Architectural Committee. The approval process requires that all of the following be submitted to the Architectural Committee:

1. Building Plan Checklist (see pages 4 and 5).
2. Construction Agreement (see pages 6 through 8) signed by the property owner and the Prime Contractor.
3. Two complete sets of architectural drawings showing all elevations and all architectural elements of the proposed construction.
4. A Site Plan showing location of house, driveway(s), walkways, mailbox, drain field, well, bordering properties and roads.
5. Hawkins County sewage disposal system certification. (This may be submitted after plan approval but it must be submitted within 90 days after the start of construction.)
6. Landscape plan (if landscaping will be done immediately upon completion of construction).
7. TVA (Tennessee Valley Authority) permits, if required.
8. A check for architectural review in the amount of \$250 payable to the Legacy Bay Homeowners Association.
9. A check in the amount of \$1,000 (payable to the Legacy Bay Homeowners Association) for a construction bond must accompany your application. This construction bond will be applied toward the cost to repair damages, if any, to common areas in conjunction with the construction of your home. When construction is completed any remainder of this construction bond will be refunded.

The property owner and the Prime Contractor are responsible for obtaining all permits prior to the submission of the architectural request to the Architectural Committee. If a permit is dependent upon architectural approval, a written explanation must be included with the application process.

These documents should be sent as a single packet to the Legacy Bay Homeowners Association, Architectural Committee, at the above address, at least 60 days prior to the anticipated start of construction. In certain circumstances, it may take the Architectural Committee longer than 60 days to review a construction request. Building may not commence until approval is obtained.

Architectural Requirements

The following information is extracted from the Legacy Bay Covenants, Conditions and Restrictions (CCRs) and other documents:

1. No building, fence, wall or other structure including a detached garage shall be commenced, erected or maintained upon the Property, nor shall any addition to or change or alteration therein be made to the existing improvements or the existing landscaping on that portion of the Lot continued in the area between the building line and the street until the plans and specifications showing the nature, kind, shape, color, height, materials and location of same shall have been submitted to and approved in writing as to harmony of external design and location in relation to surrounding structures, landscaping and topography by the Association.
2. Setback requirements:
 - Front: 30 feet measured from the front property line (right-of-way line). This measurement is not from the curb edge to the foundation but from the actual property line pin. This measurement is from all streets that abut the property.
 - Side and Rear: 7'6" minimum setbacks and are measured from all sides. Measurements are to be taken from the outer most portion of the building. In some cases this may be the foundation or the outer edge of the roof eave or a bay window or any structure that extends beyond the foundation.
3. Any residence constructed upon any Lot shall contain a minimum living area measured from the outside of the exterior walls, exclusive of porches, basements, attics, patios and garages as follows:
4. Square Footage Requirements
 - Phase I, Phase II and Phase III excluding the wooded lots in Phase II and the Grand Reserve, Legacy Bay Subdivision:
 - One story residence minimum 1,600 square feet;
 - One and one half story and two story residences: 1,800 square feet with a minimum of 1,400 square feet on the ground floor.
 - Wooded lots in Phase II and wooded mountain lots in future phases for the purpose of constructing a log home/cabin:
 - All residences minimum 1,400 square feet on the ground floor.
 - Grand Reserve, Legacy Bay, Subdivision:
 - One story residence minimum 2,000 square feet;
 - One and one half story residence: 2,200 square feet;
 - Two story residence: 2,500 square feet, with a minimum of 1,600 square feet on the ground floor

Note: Lots which comprise "The Grand Reserve" in Phases V and VIII are lots 147-177. Lots which comprise "wooded mountain lots in future phases" referred to above include lots in Phase VII, lots 121-125; and all lots which comprise Phase VI, lots 178-209 and Phase IX, lots 210-231.
5. The home must be of traditional architectural character.
6. The roof pitch shall not be less than 8 on 12.
7. One complete set of the plans and specifications shall be retained by the Association and the duplicate copy initialed by the Association when approved shall be returned to the Owner.
8. A plot plan shall be submitted in duplicate showing the location of each and every improvement proposed, showing the boundary of the Lot, all easements and building lines, floor level elevations, the location and dimensions of all buildings.
9. If any trees are proposed to be removed, such proposal shall be submitted to the Association for approval in advance.
10. Prior to the installation of landscaping on any Lot, a Lot Owner must present a detailed plan and plat of the proposed landscaping to the Association for approval. The Association will take care to protect the scenic view of all Lot owners when reviewing and approving such plans and plats. All trees, shrubs and other vegetation shall not be allowed to exceed thirty-five (35) feet in height.

11. Any proposed alterations to any of the improvements or additions thereto whether proposed to be made during the period of construction or after construction of the improvements shall be submitted to the Association for approval.
12. If construction is not begun within one (1) year after approval of the plans by the Association, the approval shall automatically terminate.
13. The Lot shall be finished, graded and seeded or otherwise planted or landscaped within thirty (30) days after the completion of the main residence provided, however, this period may be extended if the sodding, seeding or planting cannot be accomplished because of inclement weather.
14. The plans and specifications shall include all details of construction and materials including without limitation the color of the brick and/or paint to be used on the exterior, and the style of the roof shingles. Roof shingles for residences constructed on Grand Reserve Lots shall be a minimum of 300 pounds per square.
15. All exterior building materials shall be predominantly brick, stone, cedar logs or a combination of the same, which materials shall extend to the ground level on all sides of the building; provided, however, that windows and doors shall be of standard material; and provided further that the Association may approve other materials than those listed herein, if such approval is given in writing. Harmony among the residences in the Legacy Bay Subdivision is acknowledged as a goal of all parties.
16. All above ground tanks and other similar items shall be located or screened so as to be concealed from view of neighboring lots, streets, and property located adjacent to the Lot.
17. The Lots shall be subject to all building lines, setbacks including side yard requirements, easements and all restrictions of record pertaining to the Property including those reflected on the Plat. No building line or setback including side yard requirements as reflected on the Plat shall be varied or modified without the prior written approval of the Association.
18. If any portion of a porch, deck or similar structure is four feet or less as measured to the finished grade, the underside of the porch, deck or similar structure must be enclosed and surfaced with a material consistent with the exterior foundation of the house.
19. Final grading shall be consistent with the pre-construction contours of the lot and shall not permit water or soil run-off to roads or neighboring properties.
20. Construction of all dwellings and appurtenances must be complete within one (1) year of the commencement of construction.

Inspection

Prior to or upon completion, the Architectural Committee may conduct inspections of the property to ensure compliance with the approved plan.



Building Plan Checklist
Checklist Page 1 of 2

Lot #: _____ Phase: _____ Date Plan Submitted: _____
 Heated Sq. Ft. in plan: _____ # Stories above ground level: _____ (front) _____ (rear)

Property Owner: _____
Street Address: _____
City/State/Zip: _____
Home Phone: _____
Work Phone: _____
Cell Phone: _____
Fax: _____
Email Address: _____

Prime Contractor's Name: _____
Street Address: _____
City/State/Zip: _____
Home Phone: _____
Work Phone: _____
Cell Phone: _____
Fax: _____
Email Address: _____
TN Contractor License #: _____

Plan #: _____ Name of Plan: _____

What is the architectural style of this home? _____

The following must be submitted with this checklist:

Check that item is submitted:

- Two complete sets of architectural drawings showing all elevations
- Site Plan showing location of house, driveway(s), walkways, drain field, well, bordering properties and roads
- Hawkins County sewage disposal system certification (May be submitted after plan approval but within 90 days after the start of construction)
- Landscape plan (must be submitted before landscaping begins)
- If there are any TVA permits required, they must be included
- Insurance Certificate from Prime Contractor (See Construction Agreement, item 2)
- Signed Construction Agreement
- Checks (\$250 architectural review fee and \$1,000 construction bond)

Are all Legacy Bay setback requirements taken into consideration in your plan? Yes No

*If you have any questions, please contact the Architectural Committee Chairperson,
 Frank Doto, at 423-293-0775 or email frankdoto@charter.net.*

Building Plan Checklist
Checklist Page 2 of 2

Heated Sq. Feet: First Floor: _____
 Second Floor: _____
 Other: _____
 Total: _____
 Basement? Yes No Walkout? Yes No
 Roof Pitch: _____ (8/12 minimum)

Building Materials: Specify Manufacturer, Product Name, and Color. Samples may be requested.
Add additional information on separate sheet, if necessary.

Exterior Materials: (identify all exterior materials for each elevation): _____

Roof: _____ Shingle Weight: _____
 (Min. 300 lbs/sq in Grand Reserve)

Trim: _____
 Porch/Deck Stair and Rail Material and Design: _____

Doors/Shutters: _____

Driveways & Walkways: _____

Mailbox: _____

Location of Electrical Service Panel: _____

Location of Satellite Dish (if any): _____

Other: _____

Garage Description: _____

Above-ground tank(s)? Yes No

If yes, how will tank(s) be concealed from view? _____

In-Ground Pool? (If yes, must be shown on site plan)

Exterior hot tub or spa? Yes No (If yes, must be shown on site plan)

Open Deck? Yes No How Many? _____ Sq. Ft: _____

Covered Porch? Yes No How Many? _____ Sq. Ft: _____

Exterior Recreational Area? Yes No (If yes, must be shown on site plan)

Anticipated Starting Date: _____ Anticipated Completion Date: _____

POINT OF CONTACT

Specify the POC for construction questions and issues that may arise during construction:

Name: _____
 Street Address: _____
 City/Town, State, Zip: _____
 Email: _____
 Telephone: _____
 Alternate Phone: _____
 Fax: _____

Enclose architectural review fee of \$250 (non-refundable) and construction bond of \$1,000 (refundable) made payable to Legacy Bay Homeowners Association.

Indicate: Check # _____ Date _____ Paid by _____

Property Owner's Signature: _____ Date: _____

Prime Contractor's Signature: _____ Date: _____

LEGACY BAY HOMEOWNERS ASSOCIATION
Construction Agreement

INTRODUCTION:

Building shall be in compliance with plans and specifications approved by the Legacy Bay Architectural Committee prior to commencement of construction. **Architectural plan changes must be approved by the Architectural Committee prior to implementation.**

This Construction Agreement shall be signed by Legacy Bay Property Owner and the Prime Contractor and submitted with the Building Plan Checklist prior to commencement of construction.

The Property Owner and Prime Contractor are responsible for understanding and complying with the Legacy Bay Covenants, Conditions and Restrictions and this Construction Agreement. The Property Owner and Prime Contractor or his subcontractors and suppliers may be subject to fines and penalties for non-compliance with the Legacy Bay Covenants, Conditions and Restrictions, and this Construction Agreement to include all requirements contained in the "Construction of a New Home in Legacy Bay" document.

The Property Owner is responsible for all actions of his Prime Contractor that occur on or in relation to the construction site except those requirements that are mandated by Federal, State and local laws and by Tennessee Valley Authority requirements that are the sole responsibility of the Prime Contractor.

The Prime Contractor is responsible for all actions of all employees, subcontractors, and suppliers.

The Prime Contractor is responsible for complying with all requirements of the Legacy Bay Covenants, Conditions and Restrictions, this Construction Agreement, as well as all local, State and Federal laws and Tennessee Valley Authority requirements.

1. LICENSE: The Prime Contractor must be duly licensed and bonded by the State of Tennessee at all times.
2. INSURANCE: The Prime Contractor must have general liability insurance throughout the time period of the construction in an amount sufficient to cover possible damages to Legacy Bay roadways and Legacy Bay common areas by contractors, subcontractors, suppliers and employees. A certificate of insurance indicating this coverage and the amount must be submitted to the Legacy Bay Architectural Committee Chair prior to commencement of any activities on the construction site.
3. PERMITS: It is the responsibility of the property owner and the Prime Contractor to obtain all necessary permits before work requiring a permit is done. Permits must be posted on the display board (see below).
4. DISPLAY BOARD: Before construction can begin, the Prime Contractor must erect a display board not to exceed 3' x 5' in front of the job site identifying the Prime Contractor, contact information for the Prime Contractor, name of the lot owner, the lot number, the Legacy Bay assigned job number, all work permits and all mandated Federal and State employment documents applicable to construction as well as all Federal, State and local mandated Health and Safety documents. This display board must be of a design suitable to the style and nature of the community. No other signs may be posted on the job site.
5. ACCESS TO PROPERTY UNDER CONSTRUCTION: The Property Owner and the Prime Contractor acknowledge that the Architectural Committee or the Legacy Bay Board of Directors or its designee(s) shall have access at any time to the construction site for the purpose of inspection to determine compliance.

6. **PARKING:** Parking of vehicles or construction equipment is not permitted in front of or on any property other than the property under construction, limited to the requirements indicated in subsections a, b, and c below. Parking of vehicles or construction equipment is not permitted in front of any residence.
- a. Vehicles or trailers may not be parked for greater than 24 hours on any street.
 - b. No construction equipment of any kind may be parked on any street for greater than 24 hours.
 - c. Vehicles described in subsections a and b above may not remain parked on any street between 8:00 pm Saturday and 7:00 am Monday.
7. **REFUSE:** The job site and streets must be maintained clean and free of debris daily. An appropriate sized dumpster for refuse and cast-off building materials must be on the construction site at all times. The dumpster must be located off the street not closer than 10 feet from the curb line and any utility boxes and within the setbacks of the property under construction. No burning or burying of refuse or building materials will be permitted on the worksite or anywhere in the community, except that one outside fire, contained in a metal barrel or other non-flammable border, is permitted for warmth when the temperature is below 45 degrees Fahrenheit. Such warming fire shall burn only clean untreated lumber, not garbage, plastics, insulation, foam, siding, or other potentially hazardous substances. Such warming fire must be completely extinguished without residual smoke or embers at the end of the workday and whenever the jobsite is without supervision. The contractor must obtain a fire permit when required.
8. **SANITATION:** An appropriate temporary toilet must be on the construction site from the beginning of the construction until such facilities are available within the house. The temporary toilet must be located on the lot under construction in a location that is not offensive or noxious to occupied homes, preferably at the rear of the property under construction.
9. **CONSTRUCTION TIMES:** To limit unfavorable construction noises and maintain harmony in the community, all construction is restricted to Monday through Saturday during the hours of 7:00 A.M. and 8:00 P.M. Construction crews may not enter Legacy Bay property on Sunday for any reason other than an emergency situation requiring immediate attention. Emergency entry by the crew(s) must be approved by the Legacy Bay president or other member of the Board of Directors in advance.
10. **GATE ACCESS CODES:** The Prime Contractor will be provided a Legacy Bay gate access code during the period of construction. The gate access code will open the gate only between 6:30 A.M. and 8:00 P.M. Monday through Saturday. Gate entry is not permitted on Sundays. The Prime Contractor is responsible for ensuring that the access code is provided only to essential subcontractors and employees and that the code is not used by anyone for personal access to Legacy Bay.
11. **TREES:** No tree may be cut or removed without the written prior approval of the Architectural Committee.
12. **UTILITIES:** The Prime Contractor shall ensure that all work on utility lines will not interrupt or sever cable TV, electric, or telephone lines to any Legacy Bay property.
13. **NUISANCE AND NOISE:** The Prime Contractor shall intervene immediately to cease any unnecessary nuisance and noise on the construction site. Such nuisance and noise includes, but is not limited to, loud music and unnecessary idling of machinery or vehicles.
14. **EQUIPMENT:** All equipment that is not rubber-tired used on a lot shall be loaded or unloaded only within the boundary lines of the lot under construction, not on adjacent property or on the roadways or curbs.
15. **STREET CLEARANCE AND TRAFFIC:** All streets must be kept clear and clean of construction equipment

and debris including, but not limited to, mud, dust, stones, rocks or any other construction debris. *If a street must be cleaned by the Association, the Prime Contractor shall reimburse the Association for the full cost of the cleaning plus an administration fee.* Foot and vehicular traffic shortcuts through neighboring properties are prohibited. Damage to such properties caused by the Prime Contractor, his subcontractors, employees, or suppliers is the financial responsibility of the Prime Contractor.

16. GRAVEL ACCESS: Prior to construction, a gravel access shall be created on the property for vehicles entering the construction site so as to minimize mud, dirt and construction debris on Legacy Bay roadways.

17. ALCOHOL AND ILLEGAL SUBSTANCES: Use of alcohol or illegal substances of any kind by construction workers is not permitted on Legacy Bay property.

18. LEGACY BAY COMMON PROPERTIES:

- a. The use of the marina, marina parking lot, the boat ramp, the club house and pool areas are for Legacy Bay property owners and their invited guests only.
- b. The contractor, his employees, subcontractors, and suppliers are not allowed to bring animals, children, or non-essential persons into Legacy Bay.
- c. The property owner and the Prime Contractor are financially liable for any damages caused by subcontractors, employees, or suppliers to any of the common property of Legacy Bay, to include, but not limited to, the gates and gate appurtenances. Care must be taken to ensure that there is no damage to roadways, curbing, underground utility lines, drainage lines and sewers anywhere within the Legacy Bay development.
- d. The Prime Contractor shall ensure that all subcontractors, employees and suppliers do not attempt to forcibly push the gate to enter or to exit Legacy Bay. The Prime Contractor shall be liable for damage to the gate from such forcible entry or exit by subcontractors, employees or suppliers. The Prime Contractor shall ensure that subcontractors, employees and suppliers will not attempt to circumvent the gate to gain entry to Legacy Bay property.
- e. No hunting or discharge of weapons is permitted on Legacy Bay property at any time.

19. OCCUPANCY: Homes may be occupied only when electric, water and sewer systems are in place and functioning and all inspections are successfully completed.

Any violations or non-compliance of any items listed in this Agreement and any other issues identified by the Legacy Bay Architectural Committee, the Board of Directors or its designee(s) shall be remedied by the property owner and the Prime Contractor within 24 hours. If not done so, the Association may take legal action to enforce same to include injunctive relief, damages, and costs including reasonable attorney’s fees.

PRINT Legacy Bay Property Owner

Signature of LB Property Owner

Date

PRINT Prime Contractor

Signature of Prime Contractor

Date

Frank Doto
Chair, LBHOA Architectural Committee

Date

