

**DESIGN GUIDELINES
FOR
LITTLE CREEK COMMUNITY PRESERVE**

These Design Guidelines are adopted pursuant to the Declaration of Protective Covenants for Little Creek Community Preserve, sometimes referred to in these Design Guidelines as the “Declaration of Protective Covenants” or simply as the “Declaration”. These Guidelines are binding upon all property owners, their family members, guests, invitees and other persons in Little Creek Community Preserve, other than the Little Creek Homeowner’s Association, Inc. and the Declarant, who may construct or modify any improvement within Little Creek, or make any change in the natural or existing surface, drainage or plant life in Little Creek in the manner provided in the Declaration of Protective Covenants.

These Design Guidelines are administered and enforced by the Architectural Committee in accordance with the Declaration of Protective Covenants and the procedures in these Design Guidelines.

These Guidelines may be amended from time to time. It is the responsibility of each Owner and all other persons subject to these Design Guidelines to obtain and review a copy of the most current Design Guidelines. Before starting any design work, you must verify that you are using the current version of these Guidelines.

ARTICLE 1.

PURPOSE

Little Creek has been planned and designed with a commitment to maintaining and enhancing the natural surroundings and resources, while providing recreational activities. These Guidelines have been designed to preserve the natural integrity of Little Creek and protect critical wildlife habitat.

The design philosophy for Little Creek is to encourage homes, buildings and other site improvements that complement and do not overpower the natural surroundings. Building siting, design, materials, and colors should all draw inspiration from the surrounding environment. The manner in which buildings are placed on a homesite and the treatment of the surrounding conditions are some of the primary goals of these Guidelines.

These Design Guidelines also address architectural considerations. Although there is no single architectural style for Little Creek, the design of homes and other improvements will be governed by a number of fundamental design principles. It is not the intent that all buildings look alike. Rather, it is that all improvements in Little Creek will be designed to high standards through the implementation of these architectural Guidelines.

These Design Guidelines have been written as an aid to Owners and the Architectural Committee in the design and development of homes and other Improvements in Little Creek and to implement Little Creek design philosophy. In doing so, the goal is that these Guidelines help ensure the preservation of the natural conditions of Little Creek, while establishing a high level of quality for the entire community.

The four main objectives of Little Creek Design Guidelines are to: (i) Preserve the integrity of the natural surroundings and wildlife habitat on Little Creek; (ii) Protect and preserve property values by requiring compliance with design and construction standards; (iii) Provide clearly defined site planning that will minimize the impact of development; (iv) Establish a design review process that will assist Owners with the design of their home and other improvements.

ARTICLE 2.

APPLICATION OF DESIGN GUIDELINES

Over time, the Guidelines may be revised. Prior to initiating any design work, Owners and their design team should contact the Architectural Committee to ensure that they have the most current version of these Guidelines.

Other documents and regulations should also be considered during the design process. These include the Declaration of Protective Covenants and any laws, building codes and other regulations of all applicable governmental authorities. In the event of any conflict between these Guidelines and other documents and regulations, the more restrictive provision will apply.

Terms used in these Guidelines which are defined in the Declaration of Protection Covenants will be interpreted using the definitions ascribed to them in the Declaration of Protective Covenants.

ARTICLE 3.

DESIGN REVIEW FEES

The Architectural Committee may charge a reasonable Design Review Fee for the processing of an application. Generally, the Design Review Fee will be assessed to offset out-of-pocket costs incurred by the Architectural Committee in connection with the design review process. The fees may include, by way of example, fees for consultants such as engineers and architects, reproduction costs and shipping costs. The Architectural Committee should be contacted for the current Design Review Fees.

ARTICLE 4.

THE DESIGN REVIEW AND APPROVAL PROCESS

The goal of the Architectural Committee is to establish a cooperative working relationship with every Owner in Little Creek. Although the Architectural Committee is responsible for reviewing each development proposal, an additional role of the Architectural Committee is to assist each Owner during the review process.

The design review process involves a series of meetings that begins with an informal introductory meeting and concludes with the completion of construction. A number of meetings are scheduled throughout this process in order to ensure a smooth and efficient review of the design of Improvements.

ARTICLE 5.

THE ARCHITECTURAL COMMITTEE

The Architectural Committee is composed of an odd number of members containing no less than five (5) or more than eleven (11) persons who are familiar with these Design Guidelines and the

design and construction process. The members are elected and appointed in the manner provided in the Declaration and the other Little Creek Documents. The Architectural Committee functions in accordance with procedures outlined in the Declaration.

The Architectural Committee meets on an as-needed basis. The Architectural Committee may postpone any scheduled meeting if any materials required to be submitted in connection with the meeting are not received by the Architectural Committee by the applicable submittal dates. The Architectural Committee may, but is not required to, hold meetings by telephone.

In accordance with the Declaration of Protective Covenants, the Architectural Committee (“Architectural Committee” or the “Committee”) will implement these Design Guidelines. All Improvements must be reviewed by the Architectural Committee for compliance with these Guidelines. The Architectural Committee has full discretion in evaluating whether a proposal complies with these Guidelines. Improvements are broadly defined in the Declaration to include all structures and appurtenances thereto of every type or kind.

At its discretion, the Architectural Committee has the authority to approve variations from and waiver of the application of any of these Guidelines to the extent not inconsistent with the Declaration of Protective Covenants.

ARTICLE 6.

DESIGN STANDARDS AND CONCEPTS

These Guidelines contain both absolute design standards and design concepts that are expressed in fairly broad terms. The absolute design standards include fundamental design considerations that must be addressed by every project in order to accomplish the objectives of these Guidelines. The absolute design standards are relatively straightforward and require little, if any, interpretation. Examples of these standards include maximum building size and acceptable building materials.

Design concepts, however, are more broadly stated guidelines and include concepts such as the use of materials that “convey a sense of strength and mass” and buildings that are “sensitive to the site”. Unlike the absolute design standards, these broadly stated design concepts require interpretation by the Architectural Committee in order to determine a project’s compliance with these Guidelines.

It is important to understand that the broadly stated design concepts are necessary to allow Owners flexibility, creativity and room for self expression in order to build the home of their choice. Each Homesite has its own unique characteristics. Thus, a design-solution deemed appropriate on one Homesite may not be appropriate on another Homesite.

The final determination of a project’s compliance with both the absolute design standards and the design concepts is made by the Architectural Committee. All decisions regarding compliance with these Guidelines are subject to the interpretation and discretion of the Architectural Committee.

ARTICLE 7.

MODIFICATIONS TO EXISTING IMPROVEMENTS

Architectural Committee approval is also required for any exterior modifications to any Improvements. For example, changes to the color of buildings or to roof materials, the addition of new windows and the addition of a garage or other out-building all require Architectural Committee approval. It may be necessary to submit samples and other materials as a part of the approval process. Submittal material required by the Architectural Committee for modifications to existing Improvements will vary depending on the nature of the proposed modifications.

Prior to designing any modifications to existing Improvements, the Owner should contact the Architectural Committee to outline the review process and submittal requirements. In many cases, the review process for modifications to existing structures will not require all of the review steps outlined below and in certain cases, minor modifications to existing structures may be approved without the need for a formal meeting with the Architectural Committee.

ARTICLE 8.

THE PRE-DESIGN MEETING

The Pre-Design Meeting provides an opportunity for the Owner and the Architectural Committee to informally discuss the Design Guidelines and the Homesite. A Pre-Design Meeting is not required; it is, however, strongly recommended as a way to help the Owner keep from starting on the wrong track and wasting large amounts of time and money on design.

The Pre-Design Meeting provides an opportunity for the Architectural Committee to explain Little Creek design philosophy, the design review and construction process, and specific site planning and architectural guidelines. This meeting also allows the Owner an opportunity to share initial design concepts with the Architectural Committee. The Pre-Design Meeting will be held on the Homesite to identify specific site characteristics that should be considered during the design process. Owners are strongly encouraged to wait until after this meeting to initiate design work on their home.

No formal action will be taken by the Architectural Committee at the Pre-Design meeting and there are no submittal requirements for the Pre-Design Meeting.

ARTICLE 9.

THE SCHEMATIC DESIGN MEETING

The first formal meeting with the Architectural Committee is the Schematic Design Meeting. The purpose of this meeting is for the Owner to present schematic designs and a general idea of the types of materials to be used in the construction of the proposed home and other structures and Improvements.

The Architectural Committee will take formal action on the appropriateness of the site plan, building design, and overall plan of the Schematic Design. The Architectural Committee will provide the Owner with a written statement of approval or disapproval and, if disapproved, a list of issues that need to be addressed. Proposals that are approved by the Architectural Committee may move on to Plan Review. Applications that are not approved will require a revised schematic design to be submitted for review by the Architectural Committee.

Schematic Design Meeting Submittal Material. A minimum of one week prior to the scheduled Schematic Design Meeting, five (5) copies of the following are required (unless otherwise noted) to be submitted:

Conceptual Site Plan. Plan drawn at a scale of 1" = 20' or greater indicating the location of all proposed structures and major site improvements, proposed access to the residence and other Improvements, and preliminary grading.

Preliminary Sketches of Structures. Building elevations and perspectives drawn at a scale sufficient to indicate the general scale and massing of the proposed home, other structures, and all exterior building materials.

Preliminary Outdoor Improvements Plan. Plan drawn at the same scale as the Conceptual Site Plan indicating outdoor site improvements (other than plant materials) such as lighting, patios, terraces, drives, entry pylons, walkways, retaining walls, fences, and pools or other water features.

Other Materials. Any other drawings, materials or information that will aid the Architectural Committee in understanding the proposal or that may be requested by the Architectural Committee.

ARTICLE 10.

THE PLAN REVIEW MEETING

Plan Review is the last formal meeting between the Owner and the Architectural Committee. A comprehensive submittal including final design drawings and a Construction Management Plan is required for Plan Review.

Committee Action. The Architectural Committee will evaluate submittals for compliance with all applicable Design Guidelines and with the approved schematic design. The Architectural Committee will provide the Owner with a written statement of the Architectural Committee's approval or disapproval within thirty (30) days of the Plan Review Meeting and, if disapproved, a list of issues that need to be addressed. In the event the Architectural Committee does not respond within said thirty (30) days, such inaction shall not be deemed a waiver of their right to approve or disapprove the Plan Review application or as acquiescence to the Plan Review application.

Once a Plan Review application is approved, the Owner shall proceed with the Construction Drawings.

Proposals that have not responded to Architectural Committee issues or are otherwise inconsistent with the approved schematic design or these Design Guidelines will either be denied or tabled to a subsequent meeting. At the discretion of the Architectural Committee, Plan Review applications that have been denied may be required to re-submit a Schematic Design application.

Plan Review Submittal Material. Five (5) copies of the following are to be submitted a minimum of two weeks prior to the scheduled Plan Review Meeting:

Site Plan. Prepared at a scale of 1" = 20' or greater, indicating the location of all proposed structures, site access and utility service lines.

Grading Plan. Prepared at the same scale as the Site Plan indicating all modifications to existing contours, retaining walls, and proposed on-site drainage, including storm water management and erosion and sediment control during construction.

Floor Plans. Prepared with dimensions of all proposed buildings drawn at a scale of 1/4" = 1'-0" or greater showing all interior floor area and finished floor elevations.

Building Elevations and Roof Plans. Drawn at the same scale as the Floor Plans indicating all exterior wall treatments, fenestration, decks and terraces, finished floor elevations, heights of all major roof ridges, location of utility panels and meters, lighting, and existing and proposed finished grades around the structure(s).

Site and Building Sections. Drawn at the same scale as the Site Plan and as necessary to indicate the relationship of each proposed building to the homesite.

Perspective Sketch. Prepared for each proposed structure indicating the architectural character of the structure, architectural details, and the relationship of the structure to the homesite.

Outdoor Improvements Plan. Drawn at the same scale as the Site Plan indicating all new site improvements such as lighting, patios, terraces, driveways, entry signs, pylons and other entry features, walkways, retaining walls, fences, pools and ponds.

Building Materials. Comprehensive list of building materials and a color and material board.

Construction Management Plan. Prepared in conformance with these Guidelines.

Other Materials. Any other drawings, materials or information that will help explain the proposal or that may be requested by the Architectural Committee.

Required Actions. At least one week prior to the Plan Review Meeting, the Owner shall stake in the field the location of proposed Improvements in order to provide the Architectural Committee with a clear indication of where improvements are proposed on the site. Staking shall indicate proposed building footprint(s), the driveway centerline, and other site improvements such as on-grade decks, patios and ponds.

ARTICLE 11.

CONSTRUCTION DRAWING REVIEW

The purpose of the Construction Drawing Review is for the Architectural Committee to review final construction plans for consistency with plans approved at the Plan Review.

Committee Action — Construction Drawing Review

Upon approval of the plans and Final Construction Drawings and payment of the Construction Compliance Deposit, as required under these Guidelines, the Architectural Committee will issue a Notice to Proceed, and those plans and Final Construction Drawings will become the "Approved Plans".

If construction plans are not approved, the Architectural Committee shall provide a written explanation of why the plans were denied. Following such notice, the Owner may either modify

such construction plans as required or may schedule a Plan Review Meeting to formally present proposed plan revisions to the Architectural Committee.

Construction Drawing Submittal Material. Five (5) sets of the following documents (the “Final Construction Drawings”) may be submitted at any time after Plan Review approval and shall be submitted at least two (2) weeks prior to the scheduled start of construction:

Construction Plans. Complete construction plans (bid documents) including, but not limited to, a grading plan, drainage plan, foundation plan, framing plan, floor plan, roofing plan, building elevations, site plan, landscape plan, and all building specifications and material schedules.

Final Construction Management Plan. See Section 23 of these Guidelines.

List of Subcontractors. A list of the names and phone numbers of all sub-contractors to be employed on the project.

Construction Compliance Deposit. A Construction Compliance Deposit of \$1,000 shall be submitted to the Architectural Committee at the time Construction Drawings are submitted. Details pertaining to the Construction Compliance Deposit are described in Section 25 of these Guidelines.

ARTICLE 12.

CONSTRUCTION REVIEW

The final step is for the Architectural Committee to review construction for conformance with the Approved Plans and these Guidelines. The Architectural Committee has the authority to enter a construction site at any reasonable time during the construction process to review for conformance by the Owner and its contractor with the approved Plans and these Guidelines. The Architectural Committee will not be required to initiate the issuance of a Certificate of Completion unless requested to do so in writing by the Owner.

Committee Action. Upon approval of the construction and improvements, the Architectural Committee shall issue a Certificate of Completion.

If the Architectural Committee determines the construction and improvements have not been completed substantially in accordance with the Approved Plans, the Architectural Committee shall provide a written notice to that effect, including an explanation of why the approval was denied, to the Owner, within the Approval Period (as extended). Following such notice, the Owner shall modify such construction in order address the deficiency as set forth in the denial.

Required Actions. The Owner is responsible for the general contractor failing to schedule all reviews. The general contractor shall schedule the following reviews with the Architectural Committee:

Pre-Construction. Prior to the start of construction, the general contractor will meet with the Architectural Committee to discuss all elements of the construction management. Prior to excavation, the Architectural Committee will review site staking and the excavation area for conformance with the Approved Plans.

Framing. Following the completion of exterior walls and roofs, the Architectural Committee will review the location and form of the building for conformance with the Approved Plans.

Final Review. Upon Completion Final review will be scheduled following the completion of all construction and site improvements. The Owner may request a Certificate of Compliance following this review. The Owner shall make its request for Certificate of Completion in writing to the Architectural Committee.

The absence of any one of these reviews by the Architectural Committee during construction will not imply approval of the work in progress or compliance with Approved Plans.

Certificate of Compliance. The Owner must obtain a Certificate of Compliance from Little Creek Architectural Committee before occupying a new residence or any other new Improvements. It is the Owner's responsibility to request in writing the issuance of a Certificate of Compliance. Upon all of the applicable Improvements being completed in accordance with the Approved Plans, the Architectural Committee will issue a Certificate of Compliance and refund any unused portion of the Construction Compliance Deposit.

ARTICLE 13.

MODIFICATIONS TO APPROVED PLANS

It is not uncommon for minor changes to be made to the design of a home or other Improvements during the construction process. Changes to the interior of a structure that do not affect the exterior appearance of the structure do not require the approval of the Architectural Committee. Any changes to the exterior of a structure or the site plan require review and approval by the Architectural Committee. The Owner shall contact the Architectural Committee prior to initiating any such changes to Approved Plans. Submittal requirements and the review process will vary depending upon the nature of the proposed changes.

ARTICLE 14.

GOVERNMENTAL REVIEW PROCESS

The Owner is responsible for complying with all Laws and obtaining construction permits, certificates of occupancy, inspections and approvals from any applicable Governmental Authorities.

ARTICLE 15.

LIMITATION ON REVIEW

Review and approval of plans or Improvements by the Architectural Committee is only for design and site approval purposes. Architectural Committee review and approval is not for safety, whether structural, life safety, or conformance with building codes or any other Laws or for any other purposes.

ARTICLE 16.

THE HOMESITE

The Homesite will be determined by the Owner, subject to the approval of the Architectural Committee, as a part of the design review process based upon the overall planning and design objectives for Little Creek, the site specific characteristics of the Homesite, and the proposed improvements for the Homesite.

The first objective for locating the Homesite should be to identify the portion of each Homesite that would allow the design of a home to optimize views, privacy, solar orientation, vegetation, and other attributes of the Homesite. Generally, Improvements on a Homesite should be screened from other Homesites and improvements on the Association Properties. Screening may require that Improvements be set back in the trees and from ridge lines. Screening may also limit the number of trees and other vegetation that will be permitted to be removed. Secondly, the Homesite should be located to direct development away from environmentally sensitive areas and natural features such as wildlife areas, steep hillsides, and natural drainage courses.

ARTICLE 17.

GRADING AND DRAINAGE

When required, grading shall be limited as needed to accommodate the development of the approved Improvements. An Owner shall attempt to have all site grading blend with the natural contours of the site by feathering cuts and falls into existing terrain. All grading in connection with Improvements shall be confined to the Homesites. When grading is required around the perimeter of a site, it shall interface with the existing contours of adjacent properties.

Grading must also take into account water quality protection for Little Creek. The plans for any Improvements shall include a storm water management plan and a plan to control erosion and sediment associated with the construction consistent with the “best management practices”.

Owners are encouraged to minimize the need for cut and fill slopes by the sensitive design and location of buildings and Improvements. The use of retaining walls in lieu of site grading may be appropriate in order to minimize the loss of mature vegetation and site disturbance. In such cases the Architectural Committee may recommend the use of retaining walls in lieu of site grading.

ARTICLE 18.

SITE ACCESS, DRIVEWAYS AND PARKING

Driveway access shall be located and designed in response to site characteristics. Driveways shall be designed in order to minimize the need for cut and fill slopes. For example, a curvilinear driveway that follows site contours is preferred over a straight alignment that may require extensive cut and fill slopes or retaining walls. When possible, driveways should be designed at a maximum of 10% grade. Driveways shall be constructed of a suitable all-weather surface.

ARTICLE 19.

UTILITIES AND EASEMENTS

Pursuant to the Declaration, all utility pipes and lines are required to be installed underground. An Owner may apply for a waiver allowing for above-ground pipes and lines where dense timber, terrain or other material conditions may cause a greater impact on the ecological and physical condition of the area than if buried. The Architectural Committee’s decision on any request for a waiver will be final.

All portions of a Homesite disturbed by the installation of utilities shall be revegetated or returned to the natural condition which existed prior to the disturbance.

Easements for the installation and maintenance of utilities and drainage facilities are located at various points throughout Little Creek. No grading, structures, plantings, or other materials that may damage or interfere with utilities or drainage shall be permitted within these easements.

ARTICLE 20.

ARCHITECTURAL DESIGN GUIDELINES

The goals of architectural design for Little Creek are to reinforce Little Creek design theme by encouraging the integration of buildings with their site, and to ensure a high level of design quality throughout the community. These goals will be achieved by sensitive design and the use of building materials and colors that blend improvements with their site.

There is no single architectural style that expresses Little Creek design theme. Owners have the latitude of individual expression to design the home and other Improvements of their choice. Inherent in this concept is the premise that each design must be responsive to its site and also be within the context of these Guidelines. The following sections describe in greater detail the specific Architectural Design Guidelines for Little Creek.

Building Height, Scale and Massing. Buildings in Little Creek should generally be designed with a low profile, and of scale and mass that are sensitive to the site. Massive structures that dominate the site and buildings with long continuous wall planes should be avoided. Low-level homesite style designs are encouraged for Homesites located on flat areas.

No portion of a structure (except for chimney elements) may exceed a true vertical height of thirty five (35) feet above the original natural grade directly below. On difficult steeper lots where the average slope across the footprint of the proposed structure exceeds fifteen percent (15%), the Architectural Committee may allow an additional two feet (2'-0") of height for a limited unobtrusive ridge projection at its down slope terminus. As with all other Design Guidelines outlined in this document, the Architectural Committee has final authority regarding building height, including the methodology used in calculating the height of a building. At its discretion, the Architectural Committee may require that buildings be constructed to a height less than the maximum allowable height.

Roofs. Roofs should be designed in response to overall building form. Roofs should consist of primary and secondary roof forms. Secondary roof forms are encouraged in order to break-up building mass. Acceptable primary roof forms include hip, gable, gambrel, and flat. Acceptable secondary roof forms include hip, gable, gambrel, shed, and flat.

Roof material and color should be selected to blend the building with the site and surrounding terrain. All roofing shall have a minimum Class "C" fire code rating. The use of flat unit pieces such as slate, thick composite materials with substantial relief and flat profile unglazed concrete tiles are encouraged.

Roof overhangs and dormers add interest and variety to roof forms and the use of such features is encouraged. Roof overhangs of at least twelve inches (12") are required. Larger overhangs are encouraged. The location, size, and form of dormers shall be in proportion to the overall scale of the roof and building.

All flashing other than copper flashing shall be painted to match the colors of the roof and building. Copper flashing need not be painted. In order to be as unobtrusive as possible,

skylights and solar panels shall be installed flush with the roof and trimmed to match the main residence. All roof vents and flues shall be painted to match the color of the roof or grouped and concealed from view in a manner compatible with the overall design of the roof.

Exterior Walls. The use of a limited number of materials on exterior walls and surfaces provide an excellent opportunity to integrate a building with its site, and are encouraged. Wall materials shall accurately convey the structural integrity of the building. In order to establish a coherent composition of materials, no more than four materials shall be used on any building. Recommended wall materials include natural stone and wood.

Due to their color and weathering characteristics, smooth or rough sawn cedar and redwood are recommended siding materials. Siding may be treated with natural preservatives, semi-transparent or pigment stains, or paint. Colors shall generally be in the muted earth-tone hues and in all cases shall be selected to complement the color of other building materials or colors found on the site.

Log homes, exposed heavy timber, and log framing are also appropriate wall materials. Timber and log framing should express the true structural form of the building and should convey a massive hand hewn appearance.

The use of applied wood board, plywood, prefabricated panels, exposed precast or formed concrete, concrete block, asphalt shingles or shakes, vinyl, and metal siding are not permitted in Little Creek.

Windows and Doors. Windows and doors provide the opportunity to refine building scale by introducing openings and relief to exterior walls. Decorative doors such as carved wood or wrought iron add interest and individual expression and their use is encouraged. Windows should be designed in proportion to the structure and form of the residence. Repetitive continuous rows of windows should be avoided.

Large “window walls” may be approved on a case by case basis. Openings of unusual shapes and sizes that are inconsistent with the overall design of a home shall be avoided.

Wood window casing is recommended and exterior window trim shall be selected in concert with other building materials. Acceptable finishes for window casings are natural, stained, painted or clad.

Detailing, Trim and Accent Colors. Rich architectural detailing and craftsmanship provides an opportunity to add individuality and character to homes. All trim work, mullions, soffits, fascia, flashing, and other exterior finishes must be consistent with the materials and color of the buildings. Trim and accent colors shall be selected to reflect the natural colors of the site. Accent colors may be used to provide visual interest to a residence.

Chimneys, Roof Vents and Flues. Chimneys shall be designed in proportion to the rest of the building. Chimneys are visual elements of a home and should be constructed of materials that convey a sense of strength and mass. The use of stone on chimneys is encouraged. All chimneys and flues shall be designed with down-draft deflectors and shall have spark arrestors.

Decks and Balconies. The size and location of balconies and decks shall be determined in relationship to the form and proportions of the main building. The materials and colors of decks and balconies shall be consistent with the main building.

Accessory Buildings and Uses. Owners are encouraged, but not required, to have buildings and other Improvements within a Homesite architecturally integrated with the Primary Residence with the use of similar materials, colors, architectural style, and form. Integration can also be achieved by the use of landscaping, walkways, and walls.

Sewage Disposal Systems. All sewage disposal systems, including septic tanks, leach fields and other septic disposal facilities, shall be designed, constructed, maintained and operated according to all Jones County standards, in compliance with the Water Management Plan and in compliance with all applicable Laws.

ARTICLE 21.

LANDSCAPE ARCHITECTURE DESIGN GUIDELINES

The goal of landscape design for a Homesite should be to enhance the natural landscape area and introduce plant and landscape materials within the Homesite that integrate buildings and improvements with the site.

In keeping with Little Creek design philosophy of integrating Improvements with their site and preserving the natural features of each Homesite, landscape plans should be designed to specifically address each of the areas described below.

Landscaping. Landscape materials within the Homesite should be selected to complement the architecture of the home. Consideration should be given to the size, color, and texture of plant materials. Landscape design should also address other considerations such as defining outdoor spaces and entries, framing desirable views; screening undesirable views, buffering winds, providing shade, and adding color and interest to buildings.

Removal of Trees and Vegetation. Trees and vegetation act as a natural screen and buffer between Homesites. In keeping with the natural landscape of Little Creek, the cutting and removal of trees and other vegetation is discouraged, particularly where it will impact the views from other Homesites.

Patios and Outdoor Spaces. Patios can serve as an effective transition between indoor and outdoor spaces and can also integrate the mass of a building with its site. Decks and patios should, therefore, be designed as an integral element of the home and site. Decks or patios on sloping sites should be terraced in order to minimize the need for retaining walls or regrading. Materials used for decks, patios and other hard landscape surfaces such as walkways should be consistent with the materials and colors used on the building. The use of natural stone such as flagstone, sandstone, or cobbles is encouraged.

Driveways. Driveways shall be constructed of a suitable all-weather surface. Wherever possible, the maximum grade of driveways should not exceed ten percent (10%). Refer to the Site Planning Guidelines for additional design guidelines on driveways.

Entry Identification Features. Entry identification features shall be subject to the approval of the Architectural Committee. These features will serve a number of purposes. First, they should highlight and define the entry to each Homesite. Second, they should provide an opportunity to identify the family name and house number of each residence. Finally, they should add an attractive element to the streetscape within Little Creek. Entry identification features should be constructed with natural materials consistent with the colors and materials used on the

Residences. All features shall include low-level down lighting with horizontal cutoffs or back lighting. The Architectural Committee may establish standard entry features throughout Little Creek, in which event all Owners shall conform to such standards.

Retaining Walls. When dealing with grade changes, regrading of site contours is generally preferred over the use of retaining walls. However, retaining walls may be appropriate under certain circumstances. For example, retaining walls can be used to minimize site disturbance caused by regrading. Retaining walls shall be constructed of materials that are consistent with the materials and colors of the building and other site improvements. The use of stone is encouraged; exposed concrete or cinder block is strongly discouraged. In order to further reinforce the connection of a building with its site, retaining walls should be designed as an architectural extension of the home. The use of plant material between stepped walls in order to soften the visual impact of the wall is encouraged.

Fences. The introduction of fences in Little Creek is limited in order to preserve a sense of openness, to minimize potential visual impacts and to limit the impact on wildlife. All fencing shall require approval of the Architectural Committee. The Architectural Committee should be consulted for the acceptable permissible fence materials and design for use within the Homesite. Unless the Architectural Committee adopts fence standards for all of Little Creek, the Architectural Committee will not unreasonably withhold its consent to proposed fences. If it adopts fence standards, the Architectural Committee may withhold its consent to any fences that do not conform to such standards.

Privacy fences or walls located within the Homesite should be constructed out of materials consistent with materials used on the main residence. Chain link fencing may be used for dog runs only. All chain link fencing shall be clad in black, green, brown, or other color as approved by the Architectural Committee.

All fencing should be designed and constructed so as to be sensitive to wildlife.

Lighting. The design, location, and type of all exterior lighting requires approval by the Architectural Committee. All exterior lighting shall be subdued in order to maintain the rural atmosphere of the Homesite. Generally, lighting shall be limited to safety and security purposes. Low-level landscape lighting to define walkways or decks immediately surrounding a home may be permitted. All lights shall have indirect light sources or light sources that are recessed within a fixture. Decorative holiday lighting may be displayed from November 15 to January 15.

ARTICLE 22.

CONSTRUCTION REGULATIONS

One of the primary goals of these Design Guidelines is to maintain and enhance undeveloped portions of each Homesite as natural open space. In order to accomplish this goal, the regulation of construction activity is also important.

Each Owner is responsible for all of the actions of his contractors and their subcontractors, including their violation of any of these Design Guidelines and the Declaration and any damage they cause to the property of the Association or any other Owner in Little Creek.

It is the responsibility of each Owner to give a copy of these Design Guidelines and the Declaration to his general contractor. Each Owner is also encouraged to include a provision in

the contract with his general contractor whereby the contractor acknowledges its obligations under these Design Guidelines and the Declaration.

The construction regulations are intended to protect building sites and adjacent property from potential damage by construction equipment and activity and to protect Little Creek property Owners.

Once commenced, any Improvement Activity on any Homesite shall be undertaken and completed (including site cleanup) as promptly and diligently as possible, in accordance with the Approved Plans. Once commenced, the construction and other Improvement Activity shall be diligently and continuously undertaken to completion, unless a variance is obtained from the Architectural Committee to allow for a longer period of construction upon proof of good faith diligence in attempting to complete in a timely manner. In the event the Improvement Activities are not completed within twelve (12) months of commencement and no variance has been obtained from the Architectural Committee, the Architectural Committee may levy charges and lien the Property for said charges not to exceed \$100.00 per diem as damages against the Owner and the Homesite.

ARTICLE 23.

CONSTRUCTION MANAGEMENT PLAN

A Construction Management Plan shall be drawn on a site plan of the proposed development and shall include information pertaining to the construction of the project. The Construction Management Plan shall delineate the "Limits of Construction Area". All construction-related activity including the storage of all construction materials, temporary construction trailer and sanitary facilities, vehicle parking, dumpsters, staging areas, and any other construction equipment or facilities shall be permitted only within the Limits of Construction Area indicated on the approved Construction Management Plan.

The Construction Management Plan shall indicate temporary erosion control measures, the manner in which the construction disturbance area will be defined on site, and methods for protecting existing vegetation, drainage courses, or other natural features.

The Construction Management Plan shall include a schedule and phasing plan indicating the estimated start and completion of major phases of construction. The following standards shall be used to evaluate Construction Management Plans:

Site Protection. Prior to initiating construction, grading, or any modifications to a site, the Limits of Construction Area shall be delineated on site with a temporary silt fence or similar barrier. Methods for protecting existing vegetation, drainage courses, or other natural features, if applicable, shall also be in place prior to initiating any construction activity.

Erosion Control. All construction projects shall include temporary and permanent measures for controlling and mitigating soil erosion. The specific measures used to control erosion shall be determined based on site specific characteristics. In all cases, erosion control shall include measures to control ground water and surface drainage, retain eroded soils, and stabilize all disturbed areas of a site.

Location of Construction Trailers. All construction trailers require approval of the Architectural Committee, which approval will not be unreasonably withheld. Trailers shall be located within the Limits of Construction Area.

Temporary Sanitary Facilities. All job sites shall be equipped with temporary sanitary facilities. To the extent possible, such facilities shall be screened from view from adjacent Homesites and roadways.

Maintenance of the Job Site. Job sites shall be cleaned up daily to remove construction material and debris. Any debris that cannot be temporarily stored in dumpsters shall be removed from the site weekly.

Excavation Material. All excavation material that will not be used later for backfill or final grading shall be removed from the construction site and the development within thirty (30) days after excavation.

Dust and Noise Control. Reasonable noise and dust levels shall be maintained at all times. The Architectural Committee may require that mitigation measures be taken to reduce noise or dust levels. Approval from the Architectural Committee shall be required prior to any blasting in Little Creek.

Construction Signs. Unless otherwise approved by the Architectural Committee, no construction signs shall be permitted. Reasonable address signs will be approved by the Architectural Committee.

ARTICLE 24.

ARCHITECTURAL COMMITTEE INSPECTIONS

Members of the Architectural Committee may conduct inspections of the job site throughout the construction process to ensure that all site work and construction are consistent with Approved Plans and the Architectural Management Plan. As outlined in the Design Review and Construction Process, it is the responsibility of the Owner to have its general contractor schedule all required reviews.

The Architectural Committee has the authority to access a job site at any point during construction. The general contractor and all subcontractors shall cooperate with the Architectural Committee in all such inspections and all requests for information and documentation.

If the Architectural Committee discovers the project is not in compliance with the Approved Plans, the Architectural Committee will use good faith efforts to attempt to work with the Owner, its design team, and contractors to resolve any discrepancies. The Architectural Committee will not, however, be responsible if it is unable to resolve these discrepancies.

The Architectural Committee may, at its discretion, issue a "Stop Work Order" on any project that is not in compliance with Approved Plans. In such cases, construction may resume only after all discrepancies have been resolved with and approved in writing by the Architectural Committee. Failure to comply with these Guidelines or any "Stop Work Order" will give the Architectural Committee and the Association all of the remedies afforded under the Declaration.

ARTICLE 25.

CONSTRUCTION COMPLIANCE DEPOSIT

A Construction Compliance Deposit of \$5,000 is required to be paid to the Architectural Committee prior to beginning new construction or site preparation on a Homesite. The Construction Compliance Deposit will be held by the Architectural Committee as security to ensure that construction complies with the Approved Plans and Construction Management Plan and follows construction performance standards.

If the Architectural Committee determines that construction is not consistent with the Approved Plans or the Construction Management Plan, the Architectural Committee may use these funds as may be necessary to remedy such inconsistencies. If any of the Owner's Construction Compliance Deposit funds are so used, the Owner shall, upon request by the Architectural Committee, replenish the deposit to \$5,000. In addition to this deposit, the Association may use any other remedies afforded under the Declaration, such as an Individual Assessment against the Owner.

Any unused portion of the Construction Compliance Deposit shall be returned to the Owner after the issuance of a Certificate of Compliance by the Architectural Committee.

(Signatures Continued on Next Page)

IN WITNESS WHEREOF, the Architectural Control Committee, through its sole member, the Developer has hereunto placed his hand and seal this _____ day of _____, 2003.

Signed, sealed and delivered in the presence of:

NEW LEAF DEVELOPMENT, INC.

Witness

By: _____
David G. Frazier

Notary Public

Attest: _____
Corp. Secretary

(Notarial Seal)

(Corporate Seal)

SCHEMATIC DESIGN REVIEW APPLICATION

Project Name/Homesite Number _____

Owner's Name _____

Phone _____

Address _____

Owner's Representative

Phone _____

Address _____

Project Architect _____

Phone _____

Address

Five (5) copies of the following information shall be submitted for Schematic Review. All materials shall be submitted at least one week prior to the Architectural Committee meeting date.

1. Topographic Survey.
2. Conceptual Site Plan.
3. Preliminary Sketches (building elevations and perspectives).
4. Preliminary Outdoor Improvements Plan.
5. Water Documents (if applicable).
6. Any other drawings, materials or information that will aid the Architectural Committee in understanding the proposal or that may be requested by the Architectural Committee.
7. Design Review Fee: S_____ (to be submitted with the Schematic Design Application).

To be completed by Architectural Committee

Submittal Date:

Architectural Committee Meeting Date:

PLAN REVIEW APPLICATION

Project Name/Homesite Number _____

Owner's Name _____

Phone _____

Address _____

Owner's Representative

Phone _____

Address _____

Project Architect _____

Phone _____

Address _____

Five (5) copies of the following information shall be submitted for Plan Review. All materials shall be submitted at least one week prior to the meeting date.

1. Topographic Survey
2. Site Plan
3. Grading Plan
4. Floor Plans
5. Building Elevations and Roof Plans
6. Site and Building Sections
7. Perspective Sketch
8. Outdoor Improvements Plan
9. Building and Landscape Materials
10. Construction Management Plan
11. Any other drawings, materials or information that will aid in understanding the proposal or that is requested by the Architectural Committee.

To be completed by Architectural Committee

Submittal Date:

Architectural Committee Meeting Date:

CONSTRUCTION DRAWING REVIEW APPLICATION

Project Name/Homesite Number _____

Owner's Name _____

Phone _____

Address _____

Owner's Representative _____

Phone _____

Address _____

Project Architect _____

Phone _____

Address _____

General Contractor _____

Phone _____

Address _____

The Owner is responsible for obtaining necessary permits from Jones County prior to initiating construction. Five (5) sets of the following are to be submitted at least two weeks prior to the scheduled start of construction:

1. Complete construction plans (bid documents) including, but not limited to a grading plan, drainage plan, foundation plan, framing plan, floor plan, roofing plan, building elevations, site plan, landscape plan and all building specifications and material schedules.
2. Final Construction Management Plan.
3. A list of the names and phone numbers of all subcontractors to be employed on the project.
4. A Construction Compliance Deposit of \$5,000.

To be completed by Architectural Committee

Submittal Date: _____

Architectural Committee Meeting Date: _____

Construction Compliance Deposit Received: Date: