



HAWKSTONE

a place for living

DESIGN REVIEW GUIDELINES
FOR
5th FILING

TABLE OF CONTENTS

Section I: Introduction	1
A. Purpose and Intent	1
B. Community Concept and Character	1
C. Relationship of the Design Review Guidelines to the Master Plan	2
D. Relationship of the Design Review Guidelines to other Regulations	2
E. How to Use the Design Review Guidelines	2
Section II: Site Planning and Design	3
A. Purpose and Intent	3
B. Permitted Uses and Floor Spaces	3
C. Accessory Structures	3
D. Location of Dwellings and Setbacks	3
E. Orientation of Homes	4
F. Vehicular Access and Garage Doors Orientation	4
G. Paved Areas	4
H. House Numbers and Mailboxes	5
I. Swimming Pools	5
J. Tennis Courts	5
K. Dog Runs	5
L. Basketball Hoops	5
Section III: Architectural Design	6
A. Purpose and Intent	6
B. Color	6
C. Materials	7
D. Foundation Walls	7
E. Roofs	7
F. Building Projections - Massing of Components	7
G. Garages	8
H. Mechanical and Related Equipment	8
I. Antennas - Satellite Dishes	9
J. Height of Structures	9
K. Building Code	9
Section IV: Landscape Design	9
A. Purpose and Intent	10
B. Timing and Components	10
C. Fencing	11
D. Site Drainage and Grading	12
E. Plant Materials	12
F. Lighting	13
Section V: Contractor Suitability	13

Section VI: Construction Regulations	14
A. Pre-Construction Conference	14
B. Occupational Safety and Health Act Compliance (OSHA)	14
C. Construction Trailers, Portable Field Offices, Etc	15
D. Storage of Materials and Equipment	15
E. Debris and Trash Removal	15
F. Sanitary Facilities	16
G. Parking Area	16
H. Access to Hawkstone	16
I. Conservation of Landscaping Materials	16
J. Excavation Materials	16
K. Restoration or Repair of Other Property Damaged	16
L. Miscellaneous and General Practices	17
M. Responsibility of Lot Owner	17
N. Fire Extinguisher	17
O. Signs	17
Section VII: Design Review and Approval Procedure	18
A. When DRC Approval is Required	18
1. New Construction	18
2. All Future Exterior Improvements	18
B. Submission of Plans.	18
1. Pre-Design Meeting	18
2. Preliminary Submittal and Review	19
3. Final Submittal and Review	20
4. Resubmittal of Plans	22
C. Work in Progress	22
D. Completed Work	23
E. Right of Waiver	23
F. Non-Liability of the DRC and Developer	24
G. Enforcement	24
H. Grading, Dimensions and Elevations and Other Information Submitted by An Owner	24
Section VIII: Amendments	24
Reference Chart of Relevant Facts	25

Section I: Introduction

A. Purpose and Intent

The following Design Review Guidelines ("DRG") have been prepared by Hawkstone Development, LLC (Developer), Eaton, Colorado, to ensure that the goals and vision of Hawkstone are realized.

The purpose of these DRG is to provide specific design criteria for developing individual homes in residential parcels within Hawkstone. The DRG are designed to establish and maintain a quality community appearance; assure compatibility; direct character and form; and enhance Hawkstone's overall value.

The DRG also allow each neighborhood to have an individual identity, yet complement an overall community theme. While the DRG ensure that each neighborhood relates to the overall community image, they do not inhibit innovative design. They provide clear direction and specific criteria for evolving an overall sense of community.

To this end, developers, builders, homeowners, and their consultants are encouraged to review the entire DRG document to better understand the relationship of each building site to the total design goals of the community.

All residential development within Hawkstone 5th Filing must abide by the criteria established by these DRG, in addition to the development standards established by the approval of the Hawkstone Master Plan by the Town of Eaton, Colorado, standard building codes, and other requirements governing the development of residential communities.

B. Community Concept and Character

The community design concept for Hawkstone provides for a variety of residential opportunities clustered around a large community openspace and park. The individual components of the community are linked internally by a major trail system, which provides for connection to the north, south, east and west.

Visual and aesthetic continuity is provided by a uniformity of architectural design throughout the community. While promoting individual design within the parameters of the project concept, extremes of architectural expression are not encouraged. Complementing the architectural treatment is a hierarchy of fencing and landscape development which transitions from the

perimeter of the community to the individual residential lot. Two major project entries and limited vehicular access into each residential parcel ensures safe and direct vehicular flow.

C. Relationship of the Design Review Guidelines to the Master Plan

The Hawkstone Master Plan establishes the location, density, and configuration of the major residential components of the community. The DRG establish the quantitative criteria for each component such as setbacks, structure size and height, and positioning of on-site elements. The DRG are an approved part of the Hawkstone project and must be used in harmony with the Master Plan when preparing individual home or parcel proposals.

D. Relationship of the Design Review Guidelines to other Regulations

The DRG are not intended to supersede or modify applicable Federal, Colorado, or Town of Eaton codes or ordinances. In the event of a conflict or discrepancy, or for subjects not addressed in the DRG, the governing agencies, codes, and/or regulations shall take precedence.

The DRG are to be used by builders and developers and their design consultants, as a guide and framework for their efforts to develop residential parcels within Hawkstone. The DRG are also to be used by homebuilders, and prospective homeowners on behalf of their builder, who are constructing homes on individual lots within Hawkstone.

The DRG will also be used by the Hawkstone Design Review Committee ("DRC") in reviewing proposals to determine their relative conformance to the overall design objectives and criteria.

The DRG are intended to cover each site-specific or lot-specific issue as well as community issues such as edge treatments and relationships to adjacent land uses. The DRG should be used in association with the Declaration of Covenants, Conditions, Restrictions, and Easements for each Hawkstone project and any Homeowner's Association, which is established for each.

E. How to Use the Design Review Guidelines

The DRG are organized into major elements such as Site Planning, Architectural Design, and Landscape Design in addition to procedural sections such as Submittal Requirements and

Construction Regulations. Each element is introduced with a description of intent followed by specific items within each element.

There are no established "number" of design criteria that must be met in each development proposal. The relationship between design variables is dynamic and each combination of elements is perceived differently. The DRG identify those elements that should be considered, and define performance characteristics the elements should have -- but there is not a "standard formula" for "appropriate" design solution. In all instances, the DRC will consider the interrelationship of the design variables, as well as the specific criteria.

Section II: Site Planning and Design

A. Purpose and Intent

The Site Planning and Design criteria are intended to establish a harmonious character to the organization and functioning of the community through attention to the following items:

B. Permitted Uses and Floor Spaces

Each Lot shall be used exclusively for residential living purposes and such purposes as are customarily incident thereto. Every residential structure shall have a minimum improved living floor area as detailed on the Reference Chart of Relevant Facts, page 25. No maximum floor area is specified; however, the DRC will be concerned that the total size of all structures on the lot does not create a negative visual impact.

C. Accessory Structures

Accessory structures, i.e. "storage sheds", are not allowed on any property. The homebuilder or homeowner is encouraged to oversize garage space to provide for storage space.

D. Location of Dwellings and Setbacks

Setbacks by project are also as listed on the Reference Chart of Relevant Facts. Page 25.

Despite apparent uniformity of design on many of the smaller lots, the DRC will review each plan for a dwelling in relation to the specific characteristics of the particular lot and its surroundings. What might be considered appropriate for one lot

might be inappropriate for another. The basic objective is that the dwelling be compatible with the particular lot and be located so as to minimize obstruction or diminution of the view from each lot and the impact of each home to the adjacent homes.

E. Orientation of Homes

Unless otherwise specified by the DRC, each home will "front" onto the local street of lesser vehicular intensity. The "front" will be determined by the DRC. In general, this concept reduces the number of visual variables upon the streetscape.

Many of the lots in Hawkstone "back" onto areas, which allow public visibility. Homes backing on the perimeter roads or interior loop road, the golf course, the public park and open space, and to the private open space of adjacent parcels, all will be on display to an extent.

Therefore, it will be necessary to enhance the rear elevations, and perhaps the side elevations, to a level in keeping with the enhancement expected for the front elevation as described in Section III.

F. Vehicular Access and Garage Doors Orientation

Vehicular access shall be from the local street onto which the home "fronts" unless otherwise allowed by the DRC. Each access point of the driveway on the local street will be at least 50 feet from a major public road intersection. Visual impact of garage doors and driveways will be minimized by such measures as, but not limited to, siting of the dwelling, protective overhangs or projections, special door facing materials or design, and/or landscaping. Third garage door will be staggered, or setback from the elevation of the two primary garage openings.

G. Paved Areas

Hard-surfaced private driveways and parking areas are required. Concrete is required for all driveways. Asphalt is not allowed. A driveway for a two-car garage will be no wider than 20 feet where it meets the street. A driveway for a three-car garage will not exceed 32 feet in width where it meets the street and should incorporate a landscaped planting island between the apron for the 1 car and 2 car garage areas. Tapering of the driveway to a lesser width at the street is required. No concrete driveways wider than garage allowed. No concrete parking pads along the side of garage or driveway are allowed. Driveways must be located 3 feet inside

of the property line. Circular drives are not allowed. Decorative stamped concrete is allowed for driveways and or sidewalks. The approved colors are "Brickform Rafco Products" Desert Tan, Buff Tan and Sandy Buff or equivalent. Sidewalks must be attached to the driveway and not in a manner that would divide the front yard.

H. House Numbers and Mailboxes

Each lot has been assigned a street number, which has been approved by the appropriate governing authorities. At the time of construction of a residential structure on a lot, the owner shall install a mailbox and mailbox stand provided by the developer. All mailboxes will be of the same design to provide harmony of the streetscape.

I. Swimming Pools

Swimming pools shall be designed to integrate with the existing site and architectural form. Adequate screening, security and maintenance shall be provided. Swimming pool construction shall meet Colorado State Board of Health Standards.

J. Tennis Courts

Tennis courts will be discouraged unless the DRC can be shown that the court will not aesthetically detract from the area visibly adjacent thereto. The impact of the court on surrounding lots and a determination of required landscaping will be thoroughly considered by the DRC.

K. Dog Runs

Dog runs will be allowed if they can be totally isolated and screened from adjacent lots and must be submitted to the DRC for approval. Local ordinances regarding noise, odors, and other nuisances will be in effect.

L. Basketball Hoops

Basketball hoops cannot be mounted directly on the home or garage and must be mounted on a pole in narrow portion of lot adjacent to the driveway, not the front yard.

Section III: Architectural Design

A. Purpose and Intent

The architectural character of the residential component of this community is intended to reflect regional, non-urban character with a variety of interesting and compatible relationships of form, texture, and style. Additionally, economic factors, environmental concerns, and construction practices prevalent in the industry are important influences. These DRG are designed to promote a high level of design quality, assure compatibility between residential products within the community, and guide character and form.

The architectural styles, which are promoted by these DRG, are intended to reflect architectural variety within an established architectural theme. Without this concept, the resulting architectural element of the community is likely to be a haphazard accumulation of varied styles and themes.

The established architectural theme for Hawkstone is "Colorado Country", which is best characterized by a commitment to regional design styles that demonstrate strong form elements with deep shadow-lines; roof forms that reflect the mountain slopes; building materials with strong textures; and exterior colors complimentary to the natural environment. There is no single "correct" architectural style for homes in Hawkstone, yet all design elements are expected to relate clearly to the established design theme. As such, log homes, modular or mobile homes, geodesic homes, and all related types of structures are not allowed. All structures installed or erected upon a lot shall be assembled on site, (i.e. stick-built) and shall not be constructed off-site for assembly on a lot.

This identification and compatibility with the Colorado Country theme is expected to be achieved at all levels of design identification, including individual dwellings, "street scenes", neighborhoods, and the total community.

B. Color

The color of exterior materials will generally be subdued to blend with the colors of the natural landscape. Earth tones, generally muted, are recommended, although occasionally accent colors used judiciously and with restraint may be permitted. Use of highly chromatic or "bright" colors is to be avoided.

C. Materials

Exterior surfaces shall be of natural materials that blend and are compatible with the natural landscape. The use of each material shall be a truthful and appropriate expression of the characteristics of that particular material. The use of brick, wood, stucco, and stone is preferred. Brick or stone on front elevations shall extend at a minimum to the bottom of the window line and wrap to the side elevations a distance of two feet, as a minimum. Exposed standard concrete, concrete blocks, painted concrete, multi-colored masonry, mirrored glass, metal siding, plywood siding, prefabricated metal buildings, simulated brick or wood, unnatural brick tones, and silver finish aluminum doors and windows shall not be acceptable. Architectural "add-ons" or appliqués shall not be acceptable nor shall obviously simulated material.

D. Foundation Walls

Foundation walls shall be finished to blend with other architectural elements on the dwelling. Raw concrete walls will not be allowed. Foundation landscaping shall be incorporated around the perimeter of the structure to assist with the transition of the home into the landscape.

E. Roofs

All roofs shall be of a material, color and texture approved by the DRC. Wood, metal and "T-lock" asphalt shingled roofs are not allowed. Wood-like asphalt, fiberglass, or concrete shingles may be acceptable. Tamko Heritage Premium Shadowtone Series shingles or equivalent of at least 30-year life span are recommended. There are two colors approved for Hawkstone either Tamko "Weathered Wood" or "Rustic Black" or equivalent. No maximum or minimum pitch is specified, but approval by the DRC will be based on the visual impact of the roof on the Lot and/or on neighboring Lots, dwellings and roads. Excessively steep roofs or roofs less than a 4:12 pitch are discouraged. The overall appearance of the Dwelling will be an important consideration.

F. Building Projections - Massing of Components

All projections including, but not limited to, chimney flues, vents, gutters, downspouts, porches, railings, and exterior stairways, shall match the color of the surface from which they project or shall be of an approved color. Vents shall be located on the rear surface of the roof to the greatest extent possible

and shall be painted with flat finish paint to blend with the roofing.

Major residential building components - living, sleeping, garage, etc. - will be arranged vertically in a manner which recognizes and relates to the existing grade of the lot. Most of the lots in Hawkstone are relatively level. Therefore, homes, which have artificially raised entries, lowered garages to achieve a level above, or other "forced" elements, will be discouraged.

All balconies, which extend from a structure on the second level will be designed as an integral component of the structure. Support will be provided by cantilevered beams or other similar device; no stilts or angled support legs will be allowable.

G. Garages

The residential structure or complex on a Lot shall include a garage of a size sufficient to accommodate a minimum of two (2) full-sized automobiles and a maximum to be approved by the DRC. Garage doors shall be oriented for minimum impact on the "streetscape" and shall be painted the same color as the majority of the dwelling, not a contrasting color. Because storage sheds are not allowed at Hawkstone, the garage should be oversized to provide for additional future storage requirements. On homes with three (3) car garages the third car garage door shall be set back a minimum of two (2) feet from the first two garage spaces, the roof over such third car garage shall also be set back the same distance as the front of the garage in order to cause change in the roofline. Tandem garages are permitted if they can be incorporated into the architecture to the satisfaction of the DRC.

H. Mechanical and Related Equipment

No mechanical equipment shall be exposed on the exterior of any structure. If it is determined by the DRC that unique circumstances require exposure of mechanical equipment and same is acceptable to the DRC, the equipment shall be either incorporated into the overall form of the structure or be permanently enclosed by a material approved by the DRC other than plant material. Solar panels shall be ground mounted or laid flat on the same plane as the roof. No panel shall be built on stilts.

I. Antennas - Satellite Dishes

No antenna or satellite dish shall be allowed unless totally screened from all public roads and adjacent properties. Traditional radio and television antennas are not allowed; whip antennas may be considered. Large satellite dishes will be prohibited in favor of the smaller (18") varieties unless otherwise approved by the DRC. Dishes should be mounted on a post concreted in the ground rather than on roofs. If located on roof or the side of the home they must be painted the same color as the surface to which it is attached. Dishes should not be visible from public right of way.

J. Height of Structures

The DRC intends to discourage, and has the right to prohibit, the construction of any Dwelling or other structure which would appear excessive in height when viewed from the roads, drives or other Lots. Dwellings whose masses are generally parallel to the natural terrain of the Lots and which minimize the obstruction of view from other Lots will be encouraged. Any purposeful attempt to artificially elevate the home above the grade provided by the developer or to excessively increase the height of the roof to achieve interior space considerations will be disallowed. In all cases, the appearance of Dwellings from other Lots and roads will be the important factor. The DRC measures the height of the structure as the distance from the top of foundation wall to the highest point of the roof ridgeline.

K. Building Code

All structures will conform to all applicable building codes and ordinances. Approval by the DRC does not constitute or imply compliance with such codes and ordinances.

Section IV: Landscape Design

Prior to commencement of landscaping a landscape plan must be submitted to the DRC for approval. It is advised that a professional landscape designer to maximize the opportunities available perform all landscape designs. Their knowledge of plant materials, seasonal coloring of plants and other growth characteristics are the key to an acceptable landscape design.

A. Purpose and Intent

The Landscape Design criteria are intended to supplement the Site Planning and Architecture design criteria to integrate each structure into the community. Additionally, the landscape of each residential lot should have compatibility with adjacent lots, the project's streetscape, and ultimately transition into the centrally located public park and perimeter landscaping. The DRC reserves the right to require landscape components as a part of the architectural approval, if in the opinion of the DRC, the architectural design needs specific assistance to meet the intent of the design guidelines.

It is the intent of the design standards to provide uniformity of landscape components, especially in the front yards. Front yard landscape should include at least two shade trees to establish a "streetscape" canopy. The lawn from one lot should blend into the lawn of the adjacent lot with no discernable break on the flow of the turf area. Drainage swales and planting beds should not be designed in a manner, which interrupts the linear flow of the lawn. No freestanding islands should be placed in the middle of the lawn area. Exceptions may include small plant groupings to screen mailbox and mechanical equipment. Retaining walls will not be utilized as a front lawn feature without appropriate plant massing provided to complement the wall. Walls will only be considered if natural grading of the landform cannot be accomplished. All planting areas will be mulched with a fine textured wood mulch. No rock will be allowed as mulch.

B. Timing and Components

At the time of, or as soon as reasonably possible following construction of the residential structure on a lot, but not later than the latter of seven (7) months or one (1) growing season after substantial completion of the residential structure, the lot shall be suitably landscaped with grass, shrubs, and trees. The DRC requires complete landscaping plans with confirmation of the intent to implement acceptable landscape construction practices.

It is required that each lot shall be fully landscaped and lot owners are encouraged to make adequate provisions for landscaping costs in their overall construction budget. Plant materials native to this climate and sprinkler systems for sodded areas are required.

Lot owners, their builders or other representatives are required to minimize the disruption to the community during the excavation

and grading process. Consideration of snow storage and eventual runoff must be a consideration during the construction process. Existing and natural drainage corridors should be utilized to minimize the impact on adjacent properties. In the event construction has not commenced within 15 months from date of closing on the lot, landscaping requirements as set forth in paragraph 5.9 of the Declaration of Covenants, Restrictions and Easements for Hawkstone shall be enforced.

C. Fencing

Fencing at Hawkstone is intended to be "open" in character, the opposite of "solid" wood enclosures, which tend to become a visual and maintenance liability. Fencing is allowed in a manner to provide a sense of security, provide confinement for family activity, and yet avoid complete physical and visual enclosure.

All fencing shall conform to the Hawkstone Fencing DRG which provide for the following fencing types:

1. Perimeter and Parkway Fencing: A "Heritage Vinyl Products" tan 3-rail vinyl fence is to be located on the perimeter of the project and along Hawkstone Drive. Implementation will be by the developer unless otherwise stated. The homeowner may add a galvanized agricultural wire mesh up to 36" high to aid in containing children and/or animals.

2. Rear and Side Yard Fencing: This fence shall be a "Heritage Vinyl Products" or equivalent two rail tan colored vinyl fence except where a 3 rail project fence has been installed. The homeowner for containment may incorporate galvanized wire mesh. Transitional components of both fence types may be incorporated where adjustments for sloping land is required.

3. Privacy fences for the enclosure of decks or patios may be solid. When utilized, these fences should be considered architectural extensions or be part of a deck. In each case, the privacy fence should not appear as a separate, unrelated element and should not extend beyond the primary area being screened, nor less than five (5') feet from the side lot line.

4. "Invisible" fencing is allowed for animal control.

Fencing, in general, should be complemented by foundation plantings so that the fence "disappears" into the landscape. Fencing is prohibited in the front yard of homes; in general the fence should not extend past the mid-point of a side elevation.

D. Site Drainage and Grading

All structures and landscape elements shall be placed on the lot so that the existing topography shall be disturbed as little as possible. Finish grading shall be such as to prevent ponding or washing of water on the site and on adjacent property while providing for a slightly rolling lawn area. Subtle berming is encouraged to eliminate a very flat or level lawn area. Drainage shall be away from structures. Newly graded areas shall be protected against erosion. Location of topsoil stockpiles, barrow pits on site, and excess material disposal areas is subject to DRC approval.

The final site plan or grading plan shall be prepared by an architect, engineer, landscape architect or other qualified entity so as to conform to the master drainage plan for Hawkstone, and it shall show both existing and future contours, or specific direction of flow. Positive drainage on grassed areas shall be a minimum of 2% grade. Finish grades shall include four (4) inch minimum topsoil or appropriate levels of soil enhancements on all planted areas. Finished elevations with sod in place will be brought to within one (1) inch of all paved surfaces.

E. Plant Materials

All plant materials used in the landscape should be native or naturalized to the area. Plant material selection should be made from locally available nursery or garden center stock. The Colorado Nurserymen's Association Rocky Mountain Plant Guide lists acceptable materials.

The landscape for each home should have a variety of deciduous and coniferous plant materials. A priority should be placed on front yard landscaping if the construction is to be phased. Minimum plant sizes shall be 6' - 8' for coniferous trees, 2 1/2", caliper for shade trees, 1 - 1 1/2" caliper for ornamental trees, and 5 gallon for shrubs. One (1) tree is to be planted for every 1500 square feet of gross lot area and Four (4) Shrubs are to be planted for every 1500 square feet of gross lot area. Gross lot area shall include the area of the lot, which contains the home and concrete areas. No artificial plants of any type are to be used in the landscape. Any area visible from a public right of way

shall not have yard decorations such as plastic, fiberglass, concrete, or iron animals, birds, or human replicas, free-standing water features, windmills, or other agricultural equipment, wagon wheels, mechanical equipment incorporated into mailboxes, or other unnatural landscape element. Gravel and rock is not to be utilized as a mulch in planting beds, a fine-textured woody mulch is required.

F. Lighting

No exterior lighting shall be permitted on any lot except with the written approval of the DRC. Exterior lighting that is subdued and whose light source is not visible from adjoining dwellings may be permitted by the DRC for such purposes as illuminating entrances, decks, driveways, landscaping, and parking areas, and other approved purposes such as seasonal decoration.

Section V: Contractor Suitability

No contractor (including an owner acting as a contractor) shall perform any work on any lot, including without limitation, any construction, repair or modification of any improvement, grading, landscaping or gardening, or the construction, repair or modification of any structure of any kind on a lot ("work") without the prior approval of the DRC. No owner shall commence any work or permit any contractor to commence any work unless and until the DRC has approved the contractor as provided in this section. The DRC may require any owner to submit one or more contractors for approval at the time the owner submits the plans and specifications for the work to the DRC for its prior approval.

The DRC shall have the right, in its sole discretion, which may be exercised prior to or after the commencement of any work on any lot, to disapprove the selection by any owner of a contractor (including an owner acting as a contractor) for the construction, repair or modification of any improvement, grading, landscaping or gardening, or the construction, repair or modification of any other structure of any kind on any lot, including any contractor previously approved by DRC. The DRC may exercise its right to disapprove any contractor based upon any of the following grounds: (1) a belief that the contractor is not financially responsible; (2) the contractor's failure to comply with approved plan and specifications in work previously performed on any lot or the properties; or (3) that the contractor cannot complete the construction or other work requested by the owner in accordance with the standards imposed by the DRC. The DRC shall have no duty to investigate any facts supporting its decision to disapprove any

contractor, including without limitation the contractor's financial responsibility, the contractor's past performance or the contractor's present undertakings. In the event the DRC disapproves a contractor after it has begun work, the Association shall have the right to contract for the completion of the work at the owner's expense. Any costs or expenses incurred by the Association shall be borne by the owner. Neither the Association, the DRC nor its members shall be liable to any owner, contractor or any person for any damages or cost incurred with respect to or as a result of the DRC's decision to disapprove any contractor under this section.

Section VI: Construction Regulations

In order to insure a safe, neat and orderly construction site, the DRC and the Developer have established certain construction and safety regulations for the benefit of all Hawkstone Owners and residents.

It is of the utmost importance that anyone conducting construction activities in Hawkstone exert extreme care in preventing conditions that are unsafe or that could constitute fire, wind or other hazards. The Developer and the DRC will not tolerate any activity that, in their opinion, constitutes such hazards.

Definitions: All of the definitions contained in the DRG are utilized herein, except that the following additional definition is used in these Construction Regulations:

"Construction Site" shall mean and refer to such portion of Hawkstone (including but not limited to a Lot) on which authority is given by the DRC to construct improvements or store materials or equipment.

A. Pre-Construction Conference.

Prior to commencing construction, the Builder/Contractor shall meet with the DRC to review procedures and coordinate his activities in Hawkstone.

B. Occupational Safety and Health Act Compliance (OSHA).

All applicable OSHA regulations and guidelines shall be strictly observed at all times.

C. Construction Trailers, Portable Field offices, Etc.

Any Owner or Contractor who desires to bring a construction trailer, field office or the like to Hawkstone shall first apply for and obtain written approval from the DRC. The DRC will work closely with the owner or Contractor to determine the best possible location. Such temporary structures shall be located only in a location approved by the DRC and shall be removed upon completion of construction or such earlier time or requested by the DRC.

D. Storage of Materials and Equipment.

Owners and Contractors are permitted to store construction materials and equipment on the approved Construction Site during the construction period. It shall be neatly stacked, properly covered and secured. Storage of material or construction equipment outside the approved Construction Site (Owner's or Builder's Lot) will be done only with the approval of the DRC.

Any storage of materials or equipment shall be the Owner's or Contractor's responsibility and at their risk.

Owners and Contractors shall not disturb, damage or trespass on other Lots or adjacent property. Should any such damage occur, it will be restored and repaired at the offender's expense.

E. Debris and Trash Removal.

Owners and Contractors shall clean up all trash and debris on the Construction Site at the end of each day. Trash and debris shall be removed from each Construction Site at least once a week by every Friday to a dumping site located off the project. Lightweight material, packaging and other items shall be covered or weighted down to prevent wind from blowing such materials off the Construction Site. Owners and Contractors are prohibited from dumping, burying or burning trash anywhere in Hawkstone.

During the construction period, each Construction Site shall be kept neat and shall be properly policed to prevent it from (1) becoming an eyesore or (2) affecting other Lots or adjacent property.

Dirt, mud, or debris resulting from activity on each Construction Site shall be promptly removed from public or private roads, open spaces and driveways or other portions of Hawkstone.

F. Sanitary Facilities.

Each Owner and Contractor shall be responsible for providing adequate sanitary facilities for his construction workers. Portable toilets or similar temporary toilet facilities shall be located only in areas approved by the DRC.

G. Parking Area.

Construction crews shall not park on, or otherwise use, other Lots or tracts. Private and construction vehicles and machinery shall be parked in areas designated by the DRC or Developer.

H. Access to Hawkstone.

All construction vehicles shall enter or leave Hawkstone at approved entrances, which may change from time to time at the sole discretion of the DRC.

I. Conservation of Landscaping Materials.

Owners and Contractors acknowledge that some of the Lots and tracts contain topsoil that should be salvaged before and during construction.

J. Excavation Materials.

Excess excavation materials shall not be removed from Hawkstone unless approved by the Developer or the DRC.

K. Restoration or Repair of Other Property Damaged.

Damage and scarring to other property, including, but not limited to, other Lots, tracts, roads, driveways and/or other Improvements, will not be permitted. If any such damage occurs, it shall be repaired and/or restored promptly at the expense of the person or entity causing the same.

Upon completion of construction, each Owner and Contractor shall clean his Construction Site and repair all property, which was damaged, including, but not limited to, restoring grades, repair of streets, driveways, drains, culverts, signs, lighting and fencing.

L. Miscellaneous and General Practices.

The following practices by contractors or anyone else performing work are prohibited at Hawkstone:

1. Changing oil on any vehicle or equipment other than at a location designated for that purpose by the Developer or the DRC.
2. Allowing concrete suppliers and contractors to clean their equipment other than at locations designated for that purpose by the Developer or the DRC.
3. Removing any plant material, topsoil or similar items from any property of others within Hawkstone.
4. Carrying any type of firearms on the property.
5. Using disposal methods or units other than those approved by the DRC.
6. Careless disposition of cigarettes and other flammable materials.
7. Bringing any animals or pets into Hawkstone.
8. Allowing any radio, "boombox" or equivalent to be heard beyond the limits of the lot lines on which the home is being constructed.

M. Responsibility of Lot Owner.

All Lot Owners in Hawkstone shall be responsible for the conduct and behavior of their representatives, Builders, Contractors, and subcontractors.

N. Fire Extinguisher.

At least one (1) 10-lb., ABC-rated dry chemical fire extinguisher shall be present and available in a conspicuous place on the Construction Site at all times.

O. Signs.

Signs shall not be larger than six (6) square feet in size and no higher than four (4) feet to top of sign. Number, size, color and location must be approved by the DRC.

Section VII: Design Review and Approval Procedure

A. When DRC Approval is Required

1. New Construction

DRC approval must be obtained prior to application for building permit from the town of Eaton pursuant to Ordinance NO. 485. Upon approval of plans the DRC will furnish an approval letter addressed to The Town of Eaton together with a copy of the approved plans indicating that the Hawkstone DRC has accepted them. These plans will then provide the applicant with the necessary materials from the DRC to apply for a building permit from the Town of Eaton.

2. All Future Exterior Improvements

DRC approval must be obtained for "All" exterior improvements made to a property including but not limited to landscaping, modification or alteration of the structure including repainting the exterior colors other than that which were originally approved, adding shutters, repairing, roofing, play equipment, basketball hoops, fencing, satellite dishes & dog runs, etc. This requirement is to provide for the continued assurance that the Design Review Guidelines adhered to "after" the initial approval for the construction of the home and landscaping. Some changes to the home may also require the issuance of a building permit from the Town of Eaton, which is the responsibility of the property owner.

B. Submission of Plans.

Plans and specifications will be submitted to the DRC as specified in the Declaration and in accordance with the following submittal and review procedures. The plans and specifications must be prepared by a licensed architect or experienced home designer.

1. Pre-Design Meeting.

Prior to preparing preliminary plans for a proposed Dwelling, the Owner and/or his architect shall meet with a DRC member to discuss proposed plans and to explore and resolve any questions regarding building in Hawkstone. This informal review is to offer guidance prior to initiating preliminary design.

In order to derive the maximum benefits from this meeting, the owner should be prepared to discuss in as much detail as possible the type of Improvements to be built on the Lot. Photographs or magazine clippings of similar homes are encouraged for presentation. This meeting is intended to prevent the Owner from making excessive expenditures and or commitments on concepts, which will not be acceptable to the DRC.

A member of the DRC will be available as needed and an appointment should be made at least one (1) week in advance by calling (970)454-3452.

2. Preliminary Submittal and Review.

Preliminary plans, including all of the exhibits outlined below, are to be submitted to the DRC. The DRC shall respond within ten (10) working days after their review (but no later than 30 days after submittal), provided that the preliminary plans are in accordance with the requirements outlined below. Plans will not be reviewed, however, until the review fee is paid, pursuant to the Declaration. Until further notice, the review fee schedule shall be \$200.00.

a. All preliminary plans shall include:

(1) Site plan (at a scale of 1" = 20' or larger) indicating building location, driveway, sidewalk and proposed grading and drainage.

(2) Exterior elevations of at least the front and rear elevations, showing elevations of the basement floor, the first floor, the maximum height of the roof, and the existing grade of the lot.

(3) Floor plans at a minimum scale of 1/8" = 1'0" for each level of the home. The total finished square feet of each level must be shown.

(4) Method by which the foundation of the home will be designed. The Developer will provide a copy of a geotechnical report to be used as a guide this does not relieve the builder or homeowner from having a study done for their specific lot. At a minimum, the DRC will require documentation of an "open hole foundation inspection" by a registered engineer. Plans should show

a perimeter drainage system connecting to the underdrain located beneath the sewer service to the lot.

(5) Method by which the roof will be designed. At a minimum, the DRC will require documentation that a licensed engineer has designed the roof system.

(6) Indication of all exterior materials and colors.

(7) Indication of all other known improvements to the lot such as swimming pools, dog runs, gazebos, etc.

(8) If deemed necessary by the DRC, a perspective drawing, model or other descriptive representation of the home may be required.

3. Final Submittal and Review

After preliminary approval is obtained from the DRC, a minimum of three (3) copies of the following documents are to be submitted for final approval. The DRC shall conduct the final review and will respond within ten (10) working days after the review (but no later than 30 days after submittal), provided that the final plans are in accordance with the requirements outlined below.

(a) Final plans shall include:

(1) An approximate time schedule indicating starting and completion dates of the Dwelling, utilities hook-up and completion of landscaping work.

(2) Site plan, as prepared for the preliminary submittal, with final designation of all elements. (at no smaller than 1" = 30') showing building location, driveway, parking, utility connections and grading plan, including existing and proposed topography at contour intervals of 1' with a base datum of sea level over the total Lot and extended 100' outside the Lot on all sides. Refer to the Overlot Grading Plan prepared by KBN Engineers LLC.

(3) Exterior elevations as prepared for the preliminary submittal, with final designation of all elements.

(4) Floor plans, as prepared for the preliminary submittal, with final designation of all elements including square footages.

(5) Documentation of how the DRC will be informed of foundation design and underdrain system.

(6) Documentation of how the DRC will be informed of roof design.

(7) Samples of all exterior colors and materials, including actual brick or stone samples, color chips, sample of stucco finish and color, window and glass specifications, and example of roofing material if other than that specified in the design guidelines.

(8) Wall section and details of fireplace and exterior stairs and decks.

(9) Documentation on timing of landscape plan submittal and implementation of landscape construction. Complete landscaping plan including areas to be irrigated. Full description of plan and landscaping materials.

(10) Cross section of structure indicating existing and proposed grade lines on the site. Show grade elevations of street, top of foundation, pony wall if incorporated, main floor and top of roof.

(11) A perspective (sketch) of the structure sufficient to illustrate design characteristics.

(12) If "pony walls" are to be incorporated into the plans to raise the clearance of the basement they must be shown on the plans.

(b) In addition to the above, exterior building corners of the proposed structure shall be staked on the site for the DRC's inspection, stakes shall indicate proposed top of foundation wall elevation as well as garage floor elevation.

(c) Final approval by the DRC shall be issued in writing. However, at least five (5) days prior to commencement of construction, the owner shall notify the DRC so that it can make a visual inspection of the Lot to insure that the final building layout, staking and elevation are in accordance with the final plan approved by the DRC.

Engineering certification of foundations and the securing of a building permit are the responsibility of the Owner and/or Builder. Construction documents (working drawings and specifications) are to be in accordance with the design approved in the final submittal.

Construction shall not commence until all of the above requirements are satisfied.

Additional construction to a Dwelling and/or changes after completion of an approved structure must be submitted to the DRC for approval prior to initiating such changes and/or additions.

4. Resubmittal of Plans.

In the event of any disapproval by the DRC of either a preliminary or a final submission, any resubmission of plans will follow the same procedure as an original submittal. In the event a decision by the DRC is felt to be unjust, a request may be submitted in writing to the DRC within seven (7) days of the date of notification of the decision for a special hearing. This request shall contain the reasons why the decision is felt to be unjust and any other explanatory material, which would be helpful to the DRC in reviewing the situation. A meeting of all parties concerned will be arranged when warranted and the decision of the DRC at this meeting or subsequent to reviewing this material will be final.

C. Work in Progress.

The committee may inspect all work in progress and give notice of non-compliance. Absence of such inspection and notification during the construction period does not constitute either approval of the DRC of work in progress or compliance with these Guidelines or the Declaration.

If, during the course of construction, changes occur to an Improvement which cause it to be significantly different from the approved documents, a request for approval of these changes shall be submitted to the DRC by furnishing three (3) copies in the following manner:

1. A written statement giving the reason such changes are desired.

2. A complete description of the change, including drawings, specifications and any other descriptive material required by the DRC.

3. The DRC may charge a fee not to exceed \$100.00 for review of the changed plans.

In the event of disapproval of the changes, resubmission of plans or request for a special hearing shall be in accordance with paragraph 4 above.

D. Completed Work.

1. Upon completion of any Dwelling or other Improvement for which final approval was given by the DRC, the Owner shall furnish a copy of the Certificate of Occupancy to the DRC.

2. Within such reasonable time as the DRC may determine, but in no case exceeding ten (10) days from receipt of such written notice of completion from the Owner or its duly authorized representative, it may inspect the Improvements (Dwelling). If it is found that such work was not done in strict compliance with the final plan submitted or required to be submitted for its prior approval, it shall notify the owner in writing of such non-compliance, specifying in reasonable detail the particulars of non-compliance, and shall require the Owner to remedy the same.

3. If, upon the expiration of thirty (30) days from the date of such notification by the DRC, the owner shall have failed to remedy such non-compliance, the DRC shall notify the owner and may take such action to remove the non-complying Improvements as is provided for in the Declaration.

4. If, after receipt of written notice of completion from the Owner, the DRC fails to notify the Owner of any failure to comply with its directives with the period provided in Paragraph D2 above, the Improvements shall be deemed to be in accordance with the approved plans.

E. Right of Waiver.

The DRC reserves the right to waive or vary any of the procedures or standards set forth in these Design Guidelines at its discretion, for good cause shown.

F. Non-Liability of the DRC and Developer

Neither the DRC nor the Developer, or their respective successors or assigns, shall be liable for damages, to anyone submitting plans to them for approval or to any Owner by reason of mistake in judgment, negligence or nonfeasance arising out of or in connection with the approval or disapproval or failure to approve any plans and specifications. Every Owner or other person who submits plans to the DRC for approval agrees, by submission of such plans and specifications, that he will not bring any action or suit against the DRC or Developer to recover damages.

G. Enforcement.

These Standards may be enforced by the DRC or the Association or the Developer as provided in the Declaration.

H. Grading, Dimensions and Elevations and Other Information Submitted by An Owner.

Any Owner submitting plans for preliminary or final approval to the DRC shall be responsible for the verification and accuracy of all Lot dimensions, grade, elevations and the location of the key features of the natural terrain. Each Owner shall certify to the accuracy thereof before the DRC will undertake its review.

Section VIII: Amendments

The DRC shall have the right to amend and modify these standards at any time in its sole discretion. Copies of all modifications or amendments shall be sent to each owner of record within 30 days after their adoption; provided that no modifications or amendments hereto shall adversely affect any previously approved plans.

Hawkstone
Design Review Committee

Reference Chart Of Relevant Facts for Hawkstone 5th. Filing

Minimum Square Feet Finished Floor Space	Block 1		Block 2		Block 3		Block 4		Block 5	
	Lots 1-18	Lots 19-27	Lots 1 & 2	Lots 3-12	All Lots	All Lots	All Lots	All Lots	Lots 1-16	Lots 17-35
1 Story	1700	1800	1800	1800	1700	1400	1400	1400	1500	1400
2 Story	2000*	2000*	2000*	None**	2000*	1800	1800	1800	2000	1800

* Two story homes require a minimum of 1300 square feet of finished floor area on the main level.

** Two story homes not allowed on walkout lots.

Maximum Height
of Structures

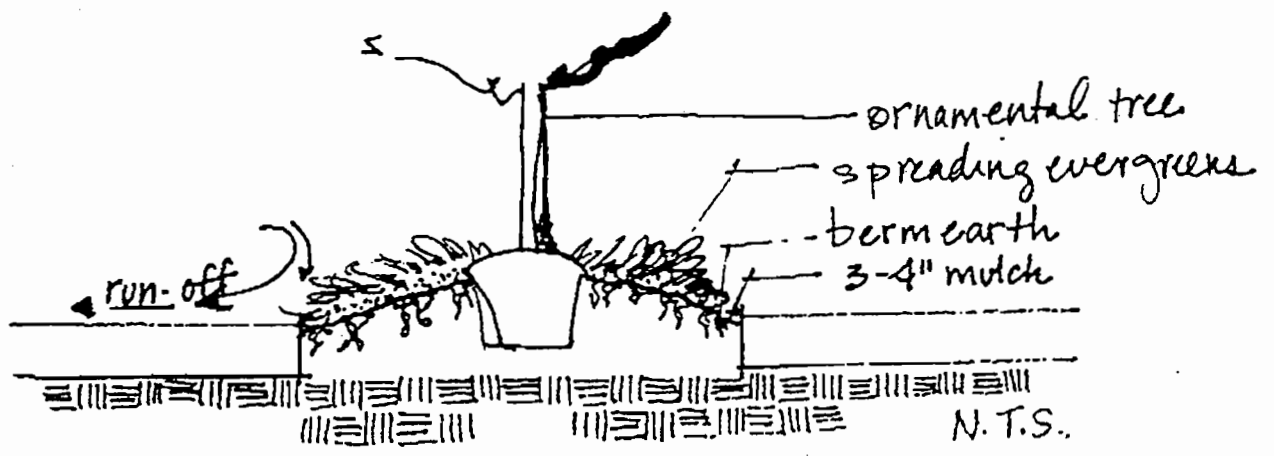
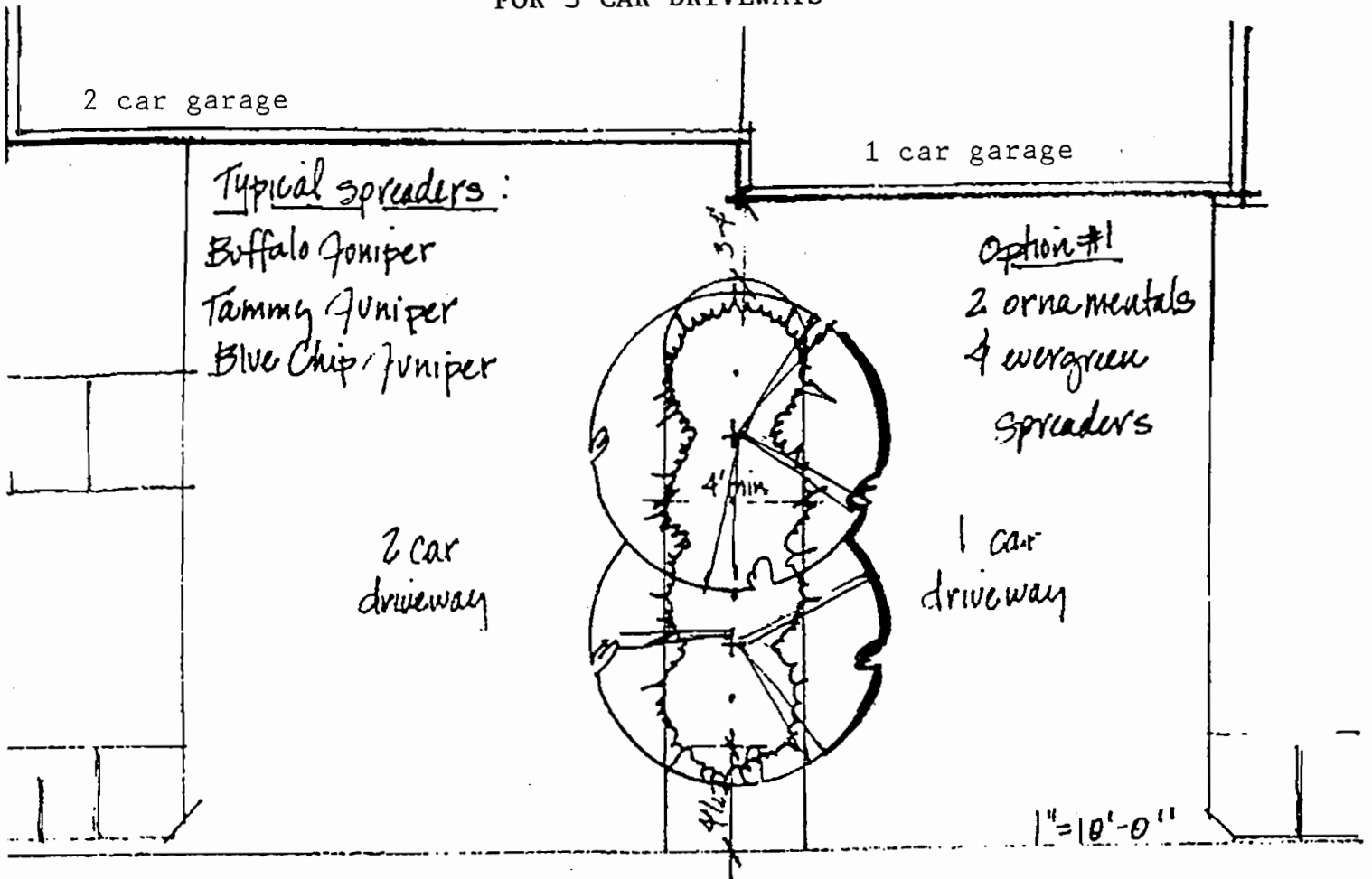
- 1 Story 27 feet
- 2 Story 35 feet

Other Minimum Requirements:

1. Minimum 65% brick fronts wrapped a minimum of 2 feet around sides, second story not required to have brick. Brick or stone must be wrapped around corners a minimum of two (2) feet including garage walls.
2. Brick or stone not required on second level of two story homes provided there is a porch causing a break at second floor.
3. Either Stucco or Hardboard siding maximum lap of 8".
3. Minimum 8" fascia.
4. Minimum 2 car garage maximum 3 car.
5. Setbacks; Front 25', rear 20', sides 5' where not siding on street, side setbacks must be 10' if side wall does not have a break.
6. All posts for porches and covered patios to be minimum 6" in diameter.
7. All foundation and finished floor elevations are indicated on grading and Drainage map prepared by KBN engineers.

RECOMMENDED DRIVEWAY ISLANDS

FOR 3 CAR DRIVEWAYS



over for option#2

Typical ground covers

- Vinca
- Sedum
- Snow in Summer

Option 2

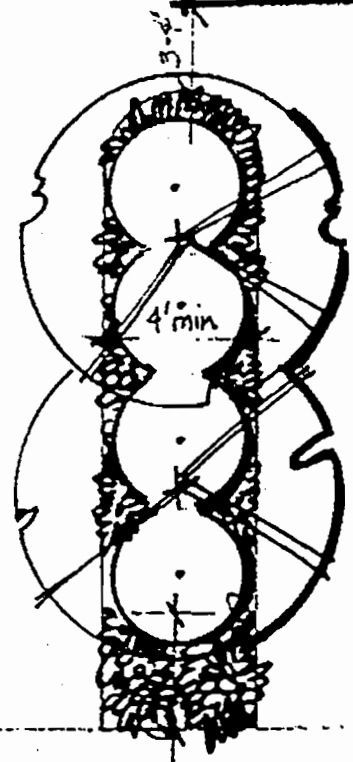
- 2 ornamental trees
- 4 ornamental shrubs
- ground cover

Typical ornamentals

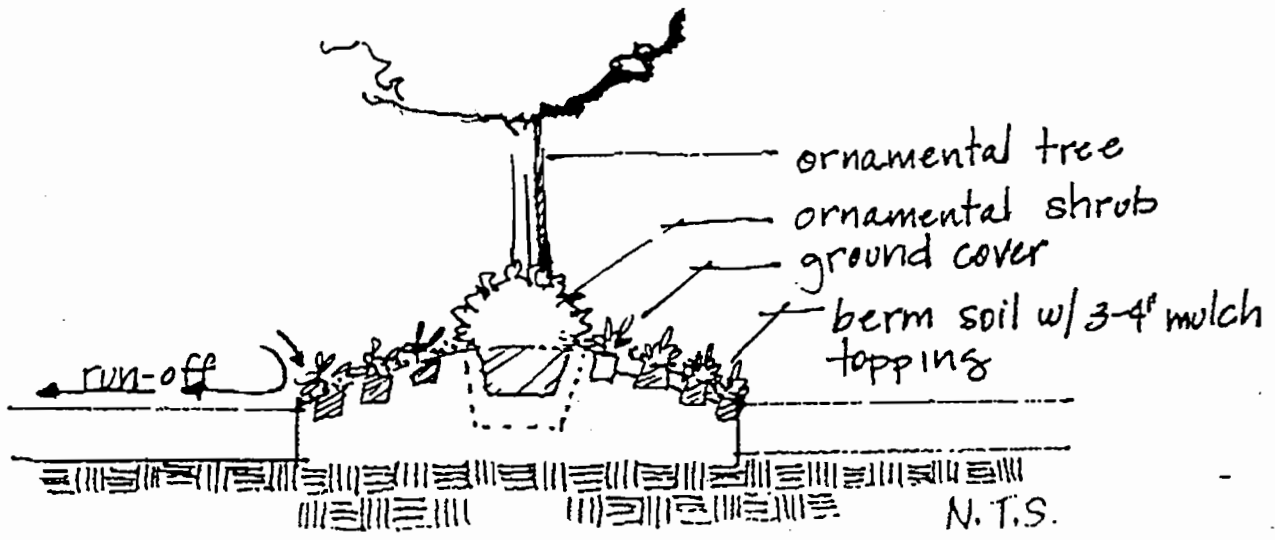
- Miss Kim Lilac
- Dwarf Burning Bush
- Potentilla

2 car driveway

1 car driveway



1" = 10'-0"



- ornamental tree
- ornamental shrub
- ground cover
- berm soil w/ 3-4" mulch topping

run-off

N.T.S.