

SUNTERRA

AMENDED & RESTATED DESIGN GUIDELINES

[Residential]

THIS DOCUMENT AMENDS, RESTATES AND REPLACES IN ITS ENTIRETY THE PREVIOUS SUNTERRA DESIGN GUIDELINES SET FORTH THAT CERTAIN: (i) NOTICE OF DEDICATORY INSTRUMENTS FOR SUNTERRA PROPERTY OWNERS ASSOCIATION, INC. (as it pertains to the inclusion of the Design Guidelines), RECORDED UNDER DOCUMENT NO. RP-2021-447745, IN THE OFFICIAL PUBLIC RECORDS OF HARRIS COUNTY, TEXAS, AND UNDER DOCUMENT NO. 2109155 IN THE OFFICIAL PUBLIC RECORDS OF WALLER COUNTY, TEXAS; AS AMENDED BY (ii) SUPPLEMENTAL NOTICE OF DEDICATORY INSTRUMENTS FOR SUNTERRA PROPERTY OWNERS ASSOCIATION, INC., RECORDED UNDER DOCUMENT NO. RP-2021-620654, IN THE OFFICIAL PUBLIC RECORDS OF HARRIS COUNTY, TEXAS, AND UNDER DOCUMENT NO. 2112608 IN THE OFFICIAL PUBLIC RECORDS OF WALLER COUNTY, TEXAS; AND (iii) SUPPLEMENTAL NOTICE OF DEDICATORY INSTRUMENTS FOR SUNTERRA PROPERTY OWNERS ASSOCIATION, INC., RECORDED UNDER DOCUMENT NO. RP-2023-24262, IN THE OFFICIAL PUBLIC RECORDS OF HARRIS COUNTY, TEXAS, AND UNDER DOCUMENT NO. 2300891 IN THE OFFICIAL PUBLIC RECORDS OF WALLER COUNTY, TEXAS. Documents (i), (ii), and (iii) set forth above are collectively referred to herein as the “Existing Sunterra Design Documents”.


In accordance with the requirements of the Existing Sunterra Design Documents, (1) the undersigned Developer hereby certifies that the foregoing Amended and Restated Design Guidelines are hereby adopted for Sunterra in accordance with the requirements of the Existing Sunterra Design Documents; and (2) ASTRO SUNTERRA, L.P., a Delaware limited partnership, acting as Declarant under that certain Sunterra Amended and Restated Master Covenant, recorded under Document No. RP-2023-3106, Official Public Records of Harris County, Texas, and Document No. 2300182, Official Public Records of Waller County, Texas (the “Covenant”), hereby certifies that the foregoing Amended and Restated Design Guidelines are hereby adopted for Sunterra in accordance with the requirements of the Covenant. This Sunterra Amended and Restated Design Guidelines becomes effective when Recorded.

[Signature Page Follows]

**ADOPTED BY DECLARANT AS THE SUNTERRA REVIEWER (a/k/a
Developer under the Existing Sunterra Design Documents):**

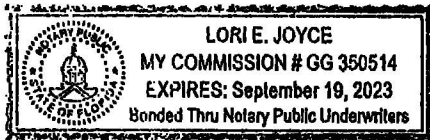
ASTRO SUNTERRA, L.P.,
a Delaware limited partnership

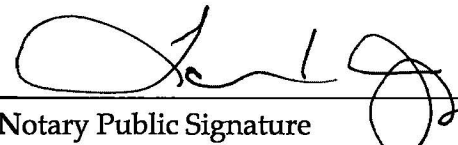
ASTRO SUNTERRA GP, L.L.C.
a Delaware limited liability company
its General Partner

By: 
Printed Name: John Brian
Title: Authorized Signatory

THE STATE OF Florida §
COUNTY OF Manatee §

This instrument was acknowledged before me this 27 day of February 2023
by John Brian, Authorized Signatory of ASTRO SUNTERRA, GP,
L.L.C., a Delaware limited liability company, General Partner of ASTRO SUNTERRA, L.P., a
Delaware limited partnership, on behalf of said entities.




Notary Public Signature

SUNTERRA

AMENDED & RESTATED DESIGN GUIDELINES

[Residential]

I. Design Review Process

1.1 Purpose

A. **Purpose of Guidelines.** These guidelines (hereinafter “**Design Guidelines**”) provide an overall framework and comprehensive set of standards and procedures for the development and construction of Sunterra to occur in an orderly and cohesive manner. These standards have been developed to assist in site planning, initial residential dwelling construction, and landscaping in Sunterra (the “**Community**”), a residential community located in Harris and Waller Counties, Texas. The standards set forth criteria for design, style, materials, colors and location of improvements, landscaping, signage and lighting. In addition, these Design Guidelines also establish a process for review of proposed construction to ensure that homes in the Community are developed in accordance with a general plan of development. All references herein to “Approval” means the prior written approval of the Sunterra Reviewer (the “**Reviewer**”) unless otherwise specifically stated to the contrary.

B. **Definitions.** All capitalized terms used herein have the same meanings as that ascribed to them in the Sunterra Amended and Restated Master Covenant [Mixed-Use], recorded as Document No. RP-2023-3106 in the Official Public Records of Harris County, Texas, and as Document No. 2300182 in the Official Public Records of Waller County, Texas, as may be amended (the “**Covenant**”) and indicated in these Design Guidelines. In addition to the defined terms set forth in the Covenant, the term “County”, as used herein, means Harris and Waller Counties, and the term “City”, as used herein, means the City of Katy, Texas.

C. **Governmental Regulations.** If an applicable building code or regulation is more restrictive than a provision in these Design Guidelines, the applicable building code or regulation will control. If an applicable building code or regulation is less restrictive than a provision in these Design Guidelines, the provision in these Design Guidelines will control.

D. **Preparer.** These Design Guidelines have been prepared and adopted by ASTRO SUNTERRA, L.P., a Delaware limited partnership (“**Declarant**”) and for the benefit of the Sunterra Property Owners Association, Inc. (the “**Association**”). The Design Guidelines may be amended and supplemented to serve the needs of the Community pursuant to the procedures set forth in these Design Guidelines.

E. Applicability of Design Review. These Design Guidelines govern all property which is subject to the Covenant, as same may be amended and supplemented from time to time, and any additional property made subject to the provisions of the Covenant and the jurisdiction of the Association. All plans and materials for new construction, including staking, clearing, excavation, grading and other site work, exterior alteration of an existing improvement, or planting of landscaping materials ("**Work**") must be approved in writing by the Reviewer before any construction activity begins.

Homebuilders are responsible for ensuring compliance with all standards and procedures set forth in these Design Guidelines. Homebuilders are also governed by the requirements and restrictions set forth in the Covenant and all applicable Documents (as defined in the Covenant). Homebuilders are responsible for providing copies of the applicable Documents to construction and sales teams prior to construction.

F. Review Structure. Architectural control and design review for the Community is the responsibility of the Reviewer on behalf of the Declarant and Association.

The Reviewer has jurisdiction over all matters relating to architecture and landscaping, as set forth in these Design Guidelines and the Documents. The Reviewer will review plans and specifications for all construction and landscaping, will have jurisdiction over all construction and landscaping, will be the conclusive interpreter of these Design Guidelines, will monitor the administration of these Design Guidelines, and may promulgate additional design standards and review procedures in accordance with the requirements of the Documents.

G. Types of Reviews and Review Fees. Review fees shall be established from time to time for three unique types of plan reviews.

1. "Master Plan Review" – One-time review of each home plan to be offered.
2. "Site Plan Review" – Proposed home plan on each Lot.
3. "Re-Submittal Review" – Homebuilder proposed changes (plot location, elevation, or re-submission of earlier submission that was "Not Approved" by the Reviewer.)

H. Lot Types. Care will be taken to design and landscape to the needs of all types of Lots, including Lots that back to lakes and greenbelts (preserves and parcel entries), corner Lots (those that side to streets), and key Lots (those that back to the front of another Lot).

1.2 Process

A. General. The design review process for new construction has been developed to provide adequate checkpoints to minimize time spent on concepts which do not adhere

to the Design Guidelines. An attempt has been made to streamline this process and eliminate unnecessary delays. Nevertheless, each Applicant is responsible for complying with the Design Guidelines and all other rules and regulations of any governmental authority in order to bring the design review process to a prompt and satisfactory conclusion.

B. Review Criteria. While the Design Guidelines are intended to provide a framework for new construction and modifications, the Design Guidelines are not all-inclusive. In its review process, the Reviewer may consider the quality of workmanship, design, harmony of external design with existing structures, location in relation to surrounding structures, and finish grade elevation, among other things. Decisions of the Reviewer may be based on purely aesthetic considerations. However, the Reviewer will not grant approval for proposed construction that is inconsistent with the Design Guidelines, unless the Reviewer grants a variance in writing.

C. Governing Authority. No residential dwelling may be occupied without compliance with all regulations and requirements of each governmental entity having jurisdiction.

D. Procedures. The Reviewer will conduct reviews of proposed Improvements. The Reviewer will respond within sixty (60) calendar days after a complete submittal is received. Any responses an Applicant may desire to make in reference to issues set forth in the Reviewer's notice following review of a submittal must be addressed to the Reviewer in writing.

E. Review Submittal Process. Plans for new construction and the review process is divided into two phases:

1. Master Plan Review – A one-time approval of each of an Applicant's home plans and elevations that are to be offered for sale.
2. Site Plan Review – An approval of an Applicant's design plan specific to an address. Site Plan Review Submittals must be received sixty (60) days or more prior to commencement of the governmental permitting process.

The following documents must be submitted to the Reviewer for the relevant Review:

- Master Plan Review Submittals:

An electronic submittal of the Master Plans to the Reviewer (as directed) shall include the Applicant's name, an email address and phone number on each Plan Number/Name and elevation submitted, along with the following information clearly noted:

- Square footages (under air, and under roof);
- Floor plans including & bonus options that increase square footage;

- All four elevations including detached garages;
- Roof pitch;
- Plate height;
- Exterior materials;
- Accent materials;
- A calculation of a percentage of masonry to the overall elevation for each plan; and
- A calculation of a percentage of stucco finish to the overall masonry coverage for each plan.

Any subsequent changes, modification, or additions to an Applicant's approved Master Plans will require a "Re-Review Fee" to be paid upon submittal.

- Site Plan Review Submittals

An electronic submittal of the site plans to the Reviewer (as directed) shall include the Applicant's name, email address, and phone number on each individual site plan, along with the following information clearly noted:

- Property: Lot number, block number, section number, and address;
- Plan Number and elevation;
- All building setbacks indicated;
- All rights-of-way and setbacks indicated;
- All Easements indicated;
- All Drainage Easements indicated;
- All driveway and walkways indicated;
- A calculated percentage of all building areas including covered spaces, driveway, and walkway against overall Lot area;
- Exterior materials selections (include manufacturer and color);
- Roofing materials (include manufacturer and color);
- Flatwork size and placement (driveway, walkway, sidewalk, patio);
- Fencing type and placement;
- Air-conditioning unit placement;
- An indication of whether the Lot is considered to be a standard/typical Lot or a Lot located adjacent to/on a corner, lake or reserve; and
- Landscape plans (Exhibits "1.2", "1.2.A", or "1.2.B" must be utilized for landscape submittals, based upon the Lot type).

F. Review Period. Each application for Master Plan and Site Plan Reviews will be approved or disapproved within sixty (60) calendar days of submission. The reviewed plans will be retained for the Reviewer's records. The Reviewer's decision will be rendered as follows:

1. **"Approved"** – The entire application is approved as submitted.
2. **"Approved with Conditions"** – The application is approved; provided, the Reviewer's objectionable features or segments are corrected. The Applicant must correct the plan's objectionable features or segments, and the Applicant may be required (if requested by the Reviewer) to resubmit the application and receive approval prior to commencing the construction or alteration.
3. **"Not Approved"** – The entire application as submitted is rejected in total. The Reviewer may provide comments but is not required to do so. A Re-Review Fee must be paid upon the re-submittal of a Site Plan that is Not Approved.

G. Implementation of Approved Plans. All Work must conform to the approved Master Plan and Site Plan. If, on an on-site review, it is determined that Work completed or in progress on a Lot is not in compliance with these Design Guidelines or the Approved set of plans, the Reviewer will notify the Applicant of such noncompliance, specifying in reasonable detail the particulars of noncompliance and requiring the Applicant to remedy the same. If the Applicant fails to remedy such noncompliance or fails to commence and diligently pursue the action necessary to achieve compliance within the time period stated in the notice, then such noncompliance will be deemed to be in violation of these Design Guidelines. Once Applicant is notified by the Reviewer, daily fines may be imposed on Applicant until noncompliance is deemed by the Reviewer as remedied.

1. Time to Commence. If construction of an Approved submittal does not commence within one hundred eighty (180) days after the date of plan approval, such Approval will be deemed to be rescinded, and it will be necessary for the Applicant to resubmit the plans to the Reviewer for reconsideration.
2. Time to Complete. Construction of an Approved submittal must be completed within one (1) year from the date of plan approval (the **"Construction Completion Period"**). The Applicant may request an extension of Construction Completion Period not less than thirty (30) days prior to the expiration of the Construction Completion Period, which the Reviewer may approve or disapprove, in its sole discretion. If construction is not completed on a residence within the Construction Completion Period or, if applicable, within any extension approved by the Reviewer, the approval will be deemed withdrawn, and the incomplete construction will be deemed to be in violation of these Design Guidelines.

H. Changes After Approval. Any proposed changes to plans, including, without limitation, changes that affect the square footage, exterior of any building, colors,

windows, grading, paving, utilities, landscaping or signage, made after the Approval of plans must be submitted, with a Re-Review Fee, to and approved in writing by the Reviewer in accordance with these Design Guidelines. Close cooperation and coordination between the Applicant and the Reviewer will ensure that changes are approved in a timely manner.

I. Variances. The Reviewer may grant variances from compliance with any of the provisions of the Documents, when, in the opinion of the Reviewer, in its sole and absolute discretion, such variance is justified by specific circumstances of a particular case. All variances shall be evidenced in writing and, if Declarant has assigned its rights to the ACC, must be approved by the Declarant until expiration or termination of the Development Period, or otherwise by a Majority of the members of the ACC. The Reviewer may also charge a variance fee in an amount determined by the Reviewer, in its sole and absolute discretion. Each variance shall also be Recorded; provided, however, that failure to Record a variance shall not affect the validity thereof or give rise to any claim or cause of action against the Reviewer, Declarant, the Board or the ACC. If a variance is granted, no violation of the covenants, conditions, or restrictions contained in the Documents shall be deemed to have occurred with respect to the matter for which the variance was granted. The granting of such variance shall not operate to waive or amend any of the terms and provisions of the Documents for any purpose, except as to the particular property and in the particular instance covered by the variance, and such variance shall not be considered to establish a precedent for any future waiver, modification, or amendment of the terms and provisions of the Documents.

J. Governmental Approval. The review and approval of plans and specifications does not constitute a warranty or representation as to compliance with any applicable building codes and regulations, including permitting and approval requirements of governmental entities having jurisdiction. It is the responsibility of Applicant to obtain all necessary permits and approvals.

If a governmental entity having jurisdiction requires that changes be made to final construction plans previously approved by the Reviewer, the Applicant must notify the Reviewer of such changes in writing and receive written approval from the Reviewer prior to implementing such change.

1.3 Rights and Compliance

A. Enforcement. In the event of any violation of these Design Guidelines, Declarant or the Association may take any enforcement action provided for in these Design Guidelines. Declarant or the Association may remove or remedy the violation and/or seek injunctive relief requiring the removal or the remedying of the violation. In addition, Declarant or the Association is entitled to recover the costs incurred in enforcing compliance and/or impose a fine against the Lot upon which such violation exists.

B. Non-Liability for Approval of Plans. These Design Guidelines include a disclaimer of liability or responsibility for the approval of plans and specifications contained in any request by an Applicant. **PRIOR TO SUBMITTING PLANS OR INFORMATION FOR REVIEW, APPLICANT SHOULD READ AND UNDERSTAND THIS DISCLAIMER. IF APPLICANT DOES NOT UNDERSTAND IT, THE APPLICANT SHOULD SEEK APPROPRIATE LEGAL ADVICE.**

NEITHER DECLARANT, THE REVIEWER, THE ACC, THE ASSOCIATION, THE BOARD, NOR ANY OF THEIR RESPECTIVE OFFICERS, DIRECTORS, AGENTS, MANAGERS, PARTNERS, DIRECTORS, SUCCESSORS OR ASSIGNS, ARE LIABLE IN DAMAGES OR OTHERWISE TO ANYONE WHO SUBMITS PLANS FOR APPROVAL TO THE REVIEWER/ACC, OR TO ANY OWNER AFFECTED BY THESE DESIGN GUIDELINES BY REASON OF MISTAKE OF JUDGMENT, NEGLIGENCE, OR NONFEASANCE ARISING OUT OF OR IN CONNECTION WITH THE APPROVAL, DISAPPROVAL, OR FAILURE TO APPROVE OR DISAPPROVE ANY MATTERS REQUIRING APPROVAL HEREUNDER. APPROVAL BY THE REVIEWER/ACC DOES NOT CONSTITUTE ANY KIND OF WARRANTY OR GUARANTEE AS TO THE INTEGRITY OR SUITABILITY OF THE PLANS OR THE DESIGN OF THE IMPROVEMENT DEPICTED IN THE PLANS NOR THE COMPETENCY OF ANY CONTRACTORS USED.

C. Changes and Amendments to the Design Guidelines. The Reviewer may amend these Design Guidelines. All amendments shall become effective upon recordation in the Official Public Records of Harris and Waller Counties, Texas. Amendments shall not apply retroactively so as to require modification or removal of work already approved and completed or approved and in progress. Additionally, as set forth in *Section 6.4.2* of the Covenant, Declarant, as the Reviewer, may adopt, amend, modify or supplement the Design Guidelines. It is the responsibility of each Owner to ensure that they have the most current edition of the Design Guidelines and every amendment or supplement thereto.

D. Authority. The Declarant reserves the right, without the obligation, to temporarily suspend any of the procedures set forth in these Design Guidelines or grant a variance, subject to compliance with the Covenant. However, any approval by the ACC of any drawings or specifications or Work done or proposed, or in connection with any other matter requiring such approval under the Design Guidelines, including a variance will not be deemed to constitute a waiver of any right to withhold approval as to any similar drawing, specification, or matter whenever subsequently or additionally submitted for approval. For example, the ACC may disapprove an item shown in the Site Plan even though it may have been evident and could have been, but was not, disapproved at the Master Plan submittal.

In the event the Reviewer or ACC overlooks or is not aware of any item of non-compliance at any time during the review process, construction process or during its final inspection of Improvements, this in no way relieves the Applicant from

compliance with these Design Guidelines and all other applicable codes, ordinances and laws.

E. **Severability.** If any provision in these Design Guidelines is held to be invalid, the same will not affect, in any respect, the validity of the remainder of these Design Guidelines.

II. SITE PLAN GUIDELINES

2.1 **General**

All residential Lots and dwellings in the Community must comply with the master plan established by these Design Guidelines.

Total square footage of a residential dwelling includes all air-conditioned areas, but does not include garages, terraces, non-air-conditioned storage areas, decks and porches.

Applicant must develop and maintain the Applicant's Lots in a manner prescribed by these Design Guidelines. Compliance with building setbacks, Lot layouts, driveways, walkways, sidewalks, garages, etc., is required. Costs and connections to utilities are the responsibility of the Applicant.

Applicant must comply with all rules and regulations any governmental entity having jurisdiction including, but not limited to, the City, the County, the State of Texas and any special districts. Applicant must warrant compliance with applicable building codes. Governmental codes and ordinances that are more restrictive than these Design Guidelines will control over these Design Guidelines.

2.2 **Lot Drainage & Grading**

In no event may the grade of a Lot deviate from or conflict with the approved grading plan included in the engineered drawings for the Community. It is the responsibility of the Homebuilder to assure compliance with the grading plan with respect to the grade of a Lot prior to setting forms for the slab of the residential dwelling. Caution should be used in establishing the foundation elevation so that slabs, driveways, retaining walls, walks, or any other Improvements do not have insufficient fall that impairs adequate drainage of the Lot in accordance with approved plans and specifications.

FHA TYPE "A" LOT GRADING – Has a ridge along common rear Lot lines and each Lot is graded to drain storm water directly to the street. Type "A" Lots may have offsite drainage that must be accepted and maintained from natural areas and/or adjacent Type "B" or Type "C" Lots that abut the common rear Lot line.

FHA TYPE "B" LOT GRADING – Has a ridge at the midpoint from the street from which the Lot is graded to drain storm water in the front half of the Lot directly to the street

independent of other properties. The rear half of the Lot will drain water runoff to the rear of the Lot. Type "B" Lots may abut a Type "A" Lot along the common rear lot line, and under such conditions, the Type "A" Lot must accept and maintain positive drainage from the Type "B" Lot.

FHA TYPE "C" LOT GRADING – Has a ridge along common front Lot lines and each Lot is graded to drain storm water directly to rear Lot line. Type "C" Lots may abut a Type "A" Lot along the common rear Lot line, and under such conditions, the Type "A" Lot must accept and maintain positive drainage from the Type "C" Lot.

The Homebuilder is required to provide final grading of each Lot that is consistent with the approved grading plan, and drainage must be directed as noted on the approved plans. Positive drainage away from the building must be provided for rainfall, gutter downspouts, irrigation, air conditioner condensate and all other types of water runoff.

2.3 **Building Setbacks and Easements**

Building setbacks are set forth in the applicable recorded Plat within constraints established by authorities having jurisdiction over the platting process.

Utility easements are located at the rear of Lots in the Community.

Prior to the placement of any Improvements, the Applicant is required to review the setbacks and easements required by the applicable City or County for each specific Lot to verify all applicable requirements. **Unless otherwise delineated on the recorded Plat or stipulated in the Documents or City or County regulations,** the setbacks and easements follow Exhibit "2.3" attached to these Design Guidelines.

2.4 **Lot Coverage/Flatwork**

2.4.1 **Garages and Driveways**

A garage capable of parking at least two (2) vehicles is required for every Lot. **The conversion of all or any portion of a garage into livable area is prohibited.**

A minimum of four (4) parking spaces, including the garage, within the boundaries of the Lot is required for every Lot. Parking spaces must be paved areas, such as the driveway.

Third car garages are to have a one-foot (1') minimum and three foot (3') maximum recess from the front face of the adjacent double or two-car garage. A five-foot (5') to ten-foot (10') garage extension is permitted.

Swing-in garages on sixty-foot (60') or larger lots are allowed, but the front facing elevation must have a window and other articulation that fits with the overall

elevation of the home.

Attached garages: The garage must be located on the interior side of the Lot and must comply with applicable building setbacks.

Detached garages: A detached garage is not permitted on a Lot that backs onto a Common Area, reserve, green belt, lake, or recreational area. When the side of a Lot is exposed to a Common Area, reserve, green belt, lake, or recreational area, a detached garage may be allowed but only if the garage is on the side of the Lot opposite to the Common Area, reserve, green belt, lake, or recreational area. Detached garages require breezeway fencing.

Detached front-loading garage: Must comply with applicable building setbacks. A detached garage that loads on the side street and has a driveway that extends to the front street is not permitted.

Detached side or rear-loading garage: Permitted at the rear of the Lot and must comply with applicable garage setbacks.

Corner Lot Garages:

A garage on a corner Lot must be located on the interior side of the Lot and must comply with applicable building setbacks, unless otherwise permitted by the Reviewer through a variance or as indicated on the Plat.

Driveways:

Driveways are to be a minimum four inch (4") thick concrete over a sand base. A number six (#6), six-inch (6") by six-inch (6") woven wire mesh or equivalent must be installed within the "drive-in" portion of the driveway between the curb and sidewalk. Any applicable City or County specifications regarding driveway cuts and curb returns at driveway openings must be adhered to for all Lots. The driveway on a Lot may not be located closer than two feet (2') from the side Lot line.

1. The typical front load driveway for a home with a two-car garage must have a width of at least sixteen feet (16') and must accommodate no less than two (2) vehicles parked side-by-side.
2. The typical front load driveway for a home with a three-car garage must have a width of at least twenty-four feet (24') and must accommodate no less than three (3) vehicles.

Driveways on Lots with attached or detached side or rear loaded garages must be a minimum of ten feet (10') in width at the street and may taper to a width not less

than the total width of the garage measured at the doors. If approved in writing by the Reviewer, driveways on “swing-in” type Lots with side loading garages must be a minimum of twelve feet (12’) in width at the street and taper outward to a width not less than the total of the garages measured at doors. Paving materials are never permitted to abut building foundation except at entry walk or garage approaches.

It is recommended that all driveways on the same side of the street remain in the same orientation as much as possible in order to increase the green space between driveways with the following exception:

1. All corner Lots should have the driveway on the opposite side of the corner.
2. All driveways should avoid being built over a culvert, manhole, and avoid being too close to light poles and fire hydrants. If any of these conditions are present, the driveway may be located on the other side of the Lot if approved in writing by the Reviewer.

Refer to “Exhibits 2.4” and “2.4.1” attached to these Design Guidelines for these Driveway details.

Circular driveways may be permitted on a case-by-case basis. Circular driveway submittals must clearly note all property lines, building lines and easements for the Lot. Under no circumstances may an entire front yard be paved as a driveway. Driveway paving is to be flush with adjacent sidewalk (ADA compliant). Refer to Exhibit “2.4.1.A” attached to these Design Guidelines.

2.4.2 Sidewalks, Generally

Refined concrete sidewalks are to be constructed by the Applicant within all public street right-of-way frontages in accordance with applicable City and/or County standards. All sidewalk construction must meet or exceed ADA accessibility standards including connections to all adjacent ramps previously installed within the Community. All sidewalks are to be constructed in a consistent manner producing a uniform appearance. All sidewalks are to be four-foot (4’) width; however, the Homebuilder is expected to verify construction meets or exceeds applicable governmental standards.

A sidewalk should generally be located parallel to the street curb along the right-of-way frontage and are not to be varied except where required to avoid specimen trees, fire hydrants, light poles, or other infrastructure. Gentle radii instead of abrupt curves and angles are required for transitions.

Sidewalks along fifty-foot (50’) rights-of-way must have a five-foot (5’) setback

from the back of the curb.

Sidewalks along sixty-foot (60') rights-of-way must have a six-foot (6') setback from the back of the curb.

Expansion joints must occur every sixteen feet (16'). Construction joints scored one-third ($1/3^{\text{rd}}$) of the concrete thickness must occur every four feet (4'). Complete pours between expansion joints are required. No cold joints are permitted.

Drill dowels into concrete driveways and use expansion joints at connections of existing and new concrete. Dowels are to be stubbed out eighteen inches (18") where sidewalk is to be continued in the future.

Where sidewalks cross driveways with decorative paving, the standard sidewalk design may not carry through the driveway. Sidewalk is to be flush with adjacent driveway paving.

On a corner Lot, the Homebuilder must construct a sidewalk both parallel to the front Lot line and parallel to the side street Lot line. Manhole and valve box adjustments may be required and are the responsibility of the Applicant. The Applicant will coordinate any adjustments with the governmental entity having jurisdiction.

It is the responsibility of the Owner of a Lot to maintain, repair and replace all sidewalks within the Owner's Lot and within the public right-of-way adjacent to the Owner's Lot.

2.4.3 Cul-de-Sac Sidewalk

A typical Lot at the end of a cul-de-sac street will be configured so that the side property line of the Lot, nearest to the end of the cul-de-sac, will extend to the center of the cul-de-sac, thereby abutting the Lot on the opposite side of the cul-de-sac, which will be configured in the same manner. See the Plat for Lot lines.

The sidewalk on a typical Lot at the end of a cul-de-sac street is required to continue along the arc of the cul-de-sac until it connects to the sidewalk on the opposite side of the cul-de-sac street, the result being a sidewalk connected around the entirety of the cul-de-sac street. Refer to Exhibit "4.6" attached to these Design Guidelines.

2.4.4 Walkways

A walkway may extend from the residential dwelling to the driveway and/or from the residential dwelling to curb at the front Lot line. A landscape area that is at least five feet (5') in width is required between the front plane of the residential

dwelling and any part of a walkway that is parallel or essentially parallel to the front plane of the residential dwelling. Reinforced concrete is required, designed to standards. Walkways must have a width of four feet (4').

Subject to approval from the Reviewer, decorative materials may include brick, stamped or colored concrete pavers, and flagstone. Decorative materials must terminate at the front sidewalk. Asphalt paving, loose gravel, loose stone, and timber borders on walkways are prohibited.

2.4.5 Patios

Patios that extend from the rear of the residential dwelling are encouraged for design diversity. The location of a patio must comply with all applicable building setbacks.

Patios may be constructed of concrete, pavers or flagstone. The materials must be compatible with the exterior materials on the residential dwelling and create an interesting outdoor space. No patio will be approved for location on a utility or drainage easement, in whole or in part, without written authorization from each party having easement rights.

2.4.6 Covered Porches

Covered front porches are encouraged for design diversity.

Porch vertical posts are to be a minimum of 4" x 4"; however, 6" x 6" posts are preferred and may be required by the Reviewer. Minimum slope on all covered porch roofs must be 6:12 pitch.

Roof material on the roof of porches must be the same as that on the roof of the residential dwelling, unless otherwise approved in writing by the Reviewer prior to construction.

2.4.7 Pools, Spas, Water Features

Pools, hot tubs, spas and appurtenances designs must be approved in writing by the Reviewer prior to construction. Spas, hot tubs and appurtenances must be screened from view from an adjacent Lot, a street and Common Area. Above ground pools are not permitted.

Pools must have overflow drain lines directing water to the street with pop-up valves at curb. The locations of all drain lines must be clearly marked on the plans.

Swimming pool appurtenances, such as rock waterfalls and slides, may not exceed six feet (6') in height measured from grade to the highest point of the

appurtenance. Skimmer nets, long handle brushes, pool chemicals, filters, pumps, heaters, plumbing, etc. may not be visible from an adjacent Lot, a street or Common Area.

Pool walls may not encroach into utility easements. If pool plumbing is required in a utility easement, Applicant must contact all applicable utility companies before excavating. Wood or concrete pool decks may be located on a utility easement only with the prior written consent of the utility company. Wood or concrete decks located on a utility easement may be subject to removal by the utility company having easement rights.

2.4.8 Decks

The location of a deck must comply with all applicable building setbacks. The design of a deck must be architecturally compatible with the exterior of the residential dwelling. Second story decks require written approval by the Reviewer. No deck will be approved for construction in a manner that causes water to flow on an adjacent Lot. No deck may exceed a height of two feet (2'), measured from grade to the top surface of the deck.

III. ARCHITECTURAL GUIDELINES

3.1 General Responsibilities

The following architectural guidelines provide a basis for design concepts, forms and materials to create a pleasant living environment. These Design Guidelines are not intended to limit the creativity of the Applicant in design or construction. The design of each residential dwelling should reflect each Applicant's choice of acceptable building materials, while fitting into the overall architectural scheme of the Community.

The Applicant is responsible for individual site development and maintenance including the area within the public street right-of-way (area between back of street curb and to property lines). On corner Lots, the Applicant is responsible for maintenance of the area between the paved portion of the right-of-way and both the front Lot line and the side Lot line adjacent to the side street.

3.2 Lot Coverage and Square Footage

Total Lot coverage of buildings sidewalks and other structures may not exceed sixty-five percent (65%) of the total Lot area. Pools, spas, decks and driveways are not considered structures for the purpose of calculating the Lot coverage.

Square footage of a single-family residential dwelling includes the air-conditioned living

area of the structure, excluding porches, patios, decks and garages. Minimum and maximum square footage of single-family residential dwellings, based on Lot width, are as listed in the Single Family Residential Dwelling Square Footage Table on Exhibit "3.2" attached to these Design Guidelines.

If a Homebuilder acquires more than one (1) Lot with the same width, then that Homebuilder must ensure that the average of the square footages of the residential dwellings to be constructed on those Lots is substantially equal to or above the average of the minimum and maximum square footages for residential dwellings for the applicable Lot width as listed in the Single Family Residential Dwelling Square Footage Table on Exhibit "3.2". For example, if a Homebuilder acquires more than one (1) Lot with a width of forty feet (40'), then that Homebuilder must ensure that the average of the square footages of the residential dwellings to be constructed on the 40' Lots acquired by the Homebuilder is substantially equal to 2,000 square feet (2,000 square feet being the average of the minimum 1,400 square feet and maximum 2,600 square feet for single family residential dwellings on 40' Lots per Exhibit "3.2"). The requirements set forth in this paragraph apply only to Lots that have a width of sixty-five feet (65') or under.

3.3 Building and Ceiling Height

All residential dwellings must include some variation of the ridgeline. Maximum building height of a residential dwelling is two and a half (2 1/2) stories or forty feet (40'), whichever is less. A minimum ceiling height of eight feet (8') in all ground floor living areas is required for all residential dwellings.

3.4 Plan Spacing, Elevation and Repetition

Exterior elevations must be complimentary in architectural design and materials, and compatible with surrounding residential dwellings.

Same floor plans and/or elevations within a particular Section should be staggered throughout so as to create diversity within the Community. The Reviewer may determine different elevations within a plan to be considered the "SAME AS" for repetition purposes. The Reviewer may also determine different elevations from different master plans to be considered the "SAME AS" for repetition purposes.

Varied elevations on Lots result in more interesting street scenes. More pleasing arrangements are achieved with a variety of plans.

A two (2) Lot skip rule applies when building the same plan, with a different elevation, on same side or on both sides of the street. A three (3) Lot skip rule applies when building the same plan, with the same elevation, on same side of the street.

Priority should be given to any side of a residential dwelling that is visible from a street or Common Areas. The most articulated elevations should be those which are in public

view. However, it should be assumed that the residential dwelling will be seen from all angles and that there will be a continuity of colors, materials and details on all elevations. Reserves, open space, setbacks between homes are not included in Lot Separation requirements.

When considering repetition of plans refer to Exhibit "3.4" attached hereto.

3.5 Plan Width

The overall width of a residential dwelling on a Lot is expected to be 10' less than the standard width of the lot. (40' chassis on a 50' wide lot, as an example). A Homebuilder may "under-build" the lot by no more than 15' (35' wide chassis on a 50' lot, as an example). A Homebuilder may not consolidate two Lots for one house. A three-car garage can be utilized in the minimum width plan calculation.

When considering minimum plan width, refer to Exhibit "3.5" attached hereto.

3.6 Exterior Materials

As used herein, the term "Masonry" includes the following limited primary exterior finishes: brick that meets BIA standards, rock, stone (natural, cast, or cultured-textured), and real stucco (wire mesh, cement, lime based).

Acceptable secondary exterior finishes, but not calculated as "Masonry," are fiber cement siding (equal to Hardie Plank, Hardie Board, or Smart System by LP) and vertical siding stucco board with channels (such as LP Armorstrand featuring DRYVIT TAFS3 System and HardiePanel Vertical Siding) which can be installed as a Board & Batten style. As a limited decorative accent, the use of cementitious board Shake Shingle shall be allowed.

Use of architectural metals such as anodized aluminum, bronze, copper, or painted galvanized steel, copper, wrought iron, and metal ornamentation is limited to canopies, roof systems, and miscellaneous trim work; and such use must meet the durability standards of the applicable development code.

Brick on a residential dwelling or a detached garage may be painted only if the proposal to paint the brick and the color of the paint are approved in writing by the Reviewer.

Prohibited exterior materials include:

- Vinyl siding, wood fiber hardboard siding, oriented strand board siding, plastic, or fiberglass panels;
- Smooth or un-textured concrete;
- Exterior Insulated Finish Systems (EIFS);
- Unfired or underfired clay, sand, or shale brick;
- A "German schmear" or Limewash stucco finish;

- Metal or aluminum siding; and
- Untreated wood shake shingles.

The technique of "shirt fronting" is prohibited. Materials must wrap a minimum of two feet (2') around the side elevation except in instances where the front elevation return is situated above a roof line or in instances where the Reviewer determines, in its sole discretion, that wrapping materials around the side elevation is not feasible or aesthetically desirable.

The minimum percentages of Masonry by Lot type, for both one- and two-story homes, are listed on Exhibit "3.6" Minimum Masonry Requirements by Lot Condition to these Design Guidelines but in no event can an exterior have less than 65% masonry on the front façade and 60% masonry on the remaining facades (excluding eaves, fascia, and door and window openings).

3.7 Masonry Color Repetition

Similar to the Masonry color repetition rule, color schemes (overall paint color palette of body, trim, doors and shutters) must follow the minimum one (1) Lot skip rule for each color-scheme/palette on the exterior of a residential dwelling on an adjacent Lot or on a Lot across the street, irrespective of plan and elevation. Neutral earth tones or forest tones are preferred. The use of primary colors may be disapproved by the Reviewer in its sole and absolute discretion. If a residential dwelling on a Lot has a detached garage, the color scheme shall be consistent with the primary residential dwelling on such Lot.

3.8 Paint Colors

High contrast trim should be avoided in favor of variations that are chosen to blend all elements into a single concept. A wide diversity of colors is discouraged in favor of a more continuous theme creating a continuity of materials throughout the Community. Neutral earth tones or forest tones are preferred. Non-white colors or tones considered by the Reviewer to be bright, primary, brilliant, pastel or iridescent may be disapproved by the Reviewer.

Soffit, fascia board, window and door trim and rain gutters must also be white or an earth tone or forest tone color; however, the shades of trim color may be deeper than the principal color of the residential dwelling. Extreme color differences or use of more than three (3) colors on a residential dwelling should be avoided.

Similar to the Masonry color repetition rule, color schemes (overall paint color palette of dwelling, trim, doors and shutters) must also follow a minimum one (1) Lot skip rule. The color scheme on the exterior of a residential dwelling may not be the same as the color scheme of a residential dwelling on an adjacent Lot or on a Lot across the street, irrespective of plan and elevation.

If a residential dwelling has a detached garage, the color scheme shall be consistent with that of the primary residential dwelling on the Lot.

3.9 Address Markers

Address markers are required to be made of typical precast stone and placed in a location easily visible for emergency personnel to view from street.

3.10 Windows

Metal or vinyl-clad, double paned windows or higher quality must be used. Metal window finishes must compliment the architectural style and color of the residential dwelling. Bronze, white, black, and taupe are acceptable. Clear anodized aluminum is prohibited. Bathroom windows facing a street or within public view or an adjacent Lot must have privacy glass block, frosted, tinted or similar privacy window treatment. Tinting is encouraged for energy conservation purposes. Bronze, reflective glass or mirrored glazing is prohibited. Burglar or security bars on windows or doors and awnings are prohibited. Window HVAC equipment is prohibited.

3.11 Garage Doors

The dominant visual impact of garage doors should be carefully addressed in a variety of ways. Treatment of detail on garage doors will be consistent with the overall character of the residential dwelling, and may include, but are not required to include windows. Any windows that are not located in the top 1/3 of the garage door should utilize frosted glass. The color of the garage door should match the color of siding or trim.

Sixteen foot (16') double doors, if used, must be a metal four-panel design. Particleboard doors are not permitted. Single garage doors are encouraged but not required. A column of at least twelve inches (12") between two (2) single garage doors is required.

All garages must be pre-wired for automatic garage door openers.

3.12 Roofs

Roofs should be both practical and attractive. The Reviewer will determine at the time of site plan approval the refinement for roofs.

The roofing materials on all residential dwellings, garages and other buildings in the Community must be thirty (30) year architectural (dimensional) composition shingles with ten (10) year algae discoloration protection. Shingles are to be overlapped at valleys so that no valley flashing is exposed. Copper metal roofing is permitted only as a limited accent.

Overhangs should be an integral part of the residential dwelling form and should not be

thin planes extending past the mass of the residential dwelling.

Exposing the ends of rafters is prohibited. Minimum fascia width is six inches (6"). Eaves must be boxed in with horizontal soffit.

Minimum roof overhang is twelve inches (12") on exterior walls when the minimum 6:12 roof pitch is utilized. 6:12 minimum roof pitch for porches. When roof pitch increases, less roof overhang will be considered.

The color of the roof should be complimentary to the overall color of the exterior materials, without restriction to one color throughout. However, the use of any red, blue, or green roof color is prohibited.

3.13 Roof Top Accessories

The roof, as an expressive design element, should be kept as visually unobstructed as possible.

Vent stacks and other necessary roof penetrations should be located out of view from the street in front of the Lot. Roof vents should be combined to reduce the number of roof penetrations, when possible. All vent stacks and flashing must be painted to match the color of the shingles. Roof penetrations should be set no higher than the minimum height required by applicable building codes.

Rooftop HVAC equipment is prohibited.

Skylights, if any, must be installed on the rear portion of the roof of the residential dwelling, not visible from the street in front of the Lot, unless otherwise approved in writing by the Reviewer.

3.14 Rain Gutters and Downspouts

Although rain gutters are not required, roof design or the use of diverters should be used to keep dripping water off of patios, balconies, stairs, doorways, etc.

Positive drainage away from the residential dwelling will be provided for rainfall, irrigation, air conditioner condensate and all other types of water runoff.

Down spouts on front of the residential dwelling must be located to provide a clean, unobtrusive appearance.

Roof drainage that creates erosion or run across pedestrian walks and paths is prohibited.

Gutters and downspouts must be integrated with architectural design in color, shape, and location. Gutters must be painted the same color as trim.

3.15 Fencing – General

Fences must be constructed of cedar wood, decorative metal or masonry. All cedar wood fences and gates in public view must be stained with Sherwin Williams Superdeck solid color stain #3034, or similar color, and maintained at all times by the Owner.

Some Lots require a specific type of fence on a particular perimeter based upon the location of the Lot. To ensure compatibility of fence design, material, color and placement throughout the Community, all fences must be approved by the Reviewer prior to installation. The material, design, and fence specifications will be promulgated by the Reviewer. Association maintained walls may be located on the Lot line or boundary of a Lot and Common Area, easement, or private or public street. Metal fences on Lots visible from a street or a reserve must transition to the height of the Association maintained wall. Association maintained walls may not be altered in any manner without the prior written consent of the Association and no object or item of any kind may be attached to or placed on or against an Association maintained wall.

Diagonal and horizontal fencing is prohibited. Plastic/PVC, aluminum and chain link fences are prohibited.

All fences and gates on a Lot will pass with title to the Lot and it is the Owner's responsibility to maintain, repair and replace the fences and gates on the Lot (excepting any Association maintained wall, which is the responsibility of the Association to maintain, repair and replace).

3.15.1 Typical Fence Setbacks

- (a) If a fence on a Lot faces the street in front of the Lot, the fence must be setback at least ten feet (10') from the nearest front corner of the residential dwelling on the Lot.
- (b) If a fence on a corner Lot faces the side street, the side yard fence is encouraged to be located five (5) feet inside the side building setback line (leaving sufficient planting buffers).

Review typical lots on Exhibit "4.2" and "4.2.A" attached to these Design Guidelines.

3.15.2 Front Fence

A fence on a Lot that faces the street in front of the Lot must be of an *"Upgraded Wood Fence"* and must be "Good Side Out" with all pickets finished side out. Review Exhibit "4.3" attached to these Design Guidelines for *"Upgraded Wood Fence"* type.

3.15.3 Corner Lot Side Fence

A fence on a corner Lot that faces the side street must be of an *“Upgraded Wood Fence”* and must be *“Good Side Out”* with all pickets finished side out. Review Exhibit “4.3” attached to these Design Guidelines for *“Upgraded Wood Fence”* type.

3.15.4 Interior Lot Side Fence

An interior Lot side fence must be located on the side Lot line. The fence must be a *“Good-Neighbor Fence”* with alternate eight-foot (8') panels of solid pickets and exposed rails to provide a uniform attractive fence to each adjacent property. Review Exhibit “4.5” attached to these Design Guidelines for *“Good-Neighbor Fence”* type.

A *“Good-Neighbor Fence”* connecting to *“Metal Ornamental Fence”* must transition to the height of the Metal Fence. Review the Exhibit “4.5.A” for an illustration of the required transition.

3.15.5 Cul-de-sac Side Fence

A side fence on a cul-de-sac Lot must be located on the side Lot line. A fence on the side Lot line that is farthest from the cul-de-sac circle must extend along the side Lot line until it connects with the fence on the side Lot line of the other Lot at the end of the cul-de-sac circle or, if the Lots at the end of the cul-de-sac circle do not have a common Lot line, along the entirety of the side Lot line. The fence must be an *“Upgraded Wood Fence”* with *“Good Side Out”*. When a cul-de-sac circle abuts to a main thoroughfare, reserve, green belt, lake or Common Area, the fence must be *“Good Side Out”* with all pickets finished side out to the main thoroughfare, reserve, green belt, lake or Common Area. Review Exhibit “4.3” attached to these Design Guidelines for *“Upgraded Wood Fence”* type and Exhibit “4.6” for typical cul-de-sac end Lots.

3.15.6 Fences on Lots Adjacent to a Reserve

A wood fence on a Lot line adjacent to a reserve (reserve meaning a landscaped Association owned or maintained open space, usually adjacent to entries and collector streets) must be *“Good Side Out”* with all pickets finished side out. Review Exhibit “4.3” attached to these Design Guidelines for *“Upgraded Wood Fence”* type.

3.15.7 Fences on Lake Lots, Green Belt Lots and Common Area

A fence on a Lot that backs or is aside a lake or green belt (green belt meaning undevelopable natural open space or wetland area owned or maintained by the Association or a governmental entity) within Sunterra must enclose the rear and

side yards and be located on the property line. Unless there is an Association wall in place, the entire Lot must have one hundred percent (100%) “*Metal Ornamental Fence*” type. No wood gates or fences are permitted on lake Lots and green belt Lots (but see caveat below). Materials must be Ameristar Montage Plus, Majestic Style, hot dip galvanized, 2-rail, flush bottom panel, black powder coat finish and a minimum four-foot (4') in height along the rear property line adjacent to lake or green belt and extending along the adjacent side property lines, thirty feet (30') from the rear property line graduating up to a maximum of six feet (6') in height. Review Exhibit “4.8” attached to these Design Guidelines.

As a caveat to the requirements set forth above in this *Section 3.15.7*, and to provide additional clarification, in the event a Lot that backs up to or is aside a lake or green belt (a “**Metal Fence Required Lot**”) also adjoins a Lot that does not back up to or is not aside a lake or green belt (a “**Wood Fence Required Lot**”), then whichever Lot is built-out first by a Homebuilder will dictate whether the side yard fence between the Metal Fence Required Lot and the Wood Fence Required Lot is metal or wood.

On Lots adjacent to other Common Area, metal fencing is required on the property line adjacent to the Common Area which must be Ameristar Majestic Style, Montage Plus, hot dip galvanized, 3-rail, with ball cap on the corners of Lot posts, black powder coat finish and six-foot (6') in height. Review Exhibits “4.8A” and “4.8.B” attached to these Design Guidelines for the required transition panels.

3.15.8 Fences Connecting to Association Walls

A metal ornamental fence on a Lot that connects to an Association maintained wall must transition to the height of the masonry Association maintained wall. Review Exhibit “4.9” for illustration of the required transition.

3.15.9 Detached Garage Breezeway Fences and Walls

Breezeway fences are required between the residential dwelling and a detached garage. Breezeway fence materials may be wood, masonry, or ornamental metal. The fence must be set back at least one foot (1') from the nearest elevation of the detached garage.

Wood Breezeway Fencing and accompanying gates must be:

- Four foot (4') or six foot (6') high;
- Good Side Out real cedar wood must be stained with Sherwin Williams Deckscape Cedar Solid #3034, or similar;
- The color of any wood gate must match the fence color; and
- If the gate is ornamental metal, then it must be black.

Masonry Breezeway Wall and accompanying gates must be:

- Four foot (4') high;
- Masonry color to match the brick on the residential dwelling;
- Any gates must be black colored metal; and
- Constructed so that site drainage is unobstructed.

Metal or Wrought Iron Breezeway Fence and accompanying gates must be:

- Four foot (4') or six foot (6') high; and
- Metal or wrought iron breezeway gates must be black.

3.15.10 Fence Gates.

A gate is required for any fence located within the front yard (street view) of a Lot. Review Exhibit "4.11" for additional detail and requirements. A gate in a fence located on a side or the rear Lot line is generally prohibited. However, gates in these fences will be considered on a case-by-case basis. Plans must clearly indicate all Lot improvements, easements, setbacks, and rights-of-way presented to the Reviewer.

3.16 In-Residence Wiring and Technology

At the initial build of each residential dwelling on a Lot, the Homebuilder must install certain wiring and connection centers that conform to the needs of bulk services agreements with the Sunterra Property Owners Association, Inc., the details of which are described in Exhibit "3.16" attached hereto. *Note that the exact requirements for wiring and connection centers within Sunterra differ based on the location of the Lot on which such residential dwelling will be constructed.*

IV. LANDSCAPE GUIDELINES

4.1 General

The general intent of the landscape guidelines is to provide requirements as a framework for site improvements through landscape plantings. The object is to create an orderly planned landscape utilizing the minimum standards set in these Design Guidelines.

The plant materials listed in the Preferred Plant List set forth in these Design Guidelines are permitted within the Community. These plant materials have been chosen for their natural or adaptable qualities and their function in the landscape.

Prior to planting in the yard of a Lot, the Homebuilder or Owner is required to contact all utility providers to obtain information concerning the location of the underground utility lines to avoid injury and/or damage to an underground utility line.

All landscaping must be planted with the appropriate topsoil, additives and fertilizer mixtures. The use of on-site soil only is not permitted. Bare ground is prohibited. Weed barrier fabric underlayment is encouraged. All landscape beds must be mulched with two inch (2") deep dark brown or black shredded hardwood mulch. Painted or dyed hardwood mulch (other than deep dark brown or black) is prohibited.

Gravel and rock may be used at the drip line of a residential dwelling but is not permitted for use or substitution for shrubs, ground cover, mulch, or grass lawns. Specimen boulders are permitted upon written approval of the Reviewer.

Large trees and shrubs may not be planted closer to the foundation of the residential dwelling than a distance that is three (3) times the diameter of the root ball of the installed tree or shrub. The size of a tree or shrub at maturity should be considered when drafting the landscape plan.

The front yard of a Lot must be fully sodded with St. Augustine "Raleigh" sod upon completion of the residential dwelling. The rear yard of a Lot must be fully sodded with St. Augustine "Raleigh" sod upon completion of the residential dwelling if the rear yard is visible from Common Area or a lake. In all other instances, fully sodding the rear yard is strongly encouraged. However, sprigging of rear yards not visible from a Common Area or a lake is permissible. It is recommended that all yards be fully irrigated. Except for portion of yards required in this section to be fully sodded with St. Augustine "Raleigh" sod, all other grass may be either St. Augustine "Raleigh" sod or Common Bermuda sod. Lawns may be "overseeded" with rye grass (maintained to 2 - 1/2" height) during October 15 and April 15.

4.2 Minimum Landscape Requirements

Upon completion of the dwelling, all yards must be landscaped with the minimum required combination of trees as set forth in these Design Guidelines. Listed below in the Preferred Plant List are minimum required combination of shrubs, ground covers and grass. When a tree or shrub is removed for any reason, the Owner must also remove the stump. Topiaries require the prior written approval of the Reviewer.

All landscaping must be properly maintained. Dead or diseased shrubs and trees must be replaced in accordance with specifications set forth in these Design Guidelines. Landscaping must comply with these Design Guidelines. Please see Exhibit "5" attached hereto, which sets forth certain Minimum Landscape Requirements within Sunterra. Exhibits 1.2", "1.2.A", and "1.2.B" must be utilized for landscape submittals.

Notice: Easements for utilities will be located on each Lot. Prior to planting, the Homebuilder or Owner is required to contact all utility providers to obtain information concerning the location of the underground utility lines to avoid injury and/or damage to an underground utility line.

4.3 Landscape Beds

Landscape beds that are adjacent to the residential dwelling must be six feet (6') in width. Variations in the width of landscape beds are encouraged and the size of shrubs at full maturity should be taken in consideration. A single row of shrubs along the foundation is discouraged.

Shrubs along the foundation in straight lines at a constant distance from the foundation is discouraged. All lake Lots must screen the rear foundation of residential dwelling with evergreen shrubs. Smaller shrubs and ground cover must be placed in the front of the bed. Larger shrubs must be placed in the rear of the bed. Groupings of shrubs of the same species provide a substantial look.

Edging for landscape beds is not required but is encouraged for maintenance purposes and to define the shape of the landscape beds. Edging that will be conducive to easy maintenance with line trimmers or powered edges should be considered. Landscape beds should be curvilinear with the shrubs massed in tiers.

Railroad ties, landscape timbers, scalloped concrete borders, plastic edging, brick/masonry, etc., are not permitted. Edging must enhance the appearance of a landscape bed rather than compete with or detract from the aesthetics of the landscape bed.

4.4 Irrigation

Although irrigation is not required, all proposed irrigation systems should provide proper amounts of water to landscaping within the entire yard. Applicant should instruct the Owner in the operation of the system so as to not over or under water the landscaping or allow excessive run off.

Sprinkler heads must be located to effectively water area intended with minimum overthrow onto pavement, walks, adjacent fencing, etc. No irrigation heads will be allowed to spray into the street. Sprinkler heads should be located to effect one hundred percent (100%) coverage. Systems must have a rain sensor over-ride switch. Irrigation controllers must be located inside the garage. If a sprinkler system is installed, it is recommended that one zone be dedicated to the area around the perimeter of the slab.

4.5 Landscape Water Features

Water features such as ponds, cascade features, fountains and water gardens will be considered by the Reviewer on a case-by-case basis. Water features submittals must clearly note all property lines, setbacks and easements for the Lot.

4.6 Shade Trees

All Lots shall have a minimum of one (1) live oak tree planted in the front yard setback area. Any such tree must be a minimum of two and one-half (2 ½) inches in caliper width and a minimum height of eight (8) feet as measured at the tree trunk from the ground, as planted.

In addition, the corner Lots shall have one (1) tree planted every fifty (50) feet along the side street of such Lot, and shall be planted within fifteen (15) feet of the side Lot line within the side yard setback area.

These minimum requirements are further supplemented with tree requirements more particularly described on Exhibit "5" attached hereto and made a part hereof.

4.7 Preferred Plant List

The plants listed in this section are the permitted plant materials for the Community. Other plant material may be used, but only with the prior written approval of the Reviewer. Aggressive invasive plantings are not permitted. The use of Golden Euonymus, Russian Olive, and Red Tip Photinia is discouraged because of growth characteristics and susceptibility to disease. Arborvitae, yucca, cactus, bamboo and junipers (other than columnar and ground cover varieties) are not in character with the plant palette and are prohibited. Consider planting size at maturity when spacing. The plants listed below are the permitted plant materials for the Community.

Trees:

Nellie R. Stevens Holly (Ilex x attenuata "Nellie R. Stevens")
 Savannah Holly (Ilex attenuata 'Savannah')
 Southern Magnolia (Magnolia grandiflora)
 Water Oak (Quercus nigra)
 Willow Oak (Quercus phellos)
 Texas Oak (Quercus texana)
 Live Oak (Quercus virginiana)
 Lacebark Elm (Ulmus parvifolia)
 Drummond Red Maple (Acer rubric var. drummondii)
 Loblolly Pine (Pinus taeda L.)
 Slash Pine (Pinus elliottii Engelm.)

Small & Ornamental Trees:

Foster Holly (Ilex x attenuata 'Fosterie')
 Yaupon Holly (Ilex vomitoria)
 Crape Myrtle (Lagerstroemia indica)
 Treeform (multi-trunk)

Little Gem Magnolia (*Magnolia grandiflora* 'Little Gem')
 Tree Wax Myrtle (*Myrica cerifica*)
 Mexican Plum (*Prunus mexicana*)
 Texas Mountain Laurel (*Sophora secundiflora*)
 Italian Cypress (*Cupressus sempervirens*)
 Vitex (*Vitex agnus-castus*)
 Sago Palm (*Cycas revolute*)
 Sabal Palm (*sabal Texana*)

Trees Permitted Only in the Rear Yard of a Lot:

Pindo Palm (*Butia capitata*)
 Fruit Tree (Fruit Tree spp.)
 Chinese Fan Palm (*Livistona chinensis*)
 Date Palm (*Phoenix* spp.)
 Florida Sabal Palm (*Sabal palmetto*)
 Texas Sabal Palm (*Sabal texana*)
 Windmill Palm (*Trachycarpus fortune*)
 Vitex or Chase Tree (*Vitex agnus-castus*)
 California Fan Palm (*Washingtonia filifera*) Mexican Fan Palm (*Washingtonia robusta*)

Shrubs:

Azalia (*Azalea indica* var.)
 Azurri Satin Rose-of-Sharon (*Hibiscus syriacus* 'DVPazurri')
 Bouganvillea (*Bouganvillea* 'Barbara Karst')
 Bridal Wreath Spirea (*Spirea prunifolia*)
 Chinese Holly (*Ilex cornuta* 'Rotunda')
 Coppertone Loquat (*Eryobotrya japonica*)
 Coralbean (*Erythrina herbacea*)
 Dwarf Bottlebrush (*Callistemon citrinus*, 'Austraflora', 'Firebrand', 'Little John', and 'Splendens')
 Dwarf Burford Holly (*Ilex cornuta* 'Burfordii compacta')
 Dwarf Crape Myrtle (*Lagerstroemia indica* 'Nana')
 Dwarf Gardenia (*Gardenia jasminoides*)
 Dwarf Oleander (*Nerium oleander* 'Petite Pink' / 'Little Red')
 Dwarf Wax Myrtle (*Myrica pusilla*)
 Dwarf Yaupon (*Ilex vomitoria* var.)
 Feijoa – Pineapple Guava (*Feijoa sellowiana*)
 Flame Acanthus (*Anisacanthus wrightii*)
 Fringe Flower Razzleberri (*Loropetalum chinense* 'Monraz')
 Glossy Abelia (*Abelia grandiflora*)

Green Velvet Boxwood (*Buxus sinica* var. *Insularis* x *B. Sempervirens*)
 Indian Hawthorn (*Raphiolepis indica* 'Clara')
 Japanese Boxwood (*Buxus microphylla*)
 Japanese Cleyera (*Ternstroemia gymnathera*)
 Korean Boxwood (*Buxus sinica* var. *insularis*)
 Nandina (*Nandina domestica* 'compacta')
 Oleander (*Nerium oleander*)
 Pittosporum (*Pittosporum tobira*)
 Rosemary (*Rosmarinus officinalis*)
 Rose-of-Sharon (*Hibiscus syriacus*)
 Sago Palm (*Cycas revolute*)
 Sasanqua Camellia (*Camellia sasanqua*)
 'Schilling's Dwarf' Holly (*Ilex vomitoria*)
 Summer Hydrangea (*Hydrangea macrophylla*)
 Sweetshrub (*Calycanthus floridus*)
 Sweet Viburnum (*Viburnum* spp.)
 Texas Sage, Ceniza (*Leucophyllum* spp.)

Ornamental Grasses and Accent Plants:

Black Mondo Grass (*Ophiopogon planiscapus* *Nigrescens*)
 Butterfly Iris (*Dietes iridioides*)
 Dwarf Maiden Grass (*Miscanthus sinensis* 'Morning Light')
 Dwarf Pampas Grass (*Cortaderia selloana* 'Pumila')
 Firebush (*Hamelia patens*)
 Foxtail Fern (*Asparagus meyeri*)
 Hinkley's Columbine (*Aquilegia hinkleyana*)
 Lemongrass (*Cymbopogon citratus*)
 Lily of the Nile (*Agapanthus orientalis*)
 Louisiana Iris (*Iris louisiana*)
 Maiden Grass (*Miscanthus sinensis* var.)
 Milk and Wine Lily (*Crinum* hybrids)
 Miscanthus 'adagio' (Gramineae)
 Monkey Grass (*Ophiopogon japonica*)
 Muhly Grass (*Meuhlenbergia lindheimeri* var.)
 Plumbago (*Plumbago auriculata*)
 Society Garlic (*Tulbaghia violacea*)
 White Fountain Grass (*Pennisetum setaceum* 'Alba')
 Yarrow (*Achillea millefolium*)

Groundcovers & Vines:

Algerian Ivy (Hedera canariensis)
 Asian Jasmine (Trachelospermum asiaticum)
 Big Blue Liriope (Liriope muscari)
 Carolina Jessmine (Carolina Jessamine)
 Confederate Jasmine (Trachelospermum jasminoides var.)
 Coral Honeysuckle (Lonicera sempervirens)
 Daylily (Hemerocallis 'Evergreen Yellow Supreme')
 Evergreen Wisteria (Millettia reticulata)
 Fig Ivy, Creeping Fig (Ficus pumila)
 Giant Liriope (Ophiopogon jaburan)
 Katie Ruellia (Ruellia brittonia 'Katy')
 Lantana (Lantana sellowiana, montevidensis, camara)
 Lily Turf Liriope (Liriope spicata L. muscari)
 Purpleleaf Honeysuckle (Lonicera japonica)
 Trumpet Vine (Campsis radicans)
 Variegated Liriope (Liriope muscari variegata)
 Verbena (Blue Princess) (Verbena x hybrida 'Blue Princess')

Turf:

Grass will be St. Augustine "Raleigh" solid sod on all front yards. Other areas may utilize St. Augustine "Raleigh" solid sod or Common Bermuda sod. Overseeding with annual Ryegrass is allowed if installed between October 15 and April 15.

V. CONSTRUCTION REGULATIONS

The following construction regulations will apply to all Work performed on a Lot and will be monitored and enforced by the ACC and the Association. Applicants are required to comply with building setbacks and the orientation and placement of Improvements including, but not limited to, driveways, walkways, sidewalks, residential dwellings, detached garages, fencing and landscaping. Connections to utilities are the responsibility of the Applicant.

A. Homebuilder's Compliance. The Applicant must comply with these regulations. Any violation observed by the ACC and/or the Association will result in written notification on non-compliance and may result in fines. The Association may also take the necessary action to correct the violation should the Applicant fail to do so. Any expense incurred by the ACC or the Association to correct a violation will be invoiced to the Applicant and will be secured by the Association's lien created by the Covenant.

B. **Governing Authority.** All Applicants must comply with the regulations of any governing entity having jurisdiction, as well as all applicable Occupational Safety and Health Act regulations and guidelines (OSHA).

C. **EPA – SWPPP.** Each Applicant must comply with the Environmental Protection Agency’s Storm Water Pollution Prevention Program (SWPPP) and other governmental entities having jurisdiction on environmental issues and is required to post its Notice of Intent (NOI) inside the Community, or within a Common Area.

D. **Excavated Earth and Debris.** Excess earth excavation and debris must be hauled away from and properly disposed of, and never placed on an adjacent lot (even if owned by the Applicant), nor on Common Area.

E. **Utilities and Energy Efficiency.** Homebuilders agree to install, at a minimum, gas water heating and gas central heating to each residential dwelling on a Lot, or if the gas utilities for such Lot are not used, pay the gas company a gas non-utilization fee in the amount customary for the utility company providing service to the Community. Such sum(s) are payable at closing on the Lot affected or when such gas non-utilization becomes apparent, whichever occurs earlier. Applicants are encouraged to be enrolled in an Energy Efficiency Program at all times and adapt to evolving national standards as well as provide the highest level available for the homebuyer.

F. **Sales Trailers.** A Homebuilder may place a temporary sales trailer on a specific Lot with the written approval of the Reviewer. To obtain such approval, the Homebuilder must submit a copy of the site plan with the proposed location of the sales trailer. The sales trailer must be removed by the Homebuilder immediately upon completion of construction of a model home by that Homebuilder. No sales trailer may be placed on a Lot without the prior written approval of the Reviewer.

G. **Construction Trailers.** A Homebuilder may have a construction office in a garage but not in the garage of a model home or in any room within a model home. A temporary construction trailer is preferred and may be located on a specific Lot that is owned by Applicant, and must be skirted, landscaped, and any outside storage of materials must be in a fenced enclosure behind the trailer and out of public view. The construction trailer must be removed by the Homebuilder immediately upon completion of construction of a residential dwelling on the last Lot in that specific Section owned by the Homebuilder.

H. **Construction Signage.** Unless required by the City or County, no construction signs may be posted anywhere in the Community by any party other than Declarant other than one (1) construction sign on a Lot. Signage may not be, or become, unsightly; the Reviewer has the exclusive authority to determine whether a construction sign is unsightly. Such sign must be designated by and approved by the Reviewer and erected on a location approved by the Reviewer.

I. **Other Signage.** Unless required by the City or County, or as otherwise set forth in the Documents (including Section 2.12 of an applicable Development Area Declaration), no signs may be posted anywhere in the Community without approval from Declarant.

J. **Construction Access.** The only approved construction access during the time a residential dwelling or other improvement is under construction will be over the approved driveway for the Lot unless Declarant or the Association approves an alternative access point. The location of the Community's main construction entrances will be determined from time to time by the Declarant and each Homebuilder is responsible for assuring that only that entrance is used by its employees, suppliers, subcontractors and agents.

K. **Vehicles and Parking Areas.** Construction crews may not park on, or otherwise use, other Lots or any open space for vehicle parking. Construction vehicles are required to be parked on the same side (northerly or easterly, as applicable) of the road or street and within areas designated by the Association. No vehicles may be parked in a manner that obstructs or impairs traffic flow. Each Homebuilder is responsible for assuring that subcontractors and suppliers comply with the speed limits and other traffic signs posted in the Community. Adhering to the speed limits should be a condition included in the contract between the Homebuilder and its subcontractors/suppliers. The Homebuilder and its subcontractors/suppliers must use extreme caution around occupied properties. Resident complaints must be courteously addressed and resolved quickly. Repeat offenders will be reported to the local sheriff's department.

L. **Daily Operation.** Daily working hours for each construction site will be as follows:

Monday – Friday	6 a.m. to 7 p.m.
Saturday	8 a.m. to 6 p.m.
Sunday	9 a.m. to 6 p.m.
Designated Holidays	9 a.m. to 6 p.m.

Construction hours are subject to change, as may be determined by the Association from time to time. It is important to be respectful of residents living near the construction site. Resident complaints must be courteously addressed and resolved as quickly as possible. In no event should construction occur on Easter Sunday, Thanksgiving Day, or Christmas Day.

M. **Sanitary Facilities.** Each Homebuilder is responsible for providing adequate sanitary facilities for the Homebuilder's construction workers. Portable toilets must always remain clean and located only at the construction trailer site or within an area approved by the Declarant, but never in the right of way. The sanitary facilities are to be removed promptly upon completion of construction.

N. **Dust, Mud, Noise and Silt Fences.** Each Homebuilder is responsible for diligently controlling dust, mud and noise, including, without limitation, music from the

construction site. Lot silt fences must remain in good condition during entire phase of construction. Additionally, Lot perimeter silt fencing must be removed by Homebuilder when construction is complete.

O. Debris and Trash Removal. During the construction period, each construction site must be kept neat and clean and will be properly policed to prevent it from becoming an eyesore or affecting other Lots or any open space. Homebuilders must clean up all trash and debris on the construction site daily. Lightweight materials, packaging, and other construction debris must be removed from each site weekly (preferably on Fridays) and between removals, items must be covered or weighted down to prevent their being blown off the construction site at any time.

Homebuilders are prohibited from dumping, burying or burning trash anywhere within the Community. Temporary four foot (4') tall orange safety fencing between Lots is required during construction. A Homebuilder is required for each Lot on which a residential dwelling is under construction, either to provide a dumpster, or at a minimum a 32 square foot receptacle built from heavy gauge wire with orange safety fencing, or 4 4'x8' sheets of plywood or OSB, in which the Homebuilder will place for disposal, debris and trash generated by the construction on said Lot.

Homebuilder and Declarant will jointly designate an area in each Section of the Community where Homebuilders in that Section may conduct concrete wash-out. The Homebuilder must cooperate to keep the street and surrounding area free of debris and remove the concrete wash-out at intervals of no less than thirty (30) days. Such wash-out area shall be no more than two feet (2') off the back of curb, with mulch installed between the curb and wash-out area which has to be lined with plastic sheathing and built from wood forms.

Mud, dirt and construction debris from the construction site on the paved streets in the Community, whether caused by the Homebuilder or any of its subcontractors or suppliers, must be removed and cleaned by the Homebuilder daily.

The Association's management company will monitor and send violation notice letters to Owners with Lots in need of correction. Fines may be imposed on Owners with noncompliant Lots.

Homebuilder shall, prior to driveway installation, create a mulch or concrete path from the curb to the garage to minimize the tracking of mud into the street and the home under construction.

P. Restoration or Repair of Other Property Damages. Damage to any property adjacent or near the Lot on which construction is taking place, including, but not limited to, roads, curbs, driveways, and utilities, resulting from construction operations, is not permitted. If any such damage occurs, it must be repaired and/or restored promptly at the expense of the Homebuilder. In the event a Homebuilder fails to restore or repair the

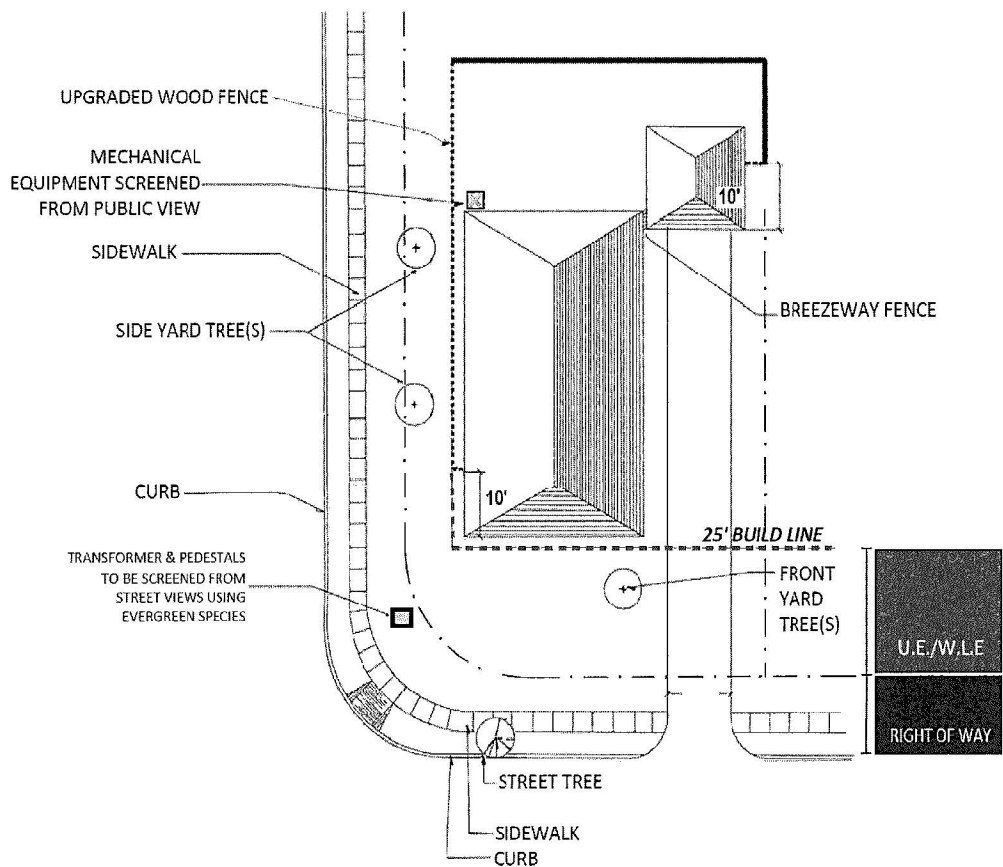
damaged area, the Association may repair the area and charge the expense to the Homebuilder. In the event the Homebuilder fails to promptly reimburse the Association, a lien may be recorded against the Lot until the expenses charged to the Homebuilder are paid in full.

Q. Miscellaneous and General Practices. All Homebuilders are responsible for the conduct and behavior of their employees, agents, representatives and subcontractors while in the Community. The following activities are prohibited:

1. Changing oil or making repairs on any vehicle or equipment on the Lot itself or at any other location within the Community other than at a location, if any, designated for that purpose by the Declarant. Replaced tires are not to be left on-site, and must be transported off-site immediately, and never left as construction debris.
2. Allowing concrete suppliers, plasterers, painters or any other subcontractors to clean their equipment anywhere but the location(s) specifically designated for that purpose by the Declarant. Violation of this provision will result in charges to the Homebuilder/Owner for clean up or damage repairs. The Association must be reimbursed for the expense incurred by the Homebuilder/Owner within not less than thirty (30) days of invoice.
3. Removing any rocks, plant material, topsoil, or similar items from any other property in the Community, including other construction sites.
4. Illegal possession of any type of firearms or other weapons within the Community.
5. The use of utilities from neighboring residents without their written consent. Repeat offenders will be reported to the local sheriff's department.
6. Using disposal methods or equipment other than those approved by the Association.
7. Careless disposal of cigarettes and other flammable material. It is required that at least two (2) fully operational 10-pound ABC-rated dry chemical fire extinguishers be always present and available in a conspicuous place on the construction site.
8. The use of illegal drugs or alcohol.
9. Destruction or removal of protected plant materials or plants without approval of the Declarant.

10. No pets, including dogs, may be brought into the Community by either Applicants or construction personnel. In the event of a violation, the Declarant or the Association has the right to contact authorities to inspect/impound any pet, to refuse to permit the Homebuilder or subcontractor involved to continue on the project or to take such other action as permitted by law.
11. Radios and other audio equipment which can be heard outside the construction site.
12. The use of horns by contractor, subcontractor or catering or food trucks to signal their arrival. Trash generated by the procurement of items must be contained and disposed of properly. Repeated problems with these requirements will result in the contractor, subcontractor or catering or food trucks being denied admittance in the Community.

EXHIBIT "1.2"

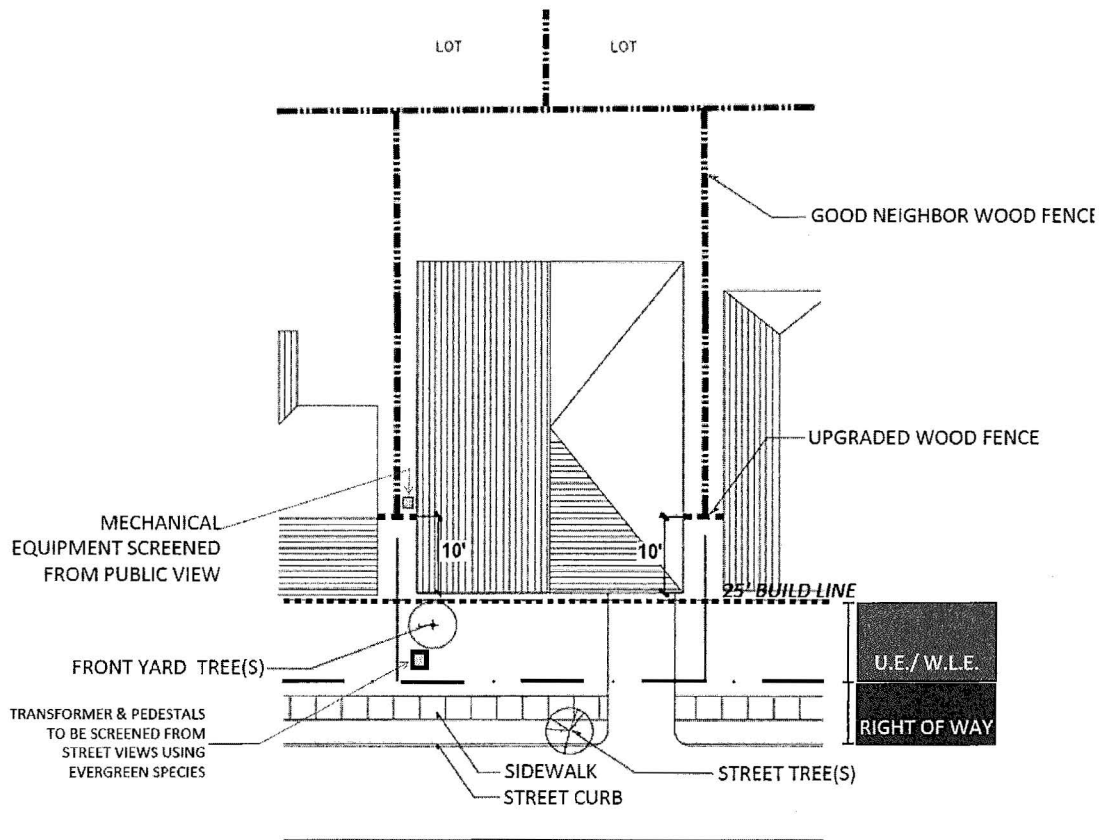


Typical Corner Lot

LANDSCAPE SUBMITTALS WILL BE FORWARDED TO THE ASSOCIATION FOR THEIR RECORDS.

Location:	Quantity:	Name:	Size:
Street			
Front Yard			
Side Yard			

EXHIBIT "1.2.A"

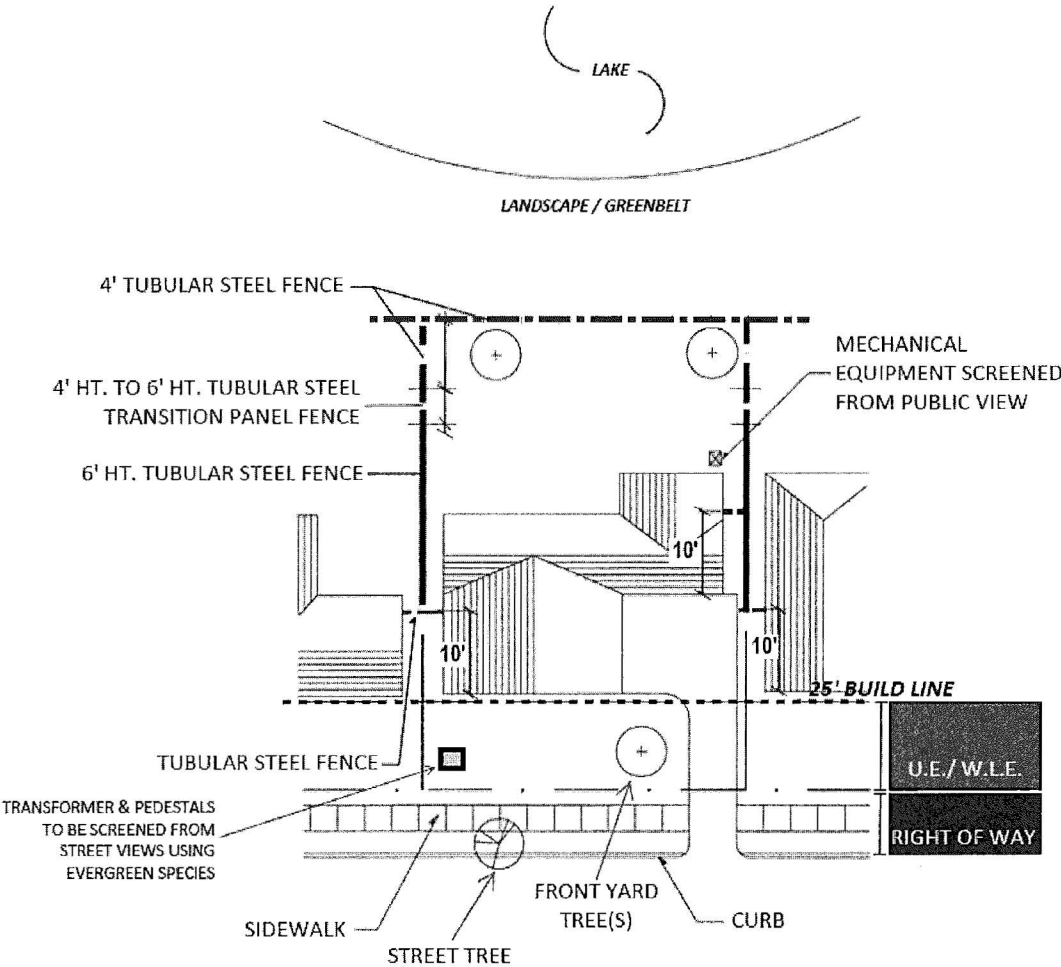


Typical Interior Lot

LANDSCAPE SUBMITTALS WILL BE FORWARDED TO THE ASSOCIATION FOR THEIR RECORDS.

Location:	Quantity:	Name:	Size:
Street			
Front Yard			

EXHIBIT "1.2.B"



Typical Lake Lot

LANDSCAPE SUBMITTALS WILL BE FORWARDED TO THE ASSOCIATION FOR THEIR RECORDS.

Location:	Quantity:	Name:	Size:
Street			
Front Yard			
Rear Yard			

EXHIBIT "2.3"**BUILDING SETBACKS**

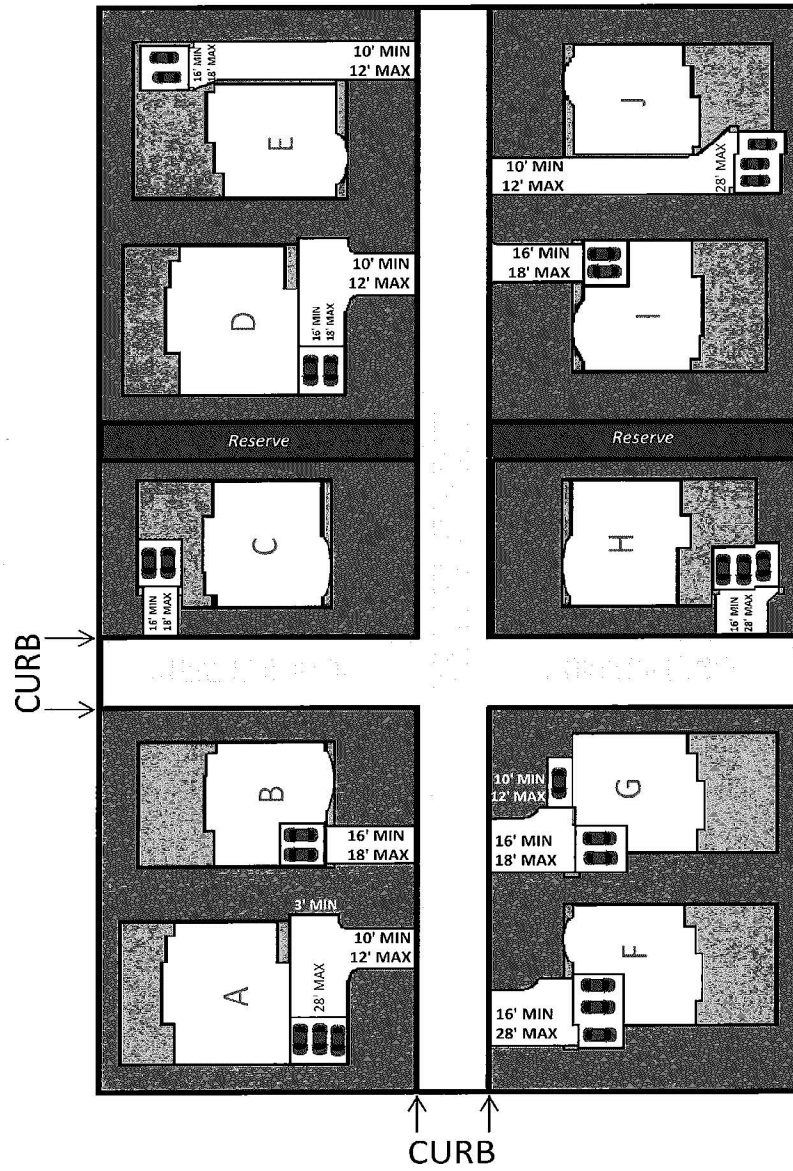
LOT TYPE	FRONT SETBACK	SIDE SETBACKS	REAR SETBACK*
Standard/Interior	25'	5'	10'
Cul-de-sac	20'	5'	10'
Corner	25'	15'	10'
Side load garage facing side street	25'	25'	10'
Backing to major or minor arterial	25'	5'	10' to Lot line 25' to ROW
Backing to major arterial AND a detached one-story garage	25'	5'	3' to Lot line 25' to ROW

*If rear utility easement exceeds 10', then Rear Setback must be equal to the actual utility easement width.

EXHIBIT “2.4”***2.4 LOT COVERAGE - Driveways***

DRIVEWAYS	TWO CAR BAY	THREE CAR BAY
	<u>16' Minimum & 18' Maximum</u>	<u>28' Maximum</u>
Front Load	at Face of Garage all the way to curb	at Face of Garage all the way to curb
Garage	<u>16' Minimum & 18' Maximum</u>	<u>16' Minimum & 28' Maximum</u>
	at Front Property Line	at Front Property Line
	<u>10' Minimum & 12' Maximum</u>	<u>10' Minimum & 12' Maximum</u>
Front Load	Driveway Width	Driveway Width
Attached Swing	<u>16' Minimum & 18' Maximum</u>	<u>28' Maximum</u>
Garage	at Face of Garage	at Face of Garage
	<u>16' Minimum & 18' Maximum</u>	<u>28' Maximum</u>
Detached	at Face of Garage	at Face of Garage
Garage	<u>10' Minimum & 12' Maximum</u>	<u>10' Minimum & 12' Maximum</u>
	Driveway Width	Driveway Width
	<u>16' Minimum & 18' Maximum</u>	<u>28' Maximum</u>
Detached	at Face of Garage all the way to curb	at Face of Garage all the way to curb
Side Load	<u>16' Minimum & 18' Maximum</u>	<u>16' Minimum & 18' Maximum</u>
Garage	at Front Property Line	at Front Property Line

EXHIBIT "2.4.1



Typical Circular Driveway

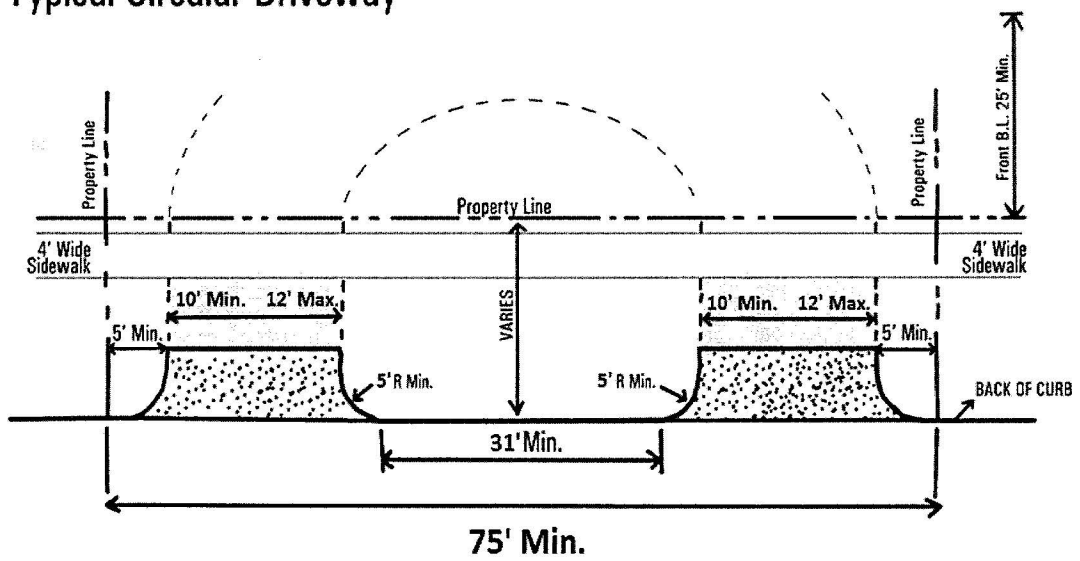


EXHIBIT "3.2"**SQUARE FOOTAGE RANGES**

Lot Width/Type	One (1) Story		Two (2) Story	
	Minimum s.f.	Maximum s.f.	Minimum s.f.	Maximum s.f.
Duplex (both sides combined)	2,800	4,800	2,800	5,200
40'	1,400	2,400	1,400	2,600
45'	1,400	2,600	1,400	2,800
50'	1,500	2,800	1,500	3,200
55'	1,600	3,400	1,600	3,600
60'	1,800	3,600	1,800	3,800
65'	2,200	3,800	2,200	4,000
70'	2,400	No limit	2,400	No limit
75' and up	2,500	No limit	2,500	No limit
**Garage area excluded from calculation				

EXHIBIT "3.4"

PLAN SPACING AND REPETITION

PLAN & ELEVATION	STREET SIDE	65'- Duplex	40'	45'	50'	55'	60'	65'	70'	75'
Same	Same	3	3	3	3	3	3	3	3	3
Different	Same	2	2	2	2	2	2	2	2	2
Same	Opposite	2	2	2	2	2	2	2	2	2
Different	Opposite	2	2	2	2	2	2	2	2	2

EXHIBIT "3.5"**Minimum Plan Width**

Lot Size	Minimum Plan (Pad) Width
40'	30'
45'	30'
50'	35'
55'	40'
60'*	45'
65'*	50'
70'	55'
75'	55'
65' (Duplex)	55'

*For 60' or larger lots, when built as a single family detached home, and if offered as a standard feature, a third car garage "bump-out" may be utilized in the plan width calculation to meet the minimum pad width.

EXHIBIT "3.6"**SUNTERRA-MINIMUM MASONRY REQUIREMENTS BY LOT CONDITION**

(excluding eaves, fascia, windows and doors)

Typical or Standard Lots -those not backing or siding to an entrance to a section, a primary entrance access road within a section, or adjacent to an entry monument (corner lots or entry open space), preserve/lake/waterways interior to the community, and lots backing to the community's main spine roads shall have the following minimum Masonry:

One Story Home	Minimum % Masonry
Front	65%
Total Sides and Rear	60%

Two Story Home	Minimum % Masonry
Front-Total Both Stories	65%
Sides and Rear-Total Both Stories	60%

High Visibility Lots-those backing or siding to an entrance to a section, a primary entrance access road within a section, or adjacent to an entry monument (corner lots or entry open space), preserve/lake/waterways interior to the community, and lots backing to the community's main spine roads shall have the following minimum Masonry:

One Story Home	Minimum % Masonry
Front	72%
Sides and Rear	100%

Two Story Home	Minimum % Masonry
Front-Total Both Stories	72%
1st story-Sides and Rear	100%
2nd story-Sides	100%
2nd story-Rear	72%

EXHIBIT "3.16"**IN-RESIDENCE WIRING AND TECHNOLOGY STANDARDS**

ALL HOMES BUILT NORTH OF STOCKDICK SCHOOL ROAD (Sections 33 and higher) require the Homebuilder to install In-Residence Wiring ("IRW") and a Structured Wiring Box ("SWB") as specified by **HOTWIRE COMMUNICATIONS, INC** (the "Provider"). pursuant to the Communications and Installation and Service Agreement with Sunterra Property Owners Association, Inc.

- An IRW shall be defined as any copper and coaxial wiring located inside each individual Residence. The IRW shall, at a minimum, consist of (2) CAT 6 data cabling at each in-wall TV outlet location, terminating back to a SWB.
- Further, the Homebuilder needs to install ½" flex tubing (smurf) that runs from the SWB to a stub-out adjacent to the residential dwelling's power meter on the outside of the residential dwelling, along with a pull string for fiber optic installation. Any further IRW (copper or CAT 6) at any other location is at the discretion of the Homebuilder and is not required by Provider.
- Provider shall be granted the non-exclusive license to use the IRW to provide the Communication Services to the residential dwellings built North of Stockdick School Road, subject to the homeowner's approval. Each homeowner shall maintain title and ownership of the SWB, the IRW, and all its in-wall outlets.
- The SWB shall be a minimum of 14.5" x 30" and must have a 20-amp electrical dual gang receptacle/outlet in a gang box with cover plate at its base. The termination of all wall plate locations shall utilize standard TIA-568-B wiring scheme.

ALL HOMES BUILT SOUTH OF STOCKDICK SCHOOL ROAD (Sections 1-32) must install the following wiring and hardware specifications as provided by **CANYON GATE TECHNOLOGIES**:

- **Honeywell Vista21IP** - Security system capable of being monitored by a standard phone line or internet connection. It can also be monitored by a cellular communicator (which requires a homeowner purchased upgraded module).
- **Honeywell Tuxedo** - Touch screen that acts as a security keypad as well as a home automation controller and interface. The touch screen connects to the security system but also has Z-Wave wireless communications enabling automation control of thermostats, lighting, door locks and other Z-Wave enabled devices. Upgrades to Z-Wave devices can be purchased through the Homebuilder's design center or homeowner's choice of other companies after purchase of the home. The touch screen can also connect to the homeowner's network allowing local and remote control of the system through mobile devices or computers (remote connectivity requires additional services purchased by the homeowner).

- **Non-metallic Wireless Transparent Connection Center** - Metal connection centers limit the range of wireless networking equipment installed by homeowners or their service providers. By installing a non-metallic connection center, wireless equipment can be placed inside the connection center.
- **Category 6e Wiring** - Enables homeowner to receive "Gigabit" speed internet connections.

Rough and Trim Equipment

The required security and structured wiring equipment is only available at ADI distributors.

- Rough Equipment - Enclosure ENP3080
- Trim Equipment- LTEJAS-NEW
 - Subkit (V21TUXW-KS1 Security)
 - 1-Visra21IPSA Security Panel
 - 1-TUXWIFIW Tuxedo Touch
 - 1-747PD
 - 1-467
 - Subkit H4-ENP3060, Plastic Cover

Wiring Enclosure:

In each home, a central location must be identified for the installation of the "Wiring Enclosure" within which all wiring must be home run and terminated. Planning is required to ensure that adequate space is available for all equipment to be located in the wiring enclosure.

Approved Wiring Enclosure

- The OnQ Legrand - 30" Plastic Enclosure with Hinged Door with Enclosure ENP308, Cover ENP3060

Location and Size

- Since the connection center will house equipment that has specific environmental operating requirements (like temperature and humidity), the connection center must be securely mounted in an interior wall inside the home within the HVAC space of the house. DO NOT install the components in a garage, crawl space, exterior enclosure, or fire rated wall.
- The Approved OnQ enclosure comes in one size. 14 1/3 wide and 30" high. The connection center will fit in a standard stud bay.

Power

- The connection center will house equipment that requires power. A single dedicated duplex 120VAC outlet must be installed inside the connection center, per the connection center installation instructions.

- The duplex 120VAC outlets in the connection center must be on their own dedicated breaker.

Structured Wiring Requirements:

Services Entry

- One category 6 wire, one Quad Shielded RG-6 wire and one 18/2 wire will be run from the outside of the house, where services will enter, to the connection center wiring location.
- A minimum 1" corrugated conduit with a pull string is required to be run from the service entry to the connection center.

Voice, Data, and Video Pre-Wiring

- Category 6 cables and Quad Shielded RG-6 cables will be home-run to the wiring enclosure location from any room where data, fax, computer, or telephone jacks are located.
- The following locations **are required as a minimum:**

Location	Cat6	RG6	18/2
Point of Service Entry	1	1	1
Family Room (TV Location)	1	1	
Kitchen for phone	1		
Master Bedroom (TV Location)	1	1	
Study (per plan)	1	1	

- Install outlets to satisfy your customer's requirements. It is recommended but not required that a minimum of one data, cable TV and phone outlet be installed in every livable space (ie. bedrooms, family room, den, office, study, game room, etc.)

Security Wiring and System Requirements:

Security Pre-Wiring

- Security pre-wiring will consist of all accessible doors and windows. AH security wires will be home-run directly above the OnQ 30" Connection Center. In addition, a minimum of two fire-rated keypad wires should be run to the garage door and either the front door or master bedroom.
- A Cat5e or Cat6 wire should be run from the security panel to the Tuxedo touch screen for network connectivity. It is highly recommended that the Tuxedo be located at the garage or most

commonly used entrance, but the location may be changed at the discretion of the Builder.

- A Cat6 jumper should be run between the Honeywell security enclosure and the OnQ 30" Connection Center for phone line or internet monitoring.

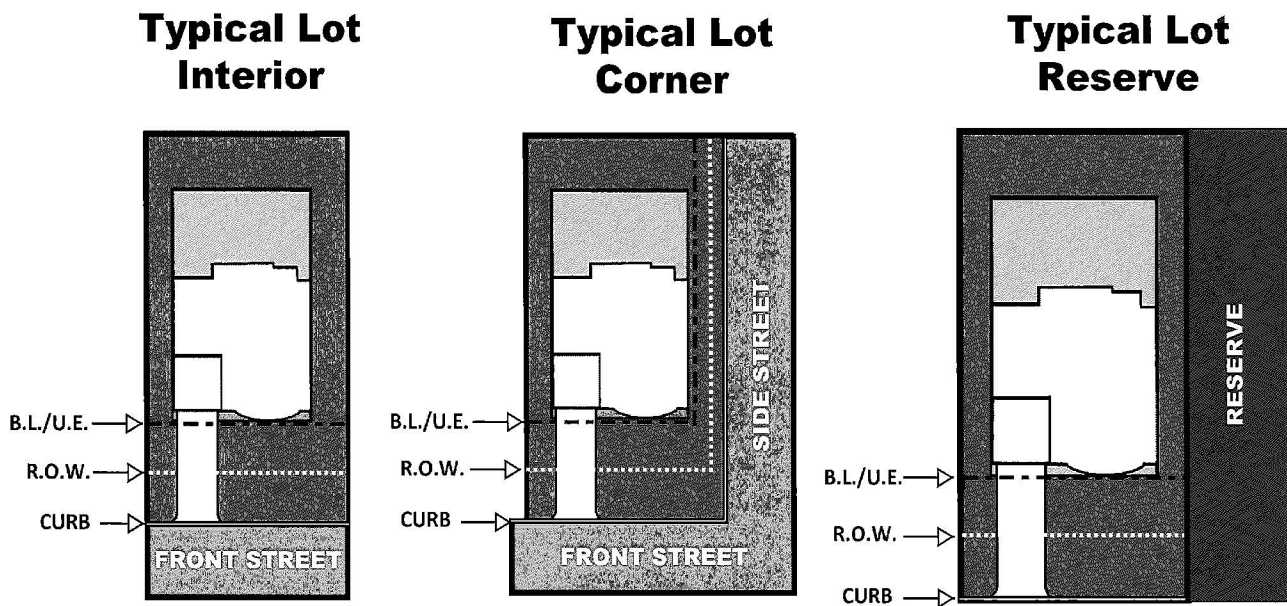
Security Equipment

- The only approved security system is the Ademco Vista-211P "Digital Phone and IP Enabled Security System" included in the LTEJAS-NEW Trim Kit with Part Number V21TUXW-KS1. The kit is only available through ADI distributors.
- The Ademco Vista 211P must be mounted in the included Honeywell security enclosure located directly above the OnQ 30" Enclosure.
- Upon completion of the trim-out, the security system should be operable as a security alarm system per the manufacturer's instructions. All default programming codes should remain and should only be changed by the home buyer or home buyer's security monitoring company.

Government Compliance:

All wiring system components should be installed in compliance with applicable local, state, and national building codes. In any case where these guidelines conflict with building codes, the building codes should apply.

EXHIBIT "4.2"



Verify all easements and setbacks with recorded plat.

EXHIBIT "4.2.A"

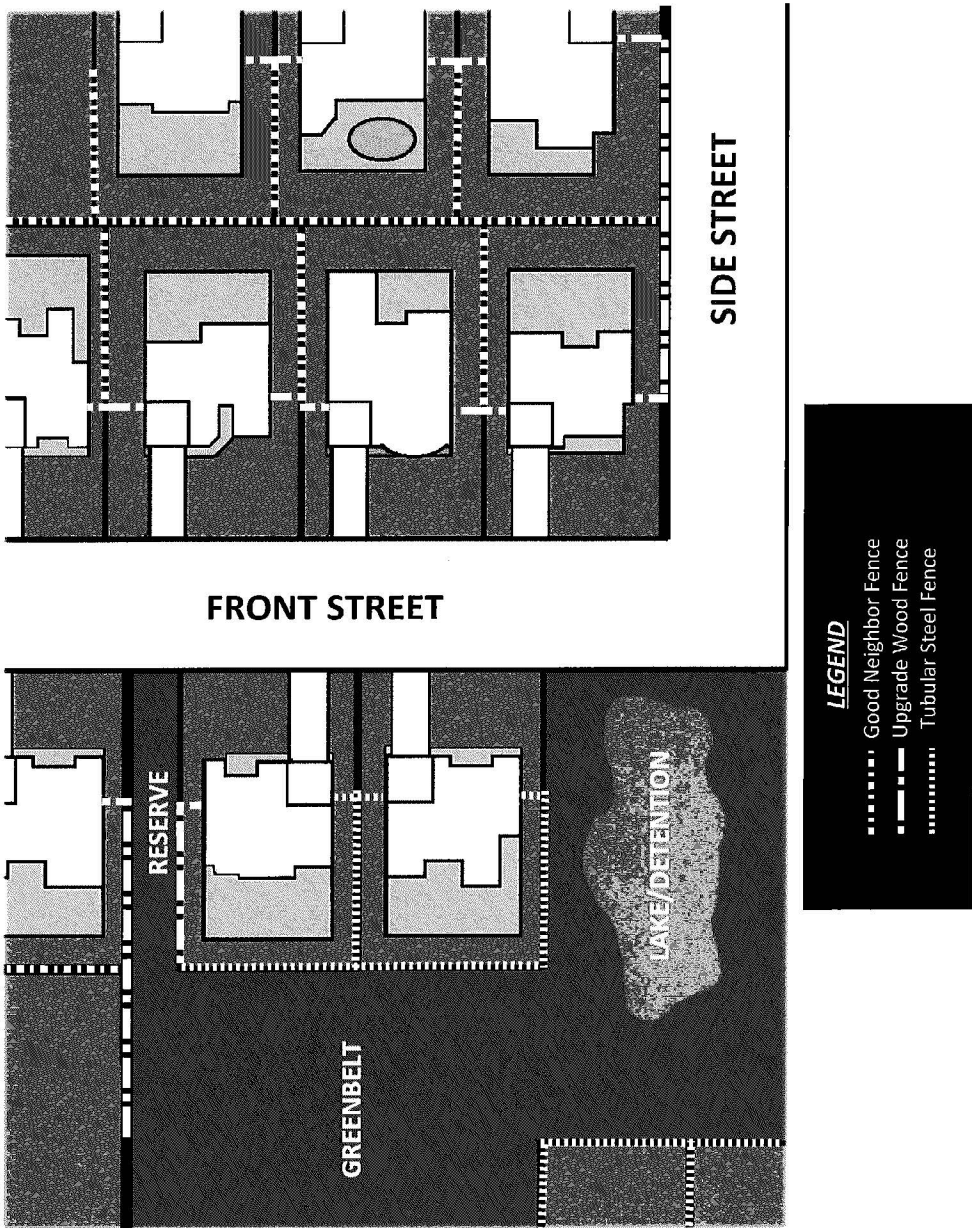
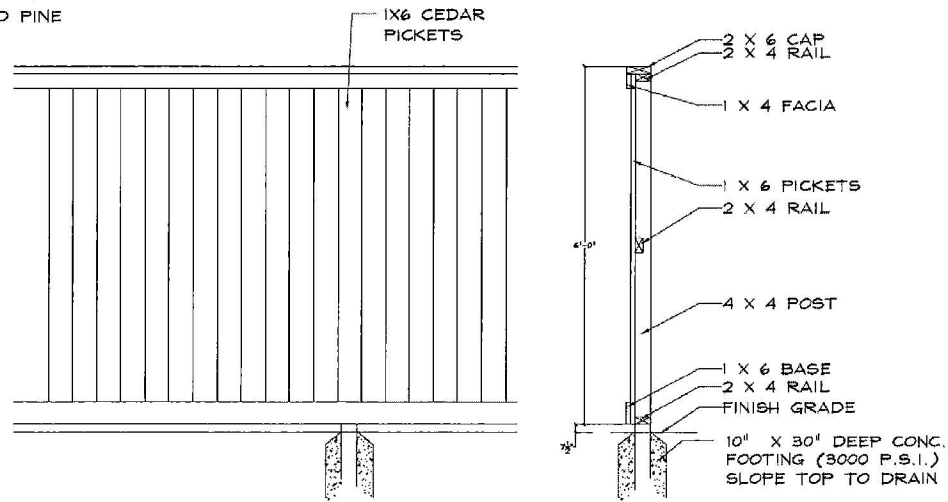


EXHIBIT "4.3"GENERAL NOTES:

1. 1" X 4" FACIA TO BE CEDAR
2. 4" X 4", AND 2" X 4" MEMBERS TO BE PRESSURE TREATED PINE
3. 1" X 6" PICKETS TO BE CEDAR
4. ALL NAILS TO BE GALVANIZED SCREW - SHANK NAILS.
5. 2 X 12 TRUE ROT BOARD TO BE PRESSURE TREATED PINE
6. 1 X 6 CAP TO BE PRESSURE TREATED PINE



6' HT. UPGRADE WOOD FENCE

NTS

EXHIBIT "4.5"

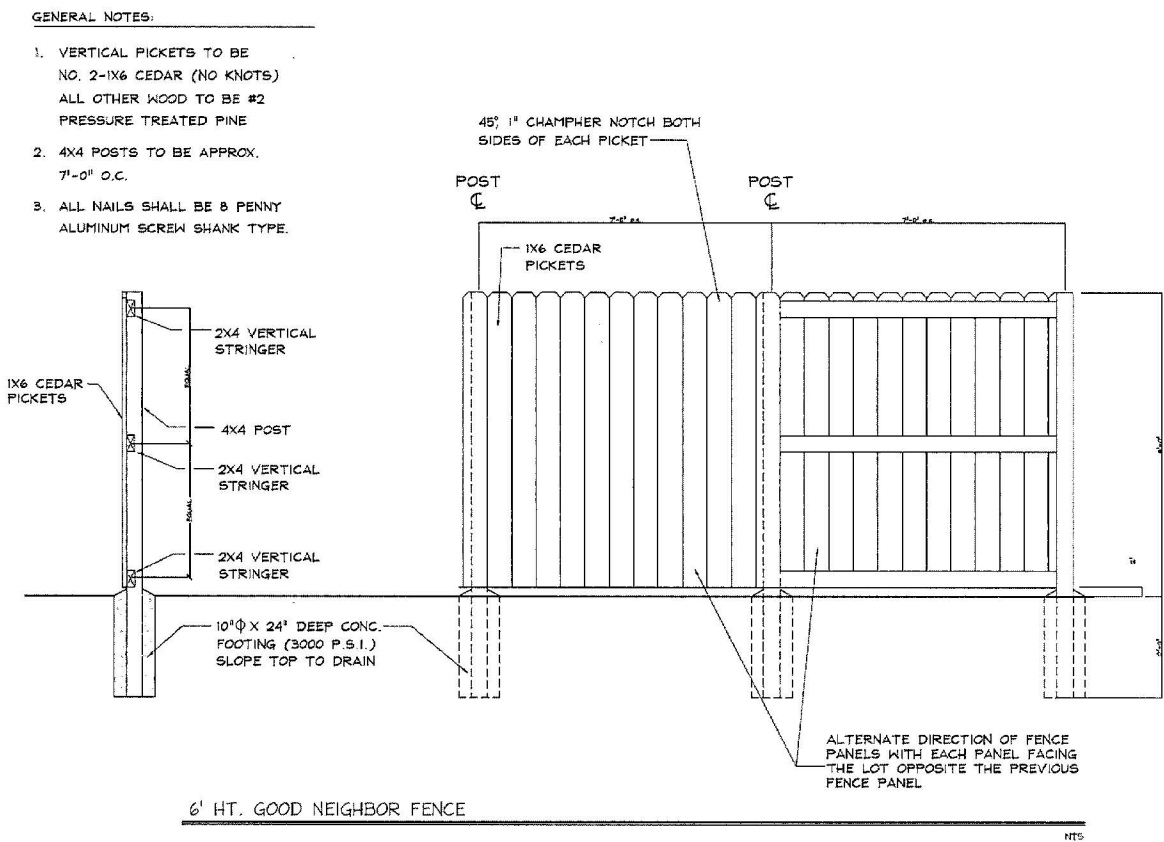
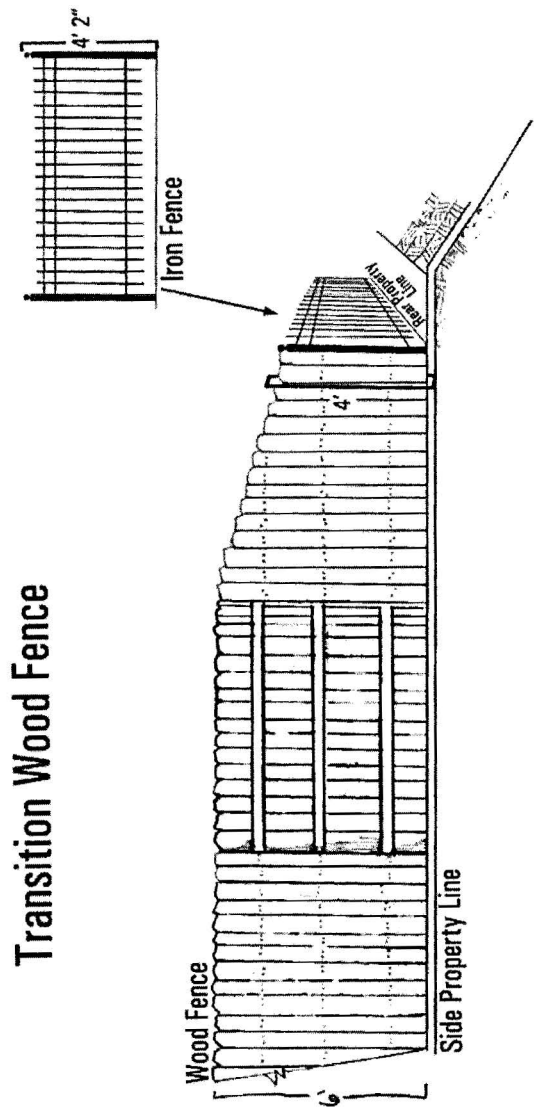


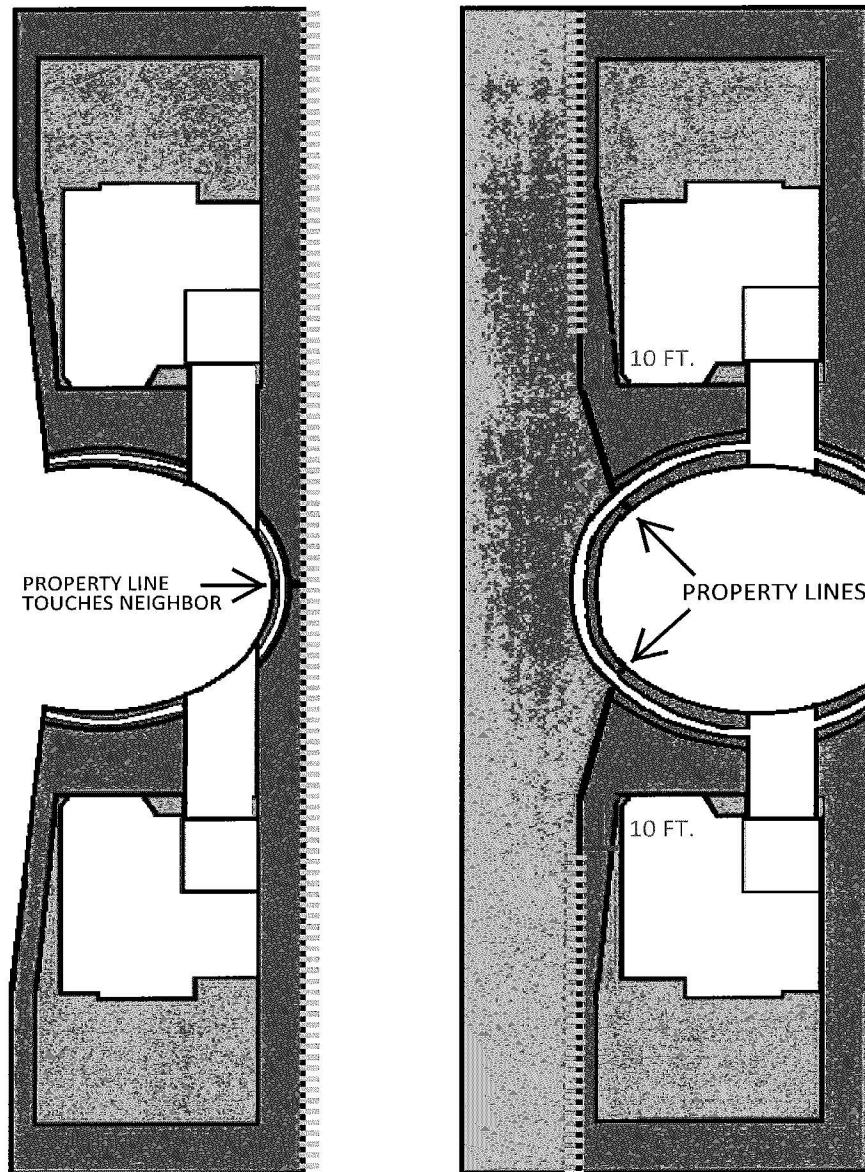
EXHIBIT "4.5.A"



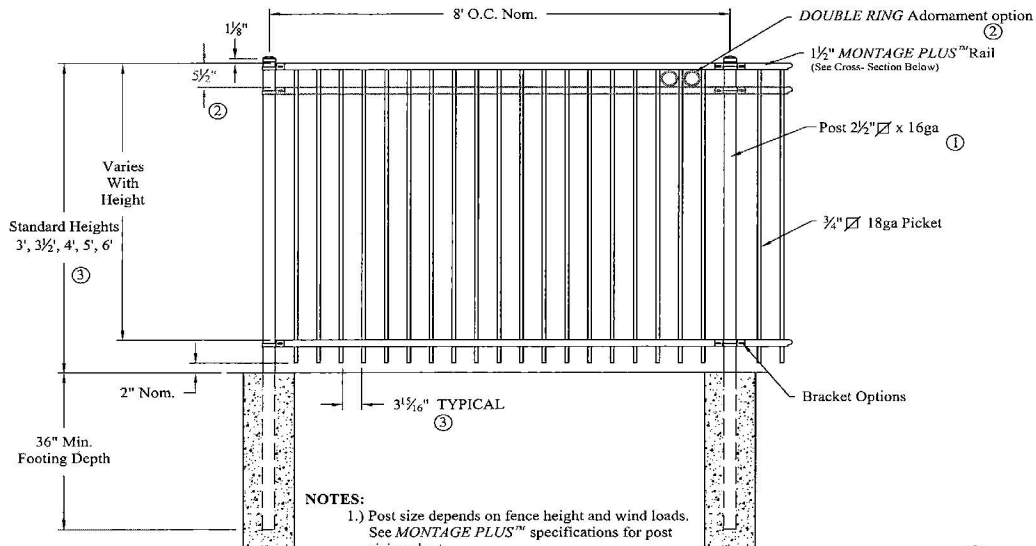
Good-Neighbor Fence connection to Tubular Steel Fence

NTS

EXHIBIT "4.6"



"Upgraded Wood Fence" and Sidewalk at Cul-de-sac circle.

EXHIBIT "4.8"**NOTES:**

- 1.) Post size depends on fence height and wind loads. See *MONTAGE PLUS* specifications for post sizing chart.
- 2.) Third rail required for *Double Rings*.
- 3.) Available in 3" air space and/or Flush Bottom on most heights.

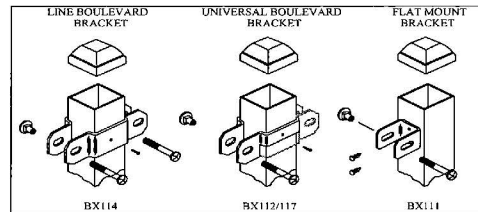
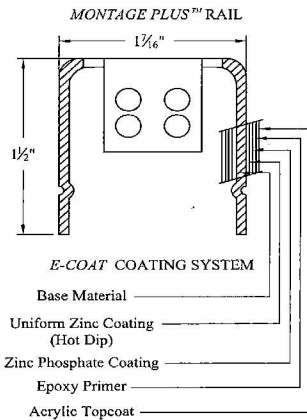
RAKING DIRECTIONAL ARROW

Welded panel can be raked 30" over 8' with arrow pointing down grade.

PROFUSION™ WELDING PROCESS

No exposed welds,
Good Neighbor profile - Same
appearance on both sides

MONTAGE PLUS™ RAIL
Specially formed high strength
architectural shape.



COMMERCIAL STRENGTH WELDED STEEL PANEL
PRE-ASSEMBLED

Values shown are nominal and not to be used for
installation purposes. See product specification
for installation requirements.

1RMISQ

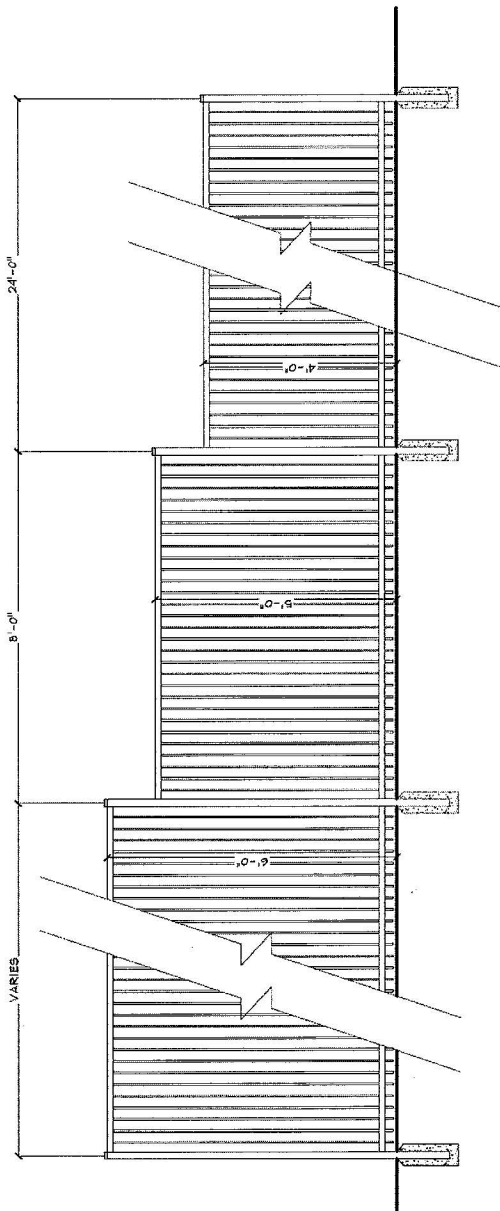
Title: MONTAGE PLUS MAJESTIC 2/3-RAIL			
DR: CI	SH. 1 of 1	SCALE: DO NOT SCALE	
CK: ME	Date 6/28/10	REV: e	



AMERISTAR®

1555 N. Mingo
Tulsa, OK 74116
1-888-333-3422
www.ameristarfence.com

EXHIBIT "4.8.A"

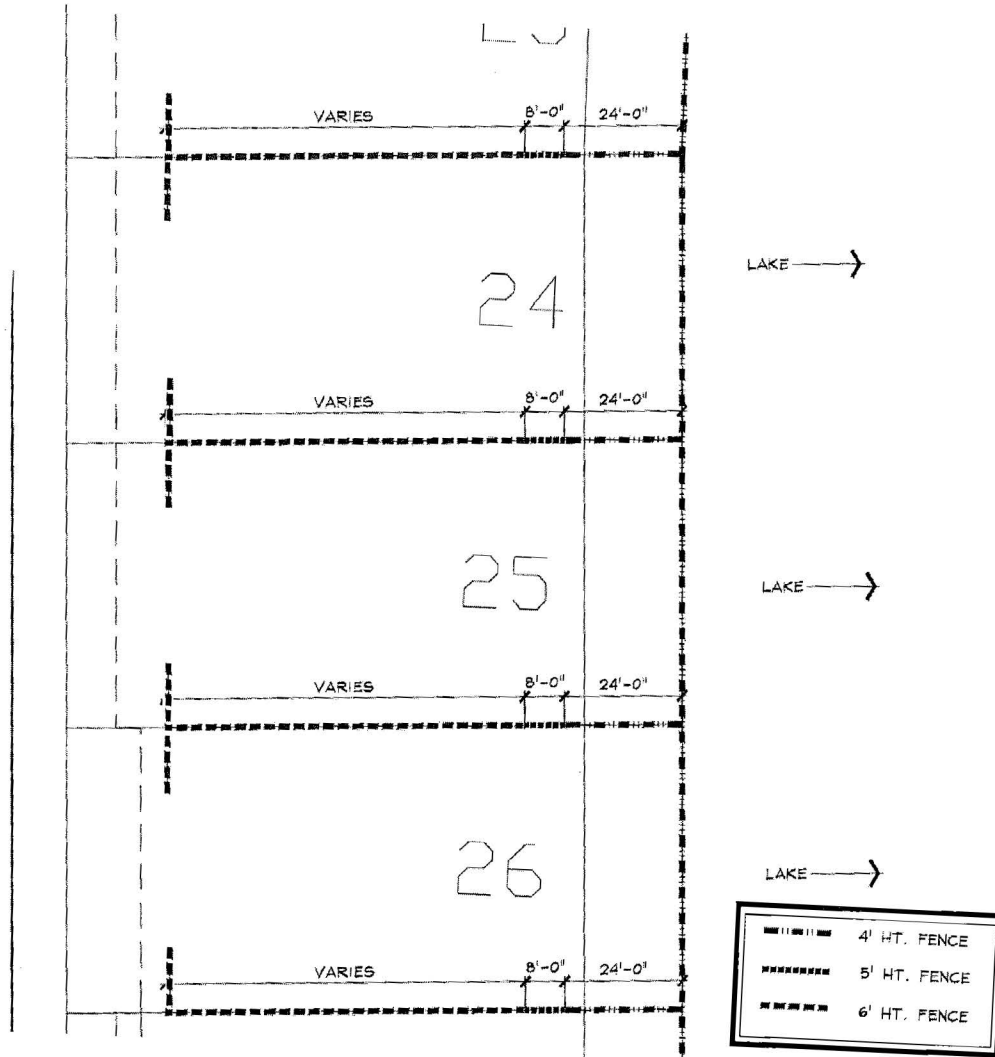


Builder Tubular Steel Fencing - Transitional Panels

Lake Lots require 100% tubular steel fencing.

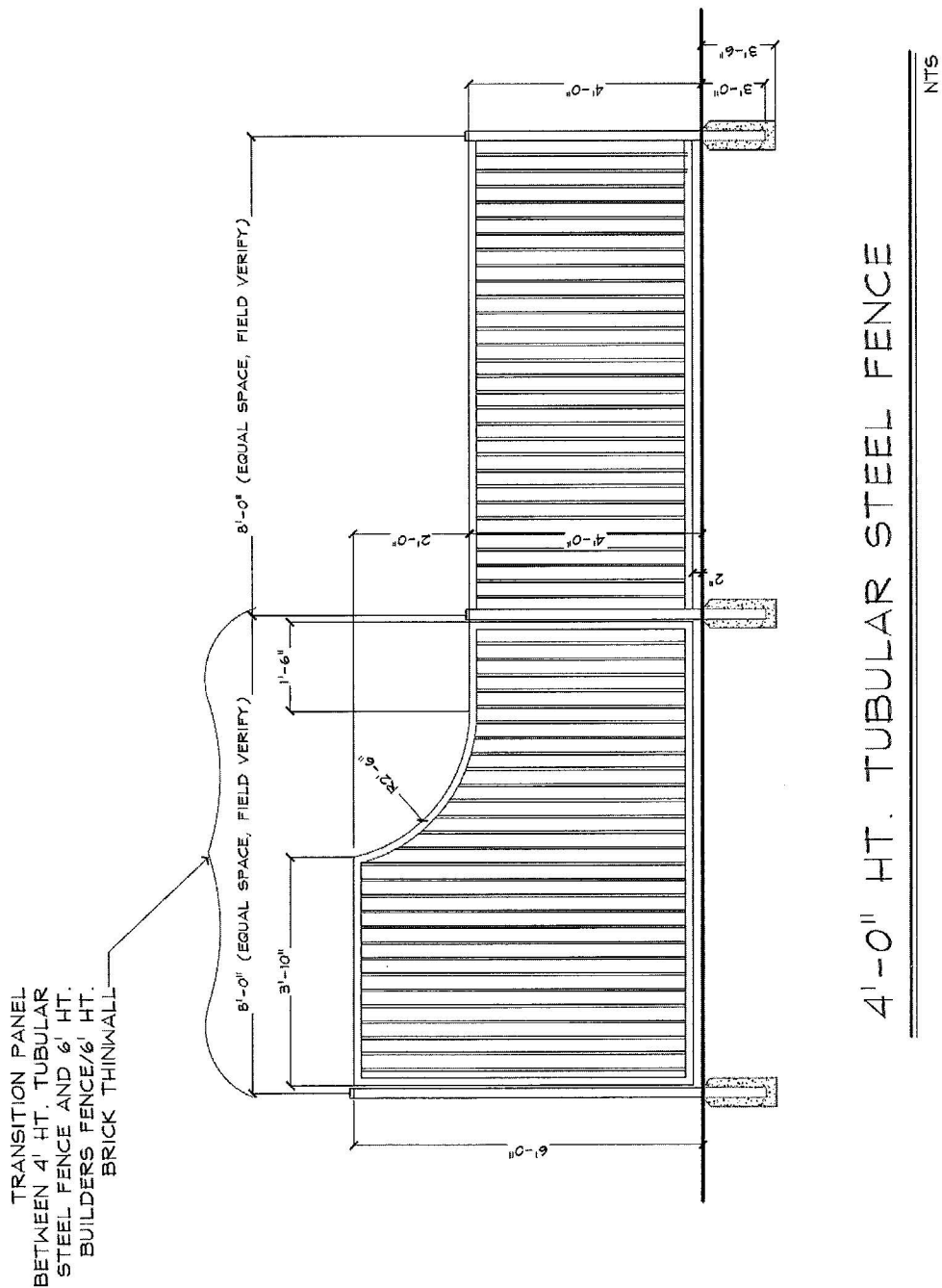
SCALE: NTS

EXHIBIT "4.8.B"



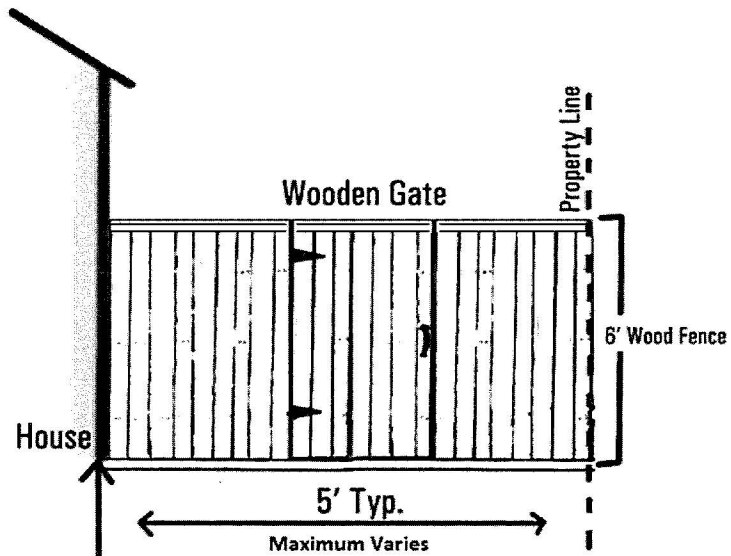
Builder Tubular Steel Fencing – Transitional Panel Plan View

EXHIBIT "4.9"



Front Fence Gate - "UPGRADED WOOD FENCE"

Only use permitted stain noted in Design Guidelines



A front fence must setback ten feet from closest front corner of residential structure.
All fencing facing the front of lot must have good side facing out to public view.

EXHIBIT "4.11"

EXHIBIT "5"**MINIMUM LANDSCAPE REQUIREMENTS**

	Front Yard (plant bed must be min 5' from home)				
	Live Oak 2 1/2" caliper/8' tall	Tree 4" caliper/10' tall	Large shrubs 15 gallon	Small shrubs 3 gallon	Other 1 gallon
50' Lot and Smaller					
Interior Lot	1	1	1	10	20
Corner Lot	1	1	1	10	20
Lake Lot	1	1	1	10	20
51'-69' Lot					
Interior Lot	1	2	2	15	25
Corner Lot	1	2	2	15	25
Lake Lot	1	2	2	15	25
70' and larger					
Interior Lot	1	3	3	20	30
Corner Lot	1	3	3	20	30
Lake Lot	1	3	3	20	30

	Side Yard (Plantings must be on street side of side yard fence)			
	Side Yard Live Oaks* 2 1/2" caliper/8' tall	Tree 4" caliper/10' tall	Medium shrubs 5 gallon	Small shrubs 3 gallon
50' Lot and Smaller				
Corner Lot	2		3	15
51'-69' Lot				
Corner Lot	2		3	15
70' and larger				
Corner Lot	2		3	15

*One tree every 50' within 15' of a side street lot line (either side yard setback or ROW)

	Rear Yard (plant bed must be min 5' from home)		
	Tree 4" caliper/10' tall	Large shrubs 15 gallon	Small shrubs* 3 gallon
50' Lot and Smaller			
Lake Lot	2	2	15
51'-69' Lot			
Lake Lot	2	2	15
70' and larger			
Lake Lot	2	2	15

*Foundation Screening

FILED AND RECORDED

Instrument Number: 2302351

Filing and Recording Date: 02/28/2023 10:01:01 AM Pages: 64 Recording Fee:

I hereby certify that this instrument was FILED on the date and time stamped hereon by me and was duly RECORDED in the OFFICIAL PUBLIC RECORDS of Waller County,



A handwritten signature in cursive script that reads "Debbie Hollan".

Debbie Hollan, County Clerk
Waller County, Texas

ANY PROVISION CONTAINED IN ANY DOCUMENT WHICH RESTRICTS THE SALE, RENTAL, OR USE OF THE REAL PROPERTY DESCRIBED THEREIN BECAUSE OF RACE OR COLOR IS INVALID UNDER FEDERAL LAW AND IS UNENFORCEABLE.

simplifile, Deputy

Returned To:
WINSTEAD PC - AUSTIN
401 CONGRESS AVENUE, SUITE 21
AUSTIN, TX 78701