

**Cross Reference: 1993-13680  
2003-0107013  
2014-87915  
2015-132026**

**NOTICE OF AMENDED AND RESTATED  
ARCHITECTURAL REVIEW BOARD GUIDELINES AND STANDARDS  
TWIN CREEKS HOMEOWNERS ASSOCIATION, INC.**

The Board of Directors and the Architectural Control Committee of the Twin Creeks Homeowners Association, Inc. (“Association”) hereby give notice of Guidelines and Standards which they have adopted and which are applicable to the Twin Creeks subdivision.

**WITNESSETH:**

WHEREAS, the residential community in Marion County, Indiana commonly known as Twin Creeks was established upon the recording of a certain “Declaration of Covenants, Conditions & Restrictions for Twin Creeks” with the Office of the Marion County Recorder on January 29, 1993, as Instrument No. 1993-13680 (hereafter, “Declaration”); and

WHEREAS, the Declaration establishes the Twin Creeks Architectural Control Committee for the purpose of regulating the external design, appearance, use, location and maintenance of the Twin Creeks subdivision and improvements thereon so as to preserve and enhance values and to maintain harmony of the external design and location of proposed modifications; and

WHEREAS, the Declaration states that no exterior additions, removals or alterations to any building within Twin Creeks, additional fences, or changes in existing fences, hedges, walls, walkways and other structures shall be commenced, erected or maintained until the written plans and specifications showing the nature, kind, shape, height, materials (including color), location and approximate cost shall have been submitted to and approved in writing by the Association’s Architectural Control Committee; and

WHEREAS, the Declaration empowers the Association to adopt rules and regulations;  
and

WHEREAS, the Association’s Board of Directors and the Architectural Control Committee previously adopted Rules and Standards to supplement the conditions and restrictions already in the Declaration, which Rules and Standards were recorded in the Office of the Recorder of Marion County, Indiana, as Instrument No. 2003-0107013; and

WHEREAS, the Association’s Board of Directors previously adopted “Architectural Review Board Guidelines and Standards,” which were recorded with the Office of the Marion County Recorder as Instrument No. 2015-132026 (“Architectural Guidelines”); and

WHEREAS, the Board, at a meeting held on September 28, 2023, approved certain amendments to the Architectural Guidelines; and

WHEREAS, the following Amended and Restated Architectural Review Board Guidelines and Standards shall replace and supersede the prior Architectural Guidelines.

NOW, THEREFORE, the undersigned give notice of the following:

1. That the Association’s Board of Directors and the Architectural Control Committee have adopted these “Amended and Restated Architectural Review Board Guidelines and Standards,” which are applicable to all Lots, Common Areas and streets within Twin Creeks, a true and accurate copy of which is attached hereto as Exhibit “A” and is incorporated herein.
2. That certain Rules and Standards and Architectural Guidelines were adopted prior to the recording hereof. The “Amended and Restated Architectural Review Board Guidelines and Standards” attached hereto constitute the current version of the same, and are binding upon all owners within Twin Creeks (Brookstone and Fieldstone).
3. If there is any irreconcilable conflict between any of the “Architectural Review Board Guidelines and Standards” and any of the covenants and restrictions contained in the Declaration, the conflicting provision(s) in the Declaration shall govern and control only to the extent of the irreconcilable conflict. It is the intention of the Board of Directors and the Architectural Control Committee that all such rules, standards, covenants and restrictions herein shall be applicable to the greatest extent possible.

[SIGNATURE PAGE TO FOLLOW]

Dated this 24<sup>th</sup> day of October, 2023.

Twin Creeks Homeowners Association, Inc.

Wyatt C Smith Jr  
Signature of President

WYATT C SMITH JR  
Printed Name

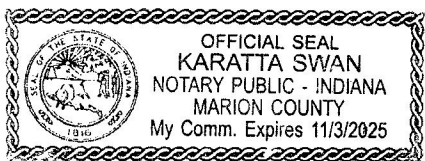
[Signature]  
Signature of Secretary

Gregory A. Johnson  
Printed Name

STATE OF INDIANA     )  
  ) SS:  
COUNTY OF MARION    )

Before me a Notary Public in and for said County and State, personally appears Wyatt C Smith Jr and Gregory A Johnson, the President and Secretary of the Twin Creeks Homeowners Association, Inc., respectively, who acknowledged execution of the foregoing for and on behalf of said corporation and committee and who, having been duly sworn, stated that the representations contained herein are true.

Witness my hand and Notarial Seal this 24<sup>th</sup> day of October, 2023.



Karatta Swan  
Notary Public - Signature  
Karatta Swan  
Printed

My Commission Expires:  
11/3/2025

Residence County: Marion

"I affirm, under penalties of perjury, that I have taken reasonable care to redact each Social Security Number in this document, unless required by law." Nicole E. McGaughey, Esq.

This instrument prepared by, and should be returned to, Nicole E. McGaughey, EADS MURRAY & PUGH, P.C., Attorneys at Law, 9515 E. 59<sup>th</sup> St., Suite B, Indianapolis, IN 46216

**AMENDED AND RESTATED  
ARCHITECTURAL REVIEW BOARD GUIDELINES AND STANDARDS**

**OVERVIEW:**

Per the Declaration of Covenants, Conditions and Restrictions for the TCHA, BOD is charged with establishing rules and regulations for the health, comfort, safety and welfare of residents and for the preservation and enhancement of property values in the community.

**HOMEOWNER MAINTENANCE:**

In accordance with the Declarations of Covenants, Conditions and Restrictions for the TCHA, Article VIII Owners Maintenance, homeowners shall be responsible for the home upkeep and maintenance as this is a key component to maintaining property values.

**GENERAL RESTRICTIONS AND OBLIGATIONS OF HOMEOWNERS:**

Contained in the Declaration of Covenants, Conditions and Restrictions for the TCHA, Article IX General Restrictions, Obligations and Rights Applicable to Property, are a number of property requirements and restrictions for homeowners. See Appendix A for an abbreviated list.

**ARCHITECTURAL CONTROLS AND REVIEW:**

According to the Declaration of Covenants, Conditions and Restrictions for the TCHA, Article VI Architectural Controls (see Appendix B), the BOD shall regulate the external design, appearance, use, location, and maintenance of the properties in the community in order to preserve and enhance property values and to maintain a harmonious relationship among structures, improvements, and the natural vegetation and topography.

- No improvements, alterations, repairs, change of colors, excavations, changes in grade, other work that in any way alters any lot or the exterior of the home shall be made or done without prior review and written approval by the BOD.
- It is the homeowners' responsibility to submit a BOD change request for most changes to the lot and exterior of the home prior to making changes, providing a detailed description of proposed changes in material, style, design, color, function, etc.

According to the Declaration of Covenants, Conditions and Restrictions for the TCHA, Article VI Architectural Controls, the BOD shall establish Architectural requirements, guidelines standards in a fair, uniform and reasonable manner exercising discretion inherent in the design review process. Below are general guidelines for many common Architectural changes. These are intended as a guide for homeowners in preparation for submitting Architectural change requests for review of requests.

**COMPLETING PROJECTS ON TIMELY BASIS:**

It is expected that approved projects shall be completed on a timely basis. Do not start exterior projects late in the year that cannot be completed by the end of the season. Example: Replacing siding, trim, etc. in the winter and completing the painting the following Spring or Summer is strongly discouraged.

**AWNINGS:**

Awnings will not be permitted on the front or side of the home. Patio awnings at the rear of the house shall be in colors that are compatible with the home’s exterior colors and harmonious with the neighborhood. Awnings are to be retractable and should be kept in the retracted position when not in use. Applications for awnings shall include the following information: size of awning, color sample of awning, a description of the awning’s materials and description of the attachment method to the house.

**EXTERIOR PAINTING:**

All exterior color changes on the house shall include siding, windows, doors, shutters and trim require BOD approval. Vinyl siding and brick may not be painted. Paint colors must be consistent with original color and the natural scheme of the TCHA Painting Trim to match an approved or the original siding color does not require BOD approval.

Houses shall have no more than 3 paint colors, a Base color, a Trim color and an entry door/shutter color as follows:

Base Color

- This is the color of the main body of the house, typically the siding
- Base Color paint shall be flat or satin finish
- Semi-gloss or gloss finishes are not permitted

Trim Color

- This is the color that is applied to all horizontal and vertical trim boards and gutters including fascia boards, siding trim boards, gutters, downspouts, porch railings, all window and door trim, all screened patio & enclosed patio trim.
- All paint on these trim surfaces must be painted white in Brookstone.

Entry Doors and Shutters

- Front doors must be the same color as the shutters and color must be approved by the BOD
- Side and rear entry doors shall be the same color as the base color in Fieldstone and original white in Brookstone

Garage Doors

- Garage door color must match the Base color in Fieldstone and white trim in Brookstone

Windows

- All windows must have grids, trim/moldings shall match the Trim color of homes in Brookstone and Fieldstone

**PLANTINGS:**

Removal of existing landscape items such as flowers, shrubs and trees does not require BOD approval. Replacement of existing shrubs and trees in the same location as those removed and with the same variety of those removed does not require BOD approval.

Customary landscaping, such as flowers and shrubs generally will not require BOD approval. However, types of landscaping described below do require BOD approval and require the homeowner to submit the Exterior Alteration Application.

- Plantings used as a fence or screen or plantings that are on or adjacent to property lines or sidewalks
- Placement of large decorative rocks on a property
- Landscaping that involves a change of grading or slope or installation of a retaining wall, landscape stones, concrete or other materials that exceed a height of more than 12”
- Any landscaping, plantings, etc. that exceed, or cause to exceed 25% of the available lot
- All trees regardless of size at time of planting must be reviewed for variety and placement and no Weeping Willows are permitted

Railroad ties will not be permitted for use as borders.

Plantings intended to be fences or screens or hedges, etc. will only be considered for rear and side yard (not extending forward of the front plane of the home into the front yard) installations.

**SWIMMING POOLS:**

Above ground swimming pools are not permitted in Twin Creeks. In-ground pools require BOD approval.

**FIREPLACES:**

Permanent fireplaces require prior approval of the BOD.

**EXTERIOR DECORATIVE ITEMS:**

Exterior decorative items of significant size such as flagpoles, sculptures, fountains, etc. require BOD approval.

**ADDRESS SIGNS/PLAQUES:**

Stone address markers inset in brick per Estridge’s original specifications (i.e.: size of 2 course high x 2 brick wide, black numbers, no other designs on the stone) do not require BOD approval. All other address signs or plaques attached to the house require BOD approval.

**TRAMPOLINES:**

Trampolines shall be no more than 15' in diameter and shall be of dark colors. No bright colors are permitted. Trampolines shall not be located on side or front lawns. They shall be kept no closer than 10' from the rear or side property lines.

**FENCES:**

All fencing, fence color, style and placement shall be subject to BOD approval. Fences may be stained or waterproofed with semi-transparent clear finish without ARB approval. All other stains are not permitted. No fences shall be painted.

Fences must be constructed of 1" x 6" dog-eared cedar boards, shadow-box style, straight-top (not arched or scalloped). The fences height shall not exceed six feet, in height, with one exception. Fences constructed on lots that abut the lakes shall not exceed 42 inches. Fences may be stained with a clear, semi-transparent stain only. No paint or pigmented stains are permitted.

**DECKS:**

All decks, their design, style and placement shall be subject to BOD approval. Decks may be stained or waterproofed with clear, semi-transparent finish without BOD approval. No painting or pigmented stains are permitted on decks.

**EXTERIOR LIGHTING:**

For safety reasons, each home is required to have operating dusk-to-dawn lights on the garage. Two-car garages are required to have 2 operating dusk-to-dawn lights and 3-car garages are required to have 3 operating dusk-to-dawn lights.

Changes exterior lighting on front of homes requires ARB approval.

All lightings on the front of the home or otherwise visible from the street are required to be matching in style, color and finish.

**RE-SIDING:**

Approval from the BOD is required when any structure is re-sided. While the BOD does not specify any particular manufacturer, the siding material, style, shape and final color must be approved. Siding may be Lap or Panel style.

Wood, cement fiber siding or vinyl siding are permitted.

Vinyl Siding

- Vinyl siding shall have an exposure of 4.5"
- Multiple surfaces are not permitted on the same house

Panel siding shall have the following specifications:

- 48" x 96" overall size

Cement-type Lap siding shall have the following specifications:

- Exposure of 6” to 7”
- Wood-grain surface (like HardiePlank #6671111) in Fieldstone
- Beaded style is not permitted

**MAILBOXES AND POSTS:**

Mailboxes and mailbox posts should conform to the original style, size and color installed by Estridge. The number on mailboxes in Twin Creeks and numbering/street name lettering on mailboxes must match the original color, size and font as mailboxes installed by Estridge.

Address Art and Mailbox Solutions are the approved mailbox supplier for TCHA.

Clear staining or waterproofing of mailbox posts is permitted in Fieldstone. Mailboxes in Brookstone must be white and the post painted original green color.

**PLAYSETS AND SWINGSETS:**

Metal framed play sets/swing sets are prohibited. Play set/ swing set frames must be made of wood. No playsets are permitted on front or side yards. Playsets are not permitted to be painted but may be stained with a clear or semi-transparent waterproofing. Play sets may not have a tree house, clubhouse or other enclosed building. Examples of excluded structures are available upon request. Play set/swing set style and placement must be approved by the BOD.

**SCREEN DOORS, SECURITY DOORS, STORM DOORS:**

Storm doors are allowed with BOD approval and color must be consistent with the home or front door of the Home. Storm doors or windows with bars are not allowed.

**TRASH REMOVAL:**

Trash should be secured in city approved trash cans with lids securely closed to prevent animal intrusion and scattering by strong winds. Trash containers shall be kept clean and shall not be stored on any lot in open public view.

**BASKETBALL GOALS:**

All basketball goals must have a black post and a clear backboard. Temporary basketball goals should be stored in the garage or up next to the home when not in use and must not be placed on a walkway, on a sidewalk, on a driveway apron or in the street at any time. Using bagged product, rocks, blocks, bricks, etc. as weights on top of temporary goals is not permitted. Basketball goals may not be placed in backyards.

**COMPOSTING:**

Composting is allowed in BOD approved containers, which are to be stored within an enclosed area such as a fence or garage. The exterior of said containers are to be kept clean to prevent and reduce any odors.



## **HOLIDAY DECORATIONS:**

Holiday decorations must be displayed for a period of three weeks prior and two weeks following the corresponding holiday. The only noted exception is that Christmas decorations may be displayed from Thanksgiving Day to January 15. Holiday decorations must adhere to Article VI, Section 15 "... nor shall anything be done thereon (in any Homes, on any Lots or in the Common Area) which may be or may become a nuisance to any other Owner or to any other person at any time lawfully residing on the Property." The HOA reserves the right to enforce the removal of any declaration deemed a nuisance.

## **GARAGE DOORS:**

Standard panel doors are required.

Garage door color must match either the Trim color of the Base color in Fieldstone and be painted white in Brookstone.

No windows, or anything that makes the garage look like it has windows shall be permitted on the Garage doors.

No additions or alterations, whether temporary or permanent, shall be added to the garage door. This includes, but is not limited to:

- Garage decals
- Signs
- Magnets

All garage door designs must match the original design.

## **WINDOW AND SLIDING DOOR REPLACEMENT:**

Window and sliding door replacement requires BOD approval prior to making changes to the home unless replacement windows are of identical wood exterior construction as the original windows and are repainted an approved trim color that matches the house Trim.

It is crucial that the exterior color of replacement windows very closely matches the existing trim color of the house. Therefore, it is important to carefully select replacement window color that matches the existing trim or painting the Trim will be required.

- Replacement windows and sliding doors may be vinyl, wood or wood-clad
- Replacement windows and sliding doors shall have the same exterior appearance, look, design, style, type, functionality, approximate dimensions, shape, trim, as the windows currently approved or originally installed on the home
- Vinyl or Wood-Clad windows can be used for partial replacement projects provided that (1) All windows on any one side of the home that is in view of any neighborhood road must be replaced and (2) the replacement windows match in color to the existing trim
- All replacement windows must have grids and full screens

- Exterior color of grids must closely match the current grid color, must closely match the same size, and shape of current grids and have the same number of openings as the original grids
- Windows and sliding doors with a wood exterior finish shall be painted with a flat, matte, paint color matching the existing house Trim color (window casing, brick mold, window sills, siding, gutters, etc.) and changes in color are subject to approval by the BOD
- Replacement windows and sliding doors with a maintenance-free exterior finish shall have a color matching the existing exterior trim, subject to approval by the BOD
- A small percentage of homes in Brookstone have white, no maintenance windows, Homes with these windows may replace with like-kind windows or submit a BOD request for replacement with dissimilar windows.

**SIGNAGE:**

In addition to the signage guidelines found in the Covenants, professionally made contractor signs may be temporarily displayed in front lawns for one week prior to a project and the duration of the project. Contractor signs are to be removed upon completion of any project. Contractor signs left in yards after completed jobs will be removed by the Management Company.

**ROOFING SHINGLES:**

The original shingle installed on homes in the community was the color Weathered Wood, which continues to be an approved shingle for the community. The BOD considers dimensional style shingles superior in appearance and performance. Acceptable dimensional shingles include:

Manufacturer	Type	Product Lines	Color
Owens Corning	3-Tab	Supreme	Weathered Wood
GAF	Dimensional	Timberline	Weathered Wood
Tamko	Dimensional	Heritage	Weathered Wood
Certainteed	Dimensional	Landmark	Weathered Wood

**SCREEN/STORM DOORS:**

Storm doors are allowed with BOD approval and color must be consistent with the Trim or base front door color.

Storm doors must be full-view style. No black “security doors” are permitted.

**PERGOLAS:**

Pergola design and location must be approved by the BOD.

**HOT TUBS/SPA TUBS:**

Hot tun and spa tub installations must be approved by the BOD if they are installed outside of the home or enclosed patio.

## **ROOM ADDITIONS AND PATIO ENCLOSURES:**

All room additions and patio enclosures must be approved by the BOD.

## **PORCH RAILINGS:**

Porch railings may not be removed without BOD approval. However, the installation of new railings on homes that do not have railings or the replacement of railings with railings that are in any way different from the existing railings requires BOD approval.

## **HOME OCCUPANCY**

No home shall be used for purposes other than single-family occupancy and cannot be used for temporary housing or for transient occupancy.

TCHA has amended the covenants to include a rental cap

No home may be leased for a period of less than 90 days. All leases shall be in writing.

## **Common Area Use and Quality of Life**

There shall be no unauthorized use of the Common Area nor shall anything be kept, built, planted or stored on the Common Area without prior written consent of the Association.

Any noise or activity which disturbs the serenity of the neighborhood is prohibited.

## **Animals and Pets**

As per Sec. 531-102a of the City Code, animals are not allowed at large within the community and must be kept on a leash at all times when not physically on the owner's property.

As per Sec. 531-203a of the City Code, no person shall allow their dog or cat to defecate or urinate on a public street, in the common/public area, or on someone else's private property without promptly removing any such feces to a waste container, or otherwise disposing of such material in a manner inoffensive to reasonable public sensibilities. Animal waste cannot be left on the homeowners property or dumped into the Common Area, woods, streams or streets.

Any pet causing or creating a nuisance or unreasonable disturbance or not properly maintained and handled by its owner, including appropriate leashing of the animal and disposing of the animal waste, shall be removed from the property. Subject to these restrictions, upon three days written notice from the Board, and provided further, that upon written request of 25% of the voting power of the Association, the Board of Directors shall have the authority to, and shall order the removal of any such pet.

No animals or livestock of any kind shall be raised, bred or kept on any lot except that household pets may be kept, provided they are not bred, kept or maintained for commercial purposes.

## **External Storage**

No enclosed storage area or garage shall be erected which is not permanently attached to the home. No trailer, shacks, outhouses, detached storage sheds or tool sheds of any kind shall be erected or situated on any lot.

Outside storage of any items, including but not limited to sporting equipment, toys, outdoor cooking equipment, yard and garden tools and equipment will not be allowed unless screened from view by enclosures.

No boats, snowmobiles, recreational vehicles, trailers, camping vehicles, buses, trucks, motorcycles, mini-brakes, mopeds, unlicensed or inoperable vehicles, or any other vehicles other than normal passenger automobiles (including station wagons, small trucks and vans) shall at any time be stored or parked on any lot outside of a garage, or on any part of the Common Area.

In order to accommodate snowplow trucks on the streets, there shall be no parking on the streets when there is an accumulation of more than two inches (2") of snow.

Front porches shall not be enclosed or used for storage purposes and shall at all times be maintained in a good state of appearance and cleanliness. Only items such as patio furniture, or potted or hanging plants, shall be permitted in front porches.

No portable storage containers (i.e. PODS) shall be allowed within the community for longer than ten (10) consecutive days.

## **Property Maintenance**

Shutters must be maintained in original trim color (or alternate color approved by the BOD) and worn shutters with missing or misaligned slats should be repaired or replaced immediately.

Lawns must be mowed in a timely manner and maintained with a neat and trim appearance. Grass shall be consistently cut to an appropriate height. Lots shall be maintained free of weeds.

Trees and shrubs shall be trimmed and pruned to be neat and attractive in appearance. Dead or diseased trees or shrubs shall be removed promptly and disposed of properly.

There shall be no parking of any vehicles on the grass of a lot.

Exterior stains, such as automotive oil, on concrete surfaces should be cleaned and restored to original color and condition.

Driveways and sidewalks shall remain as concrete and may only be sealed with a clear sealant.