

## INTRODUCTION

These standards shall guide the creation of high quality custom homes and ranch buildings architecturally harmonious with the mountain ranch community, carefully sited and landscaped to preserve the natural environment, scenic views, wildlife and ranching values. The **North Gurley Reserve (NGR) Architectural Standards** are established to enhance and protect the value of property within the **North Gurley Reserve**.

The objectives of the Architectural Review Committee (ARC) are as follows:

1. To maintain high and consistent quality of construction and development at NGR.
2. To prevent unreasonable obstruction of views or encroachment of privacy at building sites.
3. To provide criteria for appropriate mountain architecture that encourages creativity in design within a common theme.
4. To preserve the natural beauty and scenic and wildlife values within NGR.
5. To promote a harmonious relationship within each ranch homestead of buildings, landscape and topography to preserve the open ranch community concept.
6. To promote durable workman-like quality through the use of long-lasting, sturdy building materials.
7. To maintain proper setbacks in order to promote safety and preserve natural scenery from the roads and trails.
8. To preserve and enhance the natural habitat for wildlife which currently exists throughout the property.
9. To promote and sustain a traditional, environmentally friendly ranching life style for NGR owners and their families.

## **NORTH GURLEY RESERVE DESIGN OBJECTIVE**

The NGR Design Objective is to preserve the open ranch community feel by siting homesteads carefully among the Ponderosa pines, Aspen and Gamble Oak. Homes and ranch buildings shall be sited and landscaped so that they are visually buffered from the Lone Cone Road, other building sites and the common areas within NGR.

The homes shall emulate traditional mountain architecture through the use of building materials that are substantial and able to withstand the climate of the high mountains. Natural wood, stone and stucco shall be the primary building materials with roofs finished in slate, concrete roof tile, colored metal or heavy butt asphalt shingles. All roofs shall be of a material, color and texture approved by the ARC. Natural tones are required.

Home designs should be creative, with an avoidance of “boxy” or long rectangular structures. Structural mass shall be low profile, varied and on slopes or hillsides following the natural grade. Retaining walls, roof overhangs and large decks shall be used when appropriate to visually tie the buildings to the natural topography.

Roof design shall avoid long spans of unbroken ridges. Interest in the structures shall be accomplished through the addition of bay windows, dormers, multi-level decks and railings. Stained glass, handcrafted doors and windows shall be encouraged to enhance the appearance of all homes.

The intent of the design theme is to promote high quality mountain-ranch home and outbuilding construction with buildings that are creatively designed to merge and blend with their natural surroundings.

## **GOVERNING REGULATIONS**

In addition to the Design Standards, building design will be regulated by San Miguel County, State of Colorado and Federal regulatory agencies having jurisdiction. The owner’s agent shall be responsible to ensure conformance with any applicable regulations, and should check with the appropriate governmental entity to verify that the most recently adopted edition of any regulation is being used.

The ARC reserves the right to require a professional architect for the design of any structure to be constructed or located within NGR and a licensed contractor for construction of any structure.

## DEFINITIONS

1. "Association" shall mean and refer to the North Gurley Reserve Owners Association, Inc., a Colorado Non-Profit Corporation, its successor and assigns.

2. "Certificate of Conformance". A certificate issued by the ARC that indicates that a constructed building and the completed landscaping conformed with the Design Regulations and the plans approved by the ARC. (A Certificate of Conformance must be obtained from the ARC prior to any application for Final Certificate of Occupancy from the San Miguel County Building Department)

3. "Preliminary and Final Plan Approval." A certificate issued by the ARC that indicates the design of a building and associated landscaping have been reviewed by the ARC and that it conformed with the Design Regulations. Final Plan Approval must be received from the ARC prior to commencement of any site work including, but not limited to tree removal and excavation. Building permits and permits for excavation or construction of any portion of the building or site preparation shall not be issued prior to receiving Final Plan Approval. The outline of the boundaries of the residence and any other structures or improvements, such as driveways, shall be staked in the field prior to Preliminary Approval of the plans by the ARC.

4. "Lots" shall mean and refer to any residential plot of land shown upon the map of the Properties whether or not all phases and filings have received final plat approval.

5. "Owner" shall mean and refer to the record owner, whether one or more persons or entities, of a fee simple title to any Lot which is a part of the Properties, including contract sellers, but excluding Declarant and those having such interest merely as security for the performance of an obligation. For purposes herein, the Owner may act through Owner's agent, provided that such agent is authorized, in writing, to act in such capacity.

6. "Subdivision" refers to the development project commonly known as NGR as shown by the plat so titled. (Declarant has reserved the right to develop, construct and market the project in multiple phases.)

7. "Roof Pitch". Slope of a roof determined by the relationship between the vertical rise and the horizontal projections of the roof. Stated as inches of rise in 12 inches of horizontal run: e.g. 6:12, 8:12, 12:12

These definitions are only for clarification of terminology within these Design

Regulations. Owners are also bound to the definitions listed within the General Declarations, By-Laws, Articles of Incorporation and other applicable rules or regulations.

## DESIGN REVIEW PROCESS

The Design Review Process must be followed for any building, site or landscaping improvements to a lot including but not necessarily limited to the following:

- A. Construction of any building.
- B. Interior changes that affect the number of dwellings, units or major functions of a building.
- C. Renovation, expansion or refinishing of exterior of any building.
- D. Changes to site improvements and driveways.
- E. Exterior lighting or signage.
- F. Fencing.

In addition to meeting the requirements of these Design Standards, an owner must comply with the requirements of all governing agencies in order to obtain a building permit, a Certificate of Occupancy or Temporary Certificate of Occupancy.

The NGR Review process has three steps: Preliminary Plan Review, Final Plan Review and Construction Conformance Review. In addition, the owner may request an optional Conceptual Plan Review. This optional plan review is recommended when the owner or owner's agent determine they may not conform to the standards set forth herein. This process is intended to determine the feasibility of a design variance prior to the owner expending funds on plans that may not be acceptable to the ARC. A Conceptual Plan Review is initiated by the owner or owner's agent submitting to the ARC a minimum of two elevations plus a site plan. Conceptual plans may be done free hand to an appropriate scale and must clearly indicate the nature and extent of any variance desired.

The owner may appeal the ARC's decision to the NGR Board of Directors.

**1. Preliminary Review.** Two copies of all necessary materials for the Preliminary Review must be submitted to the ARC at least 10 days prior to their next scheduled meeting. The ARC can only consider a Preliminary Review submittal when all items listed in this section have been submitted.

It is the responsibility of the owner or owner's authorized agent(s) to insure that the design and construction of any project in the NGR conforms with the requirements of the applicable Design Standards. Any variance from the Design Standards must be specifically requested by the applicant and the affected areas clearly indicated on the Plans. The ARC

reserves the right to enforce all Design Standards at any time after plan approvals except where variances have been specifically granted, in writing, as a part of the approval process.

1a. Site Plan. A plot plan (site plan) at a minimum scale of 1" = 50 feet shall be provided at Preliminary Review. The following indicates the minimum amount of information to be provided: property boundaries and building footprint, building setbacks, driveway, parking and walk locations, septic system location, existing and proposed contours at 2' intervals, preliminary landscape concepts, existing trees, well location, vegetation and landforms and other site improvements (retaining walls, decks, etc.) A copy of existing ortho topography (2' vertical contour intervals) is available from the developer.

1b. Building Plans. Building plans at a minimum scale of 1/4" = 1 foot shall be provided at Preliminary Review. The following indicates the minimum amount of information to be provided: all exterior elevations, roof pitch, roof material, exterior materials and building height at highest point.

**2. Final Plan Review.** The following additional material shall be furnished by the owner for Final Plan Review. These additional items must be submitted to the ARC at least 10 days prior to their next scheduled meeting. The ARC can only approve a Final Plan Review submittal when each of the items listed below has been submitted and approved.

2a. Landscape Plan. At building site (Minimum Scale 1"=20'). The Landscape Plan shall include the following: extent and location of all plant materials and landscape features, site lighting (type & location), existing trees, vegetation, landforms and drainage.

2b. Submission of Building Plans. The owner must submit two (2) complete sets of building plans, the same as will be submitted to the County for a Building Permit. Plans must also include the following: exterior finish materials, door and window details, and chimney cap and flue enclosure details.

2c. Color Coordination/Materials. The owner shall provide color samples for all materials to be utilized on the exterior, including, but not limited to, the roof, siding, stucco, stone, wood trim, etc. This includes a sample of all materials proposed to be utilized along with paint and stain color samples. Also to be included is the type of garage door along with the manufacturer's product literature and photographs.

2d. Certificate of Occupancy. Prior to any application for a Certificate of Occupancy, the owner or owner's agent shall obtain a Certificate of Conformance from the NGR ARC confirming that the improvements conform with the Design Regulations and the approved designs (including any approved design revisions), materials, fixtures, colors and landscaping.

**3. Construction Conformance Review.** The request for Construction Conformance Reviews shall be made not less than two weeks prior to any application for a Certificate of

Occupancy. In the event landscaping or some minor improvement work has not been completed, but all the other improvements are in conformance, a Temporary Certificate of Compliance may be issued. The issuance of a Temporary Certificate of Compliance shall be subject to the receipt, by the ARC, of a letter of commitment from the owner indicating that said improvements will be completed within a period not to exceed six months from the date the Temporary Certificate of Compliance approval is issued.

The owner must provide the ARC with an Irrevocable Letter of Credit in the amount of 100% of the estimated cost to complete the items noted as not finished in accordance with the Final Plan Approval. Should the project progress be suspended for any reason, the ARC has the authority to take the steps necessary to protect the property, to assure the project will not become a public nuisance and/or complete the project. Any costs incurred by the ARC will become a lien upon said lot and improvements.

Construction Conformance Review shall be based on the plans approved at Final Plan Review and any revisions previously approved by the ARC. The ARC shall not be responsible for any denial of, or delay in, granting either a Temporary Certificate or Certificate of Compliance due to the failure of the owner, or the owner's authorized agent, to obtain prior ARC approval of design modifications.

## NORTH GURLEY RESERVE ARCHITECTURAL REQUIREMENTS

1. Building Height. Building height shall be measured from finished grade to the highest point of the roof ridge. At any given point, this measurement shall not exceed thirty (30) feet. Chimneys may exceed the maximum building height limits.

Finished grade, for the purpose of measuring building heights, shall be the highest elevation of the surface material (soil or paving) adjacent to the structure. This definition does not intend to allow raising the finished grade adjacent to the building foundation or other mechanisms that circumvent the intent of these requirements.

2. Building Form. Building forms **shall be varied** and “boxy” or long rectangular buildings shall be avoided. Attached greenhouses, dormers, bay windows, decks and a variety of roof forms will produce a building design that has an original appeal.

Building mass shall be low profile, varied and shall follow the natural grade. Building mass shall be evaluated on creativity in design and the ability to merge with the natural topography.

Architectural expression and creativity are encouraged. Exterior materials (stone, stucco, wood siding and log) should be used in combination to vary the appearance of different components of the building. Window patterns and sizes should vary, depending on their exposure. Stained glass, window boxes, handcrafted doors and windows will be encouraged to express interest and originality within the architecture.

3. Roofs. Roof lines shall be varied and broken, with an avoidance toward long spans of unbroken roof planes. In conformance to traditional mountain architecture, major roof forms shall be gable or hip.

In order to encourage buildings that maintain a low profile, roof pitches must have a minimum fall of 6:12 to 12:12. However, the ARC shall reserve the right to approve any roof pitch if, in their sole judgment, the proposed roof pitch is appropriate with the building design, and does not compromise the integrity of the Design Regulations. Secondary roofs attached to the major building or roof form may be shed roofs with pitches not less than 3:12. Dormers are encouraged, both to break up long expansive roof lines, and to make habitable space within the roofs. Dormers may have gable, hip or shed forms.

Roof material shall be restricted to slate, concrete roof tile, thick butt asphalt shingles or an ARC approved metal roof. Concrete roof tile shall be limited to unglazed tile throughout in the style and colors approved by the ARC. Roof colors shall blend with the colors of the natural surroundings. Glazed tiles will not be permitted. It is recommended that cold roof design be used for roofs over heated interior spaces to avoid ice damage to the roofs and eaves.

Roof overhangs are recommended in order to provide protection from snow and ice, as well as to bring the mass of the house closer to the ground. Covered porches will be encouraged to provide interest within the architecture. All exposed metal flashing, gutters, downspouts, snow fences and other roof hardware shall be color-coordinated to match the finish and/or color of the adjacent materials.

4. Log or Timbers. Log timbers shall be used to convey a sturdy appearance. Minimum sizes for timber shall be 8 inches nominal and 9 inch average diameter for log (measured at the mid point of each length of log). Variations in log sizes are encouraged to avoid the appearance of “machined” or manufactured logs. Dove-tail notching, hand hewn and skip peeling are all techniques that are recommended to add originality to an otherwise standard log structure.

Log and timbers shall be treated with a clear sealer, or stained with a semi-transparent stain to blend with the existing natural colors. All stain colors shall require ARC approval.

4a. Wood Siding. Wood siding shall be individual boards (or planks) of not less than 4 inch and not more than 12 inch nominal façade width and shall not be less than 5/8 inch thick. Wood siding may be run vertically or horizontally. For vertical siding applications, a combination of several plank widths applied in a random pattern is encouraged. Wood siding should be used for dormers, at gable ends and the upper portions of a structure.

Wood siding should be finished with a natural color semi-transparent stain or treated with a clear sealer to maintain the natural wood look.

Plywood siding is not permitted. Plywood may be used for soffits or as a base for, or component of, special ornamental panels subject to specific ARC approval.

4b. Stone. Stone finishes should be used in a manner that is consistent with its use as a structural component such as a foundation. Vertical use of stone as for columns and chimneys is strongly encouraged. Freestanding columns shall be not less than 24 inches square. The use of stone quarried on individual building sites, or from other local sources, is also encouraged.

Minimum Stone Requirements: Each structure shall have a stone surface area of not less than 15 percent of the gross exterior wall area. The gross exterior wall area shall be calculated without deducting wall openings. Buildings where the minimum stone requirement is inconsistent with the architectural style being proposed, the owner or his agent may apply to the ARC for variance. The ARC may grant such a variance when, in its sole judgment, the design of a specific project meets the intent of Architectural Standards, while reserving the right to enforce the minimum stone requirement on other projects where, in the opinion of the ARC, the design does not warrant any reduction.

4c. Stucco. Synthetic or masonry stucco shall be used in combination with log, wood



and stone. Stucco shall have a soft, irregular surface with an avoidance of sharp edges. When stucco is used at building corners, windows and door openings, the edges shall blend in and not stand out. Stucco colors, in general, shall be light to medium earth tones and shall require Architectural Review Committee approval.

5. Chimneys and Flues. Chimneys and flues are an important visual element of the architecture. The exterior finish of chimneys shall be of stone or stucco. Chimney caps shall be made of stone, pre-cast concrete with a sand blast or exposed aggregate finish, or copper. For vents and flues, attempts should be made to group these roof projections and conceal them from public view.

6. Windows. Windows shall be of wood construction, painted or clad units. Also, thermo break aluminum or vinyl clad windows will be considered on an individual basis subject to approval of Architectural Review Committee. In consideration of the higher altitude (ultra-violet levels and climatic conditions), exterior paints should be carefully chosen to provide maximum long-term protection. Exterior cladding of windows, either metal or vinyl, should be considered.

Sandstone, flagstone, or heavy timber lintels and sills are encouraged for windows within mass walls. Special bay windows are also encouraged to maximize views and sun exposure, as well as to provide an accent on large wall surfaces.

Windows shall be used in combinations to avoid large uninterrupted glass areas. Windows shall have a double or triple glazing. No uninterrupted glass areas shall exceed forty (40) square feet. Mirrored glass is not allowed.

Passive Solar designs within the NGR design standards is encouraged. Active solar esthetically integrated with the structure will be considered as a design option.

**NORTH GURLEY RESERVE  
ARCHITECTURAL REVIEW COMMITTEE PROCEDURES**

Time Frame	Procedure in Sequence:
1-5 days	1. Conceptual Plan Review (optional)
10 days	2. Preliminary Plan Submittal <ol style="list-style-type: none"><li>a. Preliminary plans complete (checklist)</li><li>b. Current Plan Review Fees paid in full</li><li>c. Plot (site) plan, building plan, staking on-site</li></ol>
10 days	3. Preliminary Plan review by ARC <ol style="list-style-type: none"><li>a. Submittal review (including comments)</li><li>b. On-site staking review</li><li>c. Decision by ARC</li><li>d. Written response by ARC</li><li>e. Refine/revise preliminary design as required</li></ol>
30 days max.	4. Final Plan Review Submittal <ol style="list-style-type: none"><li>a. Final plans complete (checklist)</li><li>b. Building Plan</li><li>c. Landscaping Plan</li><li>d. Schedule of construction</li></ol>
10 days	5. ARC Final Plan Review <ol style="list-style-type: none"><li>a. Written approval by ARC for the San Miguel County Building Department</li></ol>
6-18 months	6. Construction Performance Review <ol style="list-style-type: none"><li>a. Completion of Construction</li><li>b. ARC review/approval</li><li>c. Certificate of Occupancy by San Miguel County</li></ol>

## SITE PLANNING

1. Building Siting. Building siting must be compatible with existing landforms and vegetation. Natural vegetation shall be retained and protected whenever possible.

Site planning shall consider views, privacy, site topography, solar exposure and wildlife values.

2. Building Setbacks. The minimum front setback from the access road for all structures shall be two hundred (200) feet. The minimum side setback from the side lot lines for all dwellings shall be one hundred (100) feet and for all other buildings fifty (50) feet.

3. Grading and Drainage. Grading requirements resulting from development shall be designed to blend into the natural landscape. Cuts and fills should be feathered into the existing terrain, within the property boundary.

Site plans shall indicate surface drainage patterns and any drainage improvements. The effects of drainage on other properties must also be considered and delineated on the site plans.

In areas where drainage swales are created to direct runoff, erosion shall be controlled.

4. Soils Test and Topographic Survey. All surface soils investigation shall be at the discretion of the owner and the responsibility of the owner. Topographic survey mappings are available through the developers.

5. Driveways and Parking. There shall be only one driveway access permitted for each lot. Primary driveways shall be gravel. Turnarounds may be paved or concreted.

Standards for driveway design are: 12 feet minimum width; recommended maximum grade not to exceed 10% (1 foot vertical in 10 feet horizontal); maximum grade for driveways sloping down to roads shall not exceed 5% (1 foot in 20 feet) for a distance of 20 feet from the edge of the road. Structural sub-base requirements must be a minimum of four inch minus stone to a depth not less than six inches, with a top course of compacted ¾" crushed stone at a depth of three inches. Driveway culverts, if required, will be approved by the committee and will be installed by the owner. Structural portions of driveways and parking areas shall be constructed prior to the commencement of any other on-site construction.

All parking shall be within the property line of the site: no parking shall occur on public or private right-of-way or access tracts.

6. Storage Areas. Such items as trash containers, patio furniture, boats, motorcycle trailers and maintenance and recreational equipment shall be stored in fully enclosed structures. These areas shall be screened from the view of the public and adjacent property owners. Walls enclosing these areas shall be compatible with the materials and integral with the form of the residence.

7. Utilities. All utility service lines shall be routed to create the least amount of impact to the site. Utility routing shall follow the driveway unless it is not feasible. Any removal of trees for the purpose of utility installation will require specific written approval from the ARC. All areas disturbed during utility construction shall be restored to its original condition through proper grading and re-vegetation.

## LANDSCAPING

1. Planning. Plants should be used in landscape designs to create edges, and screens or buffers from the common area or adjacent properties. Good planning is crucial in developing a landscape plan that blends with the natural landscape. Siting of buildings and routing of driveways, utilities and walkways must be planned to cause the least amount of disturbance to existing vegetation and landforms. Because re-vegetation is difficult in this semi-arid and high altitude environment, there is marked advantage in preserving as much of the native plant cover as possible.

2. Aesthetic Considerations. The ARC shall pay particular attention to lots that are sparsely vegetated. Special effort must be made by the owner of these lots to provide natural screening in these circumstances. The owner may be required by the ARC to provide additional plant material in this situation.

Areas of individual lots which can be seen from a distance should have large-scale massing of trees and shrubs in contrast to open spaces of native grasses and wildflowers.

3. Landscaping and Plant Materials. Consultation with landscape architects or contractors that have experience in the area is recommended. The plant materials selected should be those that will survive the conditions inherent to the local climate and altitude. The type of soil, moisture content and exposure to the sun are all important considerations in the selection and location of plant materials.

Landscape scale and overall design shall be developed so that one senses that new vegetation is integral with the existing natural mountain landscape and the inherent form, line, color and texture of the local plant communities.

New planting shall primarily use plants that are indigenous to the area. Ornamental plants may only be used in locations directly adjacent to buildings or in courtyards. When a manicured lawn gives way to the natural landscape, the transition should be free form, and not linear in nature, and should relate to the existing landforms and other site features. All landscape plans should maximize water conservation and use of any plants that require substantial irrigation shall be discouraged.

The maturation of a designed landscape in the mountains takes longer than in less severe climates, as new plants have slow growth rates due to the short growing season. Consequently, land shaping is as important as plants in defining outdoor spaces. Berming will be encouraged when topography lends itself to this type of site development.

4. Topsoil. Prior to excavation, topsoil shall be stripped and stored on the site. Topsoil shall be replaced in all areas requiring landscaping or re-vegetation. Topsoil shall be spread to a minimum depth of four inches. A soil amendment, such as well-rotted manure, is recommended in areas that will be sodded or seeded.

5. Seeding. Seed mixes must provide a blend of grasses that ensures quick cover, erosion control and the potential of evolving into a climax-plant community indigenous to its surroundings.

6. Perennial Wild Flowers and Groundcovers. Perennial wildflower and groundcover beds are encouraged to provide seasonal colors and variety in the landscape. Perennials shall be selected pursuant to their microclimatic needs (i.e., shade, full sun, dry, etc.) and should be planted as edge transitions, or in drip lines or snow shed areas where their use would be more appropriate than turf grass. Perennials indigenous to the area are recommended.

7. Re-vegetation. Road and utility cuts shall be re-vegetated within thirty (30) days of the disturbance to avoid unsightly scars on the landscape.

In areas that are to be re-vegetated, soil shall be scarified prior to the application of the seed. Slope surfaces should be roughened to provide seed pockets for increased germination.

Seed selection will include native plant materials and/or appropriate substitutes approved by the ARC. Seed shall be applied to disturbed areas within ten (10) days after topsoil has been spread.

Newly seeded areas should be protected from wind and water erosion through the use of mulches. Mulches protect the soil from the impact of falling rain, slow the velocity of runoff and increase the capacity of the soil to absorb and retain moisture. Acceptable mulches are wood chips, straw, hydro-mulch and erosion-control netting. Erosion-control netting will be required on slopes with erosion potential.

The ARC will require an erosion control and re-vegetation plan prior to Final Plan Approval. These plans shall explain the measures to be used to permanently stabilize and re-vegetate disturbed areas.

8. Signage. Obtain copy of ARC's Specifications and Illustrations. Street address signs shall be no less than one square foot and no greater than two square feet. Individual Ranch entries of log and stone are encouraged.

## CONSTRUCTION REGULATIONS

1. Permits. Construction shall not commence until Final Plan Approval has been received from the ARC and a building permit has been issued by the Building Department or appropriate agency of San Miguel County. Once started, construction shall proceed in an expeditious manner, in strict compliance with the Final Plan Approval. Upon satisfactory completion and final inspection, the ARC will issue a Certificate of Conformance and only then will San Miguel County issue a Certificate of Occupancy or similar approval.

2. Construction Staging Areas. All construction staging, including but not limited to material storage, equipment storage, construction trailers, etc., must take place within a designated area within the perimeter of the project site, unless an alternate staging area is approved in writing by the ARC and the Developer. The owner shall present to the ARC a layout of the staging area, which will include, but is not limited to, the following: material and equipment storage area, job office location and access to and from the site during construction.

All construction activity shall be contained on the lot for which a building permit has been issued, unless specific authorization is received in writing from the ARC and the Developer. Porta-toilets shall be required at all construction projects for the duration of time that construction workers are present on the site and shall be located in areas approved by the ARC.

3. Tree and Property Protection. Construction practices must include extreme care during grading and excavation to avoid damage to existing trees, shrubs and their root structures. No trees of any size may be removed prior to a site inspection and approval by an authorized representative of the ARC. Trees to be removed for any reason shall be identified with surveyor's ribbon and shall be approved during a site visit by an authorized ARC member or representative. Spray paint shall not be used to identify trees to be removed.

4. Slash Disposal. By keeping disturbed areas small, slash removal will be reduced. Where earthwork and tree removal is necessary, slash disposal will be handled in the following manner: Trees that can be successfully transplanted will be relocated in areas designated to be landscaped. Trees that cannot be transplanted should be cut as firewood and stacked in appropriate location, or ground into chips and used as mulch in disturbed areas.

5. Noise and Hours. Blasting, heavy equipment operation and other loud noise from construction shall be prohibited between 7:00 p.m. and 7:00 a.m. All blasting will require prior written approval of the ARC. The owner shall take necessary precautions and shall notify adjacent property owners, local traffic, pedestrians, etc. prior to blasting.

6. Construction Signs: Obtain Copy of ARC's Specifications and Illustrations. One construction sign will be allowed on each site for the project. The sign shall not exceed 3

feet by 5 feet, and shall be located within the property boundary visible from an adjacent roadway or entry to the project. The sign may contain at a maximum the name, address and telephone number of the owner, the architect, contractor, lender, the project name, logo and location (filing/lot). It is also permissible to state on the sign "For Information Call" and list a personal name and phone number. All parties listed must be shown in uniform type style, size and color. All construction signs must be approved by the ARC prior to installation.

Construction signs must be removed within thirty days of issuance of temporary or final Certificate of Occupancy. Signs that have not been removed within the 30 days will be removed by the ARC and the resultant costs shall be the responsibility of the owner.

7. Trash Containment and Removal. Trash and construction debris shall be kept in containers of a type that has been approved by the ARC. Container shall be emptied on a regular basis to ensure sufficient room to store trash at the end of each working day. It shall be the responsibility of the owner to remove and dispose of, at an authorized county landfill, any excess trash and construction debris. Storage of trash and construction debris outside of an approved container shall not be permitted under any circumstances.

8. Clean-Up Security Deposit. Prior to issuance of Final Plan Approval by the ARC, the owner shall provide the ARC with a Clean-Up Security Deposit. This deposit shall be in the amount of \$1,000 cash or check. A 100% rebate shall be made to the owner after a Certificate of Conformance has been issued by the ARC and final site inspection completed and approved.

Clean-Up Security Deposits shall be retained by the ARC if, after written notification, the owner or owner's contractor has not performed clean-up responsibilities.

It shall be the owner's or owner's contractors' responsibility to maintain a clean construction site to see that adjacent lots are not impacted negatively with construction materials or debris, as well as maintain clean roadways where mud and dirt could be tracked from the construction site.

9. Miscellaneous and General Practices.

A. All lot owners will be responsible for the conduct and behavior of their representatives, builders, contractors, and subcontractors.