

4.7.i. Address Identification

Address identification devices are required for each residence and must be submitted for review and approval. Numerals must be between three inches and six inches in height and the structure must be integrated with the overall home design. Such devices shall be visible from the public road and will be allowed in drive entrance.

4.7.j. Lighting

Any lighting on individual Lots or other parcels in the Property must be approved by the Architectural Committee. Approvals will not be granted if said lighting produces excessive glare. In no case should the source of the light be directly visible.

No lighting, interior or exterior, shall be operated in a manner constituting a nuisance or unreasonable annoyance to the residents of other Lots or other parcels in the Property.

4.7.k. Swimming Pools

Most of the Lots are suitable for swimming pools. Locations for swimming pools shall be judged on the view impact on other Lots. Swimming pools proposed for any parcel within the Property shall be designed to be visually related to the surrounding environment by use of native material and related to the residence by way of garden walls or courtyards. They must be screened from direct view of adjacent Lots, other parcels within

the Property and streets and public spaces. Child proof fencing and safety precautions shall be required.

4.7.1. Sports/Tennis Courts and Basketball Goals

Basketball goals may be installed at any residence subject to the approval of the Architectural Committee. If approved, they must not be visible from other Lots, other parcels within the Property and streets or public spaces. All nonclear surfaces including the backboard, metal supports and pole are to be painted to match the house color.

4.8 Architectural Character

4.8.a. Appropriate Design

The desired architectural character is not of any arbitrary style, but simply an appropriate response to the geology and climate of the setting. The climate is mild most of the year, but the design must consider the peak winter and summer months. Thus, the best designs associated with Wilson Arch include courtyards, open breezeways and recessed windows shielded from summer sun as well as considerations of icy conditions and winter sun passive solar. The pursuit of these very practical conditions will tend to give natural direction to the design of the house. The intended architectural character will result in a residential environment compatible with the Wilson Arch setting.

4.8.b. Liveable Area

All residences must contain a minimum of 2,000 square feet of living area. "Living Area" is defined as those habitable areas measured to the outside of the outside walls, exclusive of garages, garage storage, terraces and covered patios.

4.8.c. Building Heights

No residence shall be built more than one story in height. However, the Architectural Committee may, at its discretion, approve in writing split level construction if, in its opinion, the architectural design of such proposed dwelling will not detract from the appearance and value of the Lot or Wilson Arch overall. Single levels, stepped with the natural grade is expressly encouraged.

In any case, no structure shall exceed twenty-four (24') feet in height as measured from the roof or parapet wall to the natural finish grade at any point along the building perimeter. In any case, the final height shall be determined solely on the discretion of the Architectural Committee at the schematic review. The Architectural Committee may impose further height restrictions for purposes of carrying out the intent of creating a community of homes in which no one structure appears excessive in height or out of character with its surrounding topography.

4.8.d. Plan Shapes

The exterior form of a house is determined by two elements: the footprint of the plan and its related roof overhang. The two should work together to provide variety and interest. Imaginative plan geometry increases the sense of individuality both for the Owner and the overall community.

4.8.e. Overall Massing

In order to create a more interesting overall appearance, each residence shall be comprised of two or more masses of different heights. Adjacent masses need to be at least two feet different in height and the plan shape of each mass shall have an area equal to at least ten percent of the total floor area of the house including the garage.

4.8.f. Articulated Forms

The purpose of this provision is to avoid large box shapes which contrast starkly with the character of the surroundings. In addition to plans which step with the terrain, all elevations are expected to have some measure of trellises, piers, terraces, garden walls or other forms of setbacks and architectural devices which break the massing into smaller elements and add the richness of shade and shadow.

4.8.g. Elevations

All structures shall be designed with full consideration of the Wilson Arch Site Oriented Design Philosophy.

All structures will be located upon the Building Site or parcel within the Entire Acreage in a manner integral with the topography to the greatest extent possible. Exterior designs that blend with the environment of Wilson Arch are encouraged.

No structures of radical or arbitrary design will be approved, which in the opinion of the Architectural Committee in its sole and absolute discretion, would detract from the general harmony of Wilson Arch and its environment.

Care should be given to the size, type and organization of all windows. They should never appear like surface "holes" cut into the side of a box. Rather, they should be architectural features and wherever possible, grouped into recessed areas or bordered by projections which provide a shadow pattern. Scattered windows tend to create awkward, face-like shapes and should be avoided. Deep window surrounds are preferred. The style of the window should generally be consistent on all sides of the home.

The use of side entry garages is encouraged. The garage should accommodate no more than three cars. Single garage doors, rather than double doors, are recommended because of their smaller scale. All garage doors must be recessed a minimum of 12 inches from the plane of the exterior wall. The recessing will create a shadow which will help relieve the visual impact of the door. The color should either match that of the adjacent walls

or be somewhat darker but never lighter.

The hard surface apron in front of the garage must not exceed 18 feet in width for a two-car garage or 27 feet in width for a three-car garage, unless otherwise approved by the Architectural Committee.

If the use of any type of cantilevered construction is anticipated, the view from below must be considered. The submission must clearly show that the exposed underside of the cantilever presents a finished appearance and that the design creates no visually awkward conditions or areas that cannot be properly landscaped or revegetated.

All building projections, including window surrounds, fire place masses, balconies, terraces and building walls must occur within the Building Envelope. Chimneys can be used to establish an ornamental or thematic direction. They may be built out of an acceptable exposed masonry or have a stucco finish. The minimum plan dimensions for an exposed mass are 24" x 48" and larger forms are preferred. No exposed metal fireplace flues will be permitted. Broad, massive and interesting chimney shapes will be encouraged, while small, spindly shapes will not be approved.

4.8.h. Roofs

Houses with all "flat" or parapet type roofs will be approved as well as those with both flat and sloping roofs.

Houses with all sloping roofs should be avoided to preclude large, unrelieved roof area expanses.

Mineral and composition roofs on sloping roofs, roofs made of corrugated plastic or sheet metal, light-colored or reflective surfaces are prohibited.

Pitched roofs may be hips or gables, but not a combination of the two. Roof pitches are to occur between the 4 in 12 and 6 in 12 slope. Mansard roofs are not permitted, nor are any exposed mechanical devices such as antennae, evaporative coolers, rotating air vents or air conditioning units. Roof mounted solar panels will only be allowed when they are not visible from any neighboring Lots. In the case of a sloping roof, solar panels may be considered, but only when the exposed face is flush with the surface of the finished roof and is non-reflective with all piping and hardware recessed from view.

Skylights on sloping roofs are discouraged. When permitted, they must be tinted gray or bronze to minimize their visibility and reduce any objectionable glare. All metal components are to be painted to match the color of adjacent roofing materials. Skylights may be white only where screened by a parapet and not viewed from adjacent Building Sites.

4.8.1. Patios and Courtyards

Patios and courtyards should be designed as integral parts of the residence in order that they can be shaded and

protected from the inclement weather by roofs and building masses. These open areas can take advantage of natural air flows to produce cooler temperatures during peak summer months. All patio surfaces shall be consistent with acceptable driveway materials as approved by the Architectural Committee.

4.8.j. Guest Quarters

Guest Quarters may be constructed within the Building Envelope of any Lot, with approval from the Architectural Committee. The guest quarters must be designed to appear as a single visual element with the residence and should be visually related to it by walls, courtyards or major landscape elements. Guest Quarters may not be rented. Fully operative kitchens are not allowed.

4.8.k. Exterior

Exterior surfaces must generally be of materials that harmonize with the natural landscape. Textured masonry, painted slump block or stucco and wood combined with stucco or rock should be the predominant exterior surface. Generally acceptable sloping roof materials include flat colored concrete tile, flat terracotta tile, mission tile (but avoid the harshest red/orange colors) or standing seam copper, which must either be oxidized to a blue-green color or accelerated to the deep brown range. Shiny or lacquered copper will not be permitted. All roof materials (including those listed) are subject to final approval by the

Architectural Committee. No highly reflective finishes except glass (which may not be mirrored) shall be used on any exterior surfaces.

All exterior building colors shall be restricted to colors compatible with the existing Wilson Arch Environment. For the purposes of understanding the intent, compatible is meant "to blend", not "contrast".

All roof and wall colors must be muted tones selected to blend with the natural colors of the vegetation and mountains as seen from a distance. White, tan and bright primary colors are not permitted. Subdued accent colors may be used subject to Architectural Committee approval on an individual case basis. In general, the color of all flat roofs should be at least as dark or darker than the building walls or the general tone of the ground plane, whichever is the darker of the two.

In no case should the roof color unduly contrast with the color of the building walls. All colors must have a light reflective value at or below twenty-eight (28%) percent. At the discretion of the Architectural Committee, it may be necessary, as part of the submission, to erect on the Lot one or more sample test color panels not smaller than 16 square feet in area.

All grills, flashings and other miscellaneous exterior items including, but not limited to, chimney caps, vents, gutters, downspouts, utility boxes, porches, railings and

exterior stairways shall match the color of the adjacent surface unless otherwise approved by the Committee.

No material or color change should ever occur on an outside corner. The technique of "shirt fronting" of masonry veneer or stucco will not be permitted. Material changes are most successful when made as part of a larger offset, for example, at a masonry pier or recessed window.

High contrast trim or material variations should be avoided in favor of those which blend all elements. For example, dark brown half-timber trim or white new England trim are not in keeping with the Southwest character of Wilson Arch.

4.8.1. Equipment Screening

All visible equipment projections shall be screened from view. All above ground garage and trash containers, mechanical equipment and other outdoor maintenance and service facilities must be screened by walls from other Lots, streets or public spaces. This includes all electrical switchgear and any related equipment. Electric meters may be screened behind a wall or hinged panel in a form acceptable to the utility company. When a hinged panel is used, it must blend with the surrounding wall. Antennae of any kind are prohibited. Smaller satellite dishes will be allowed subject to location and Architectural Committee approval.

4.8.m. Design Philosophy

The landscape design for each Lot should seek to blend the residential structure with the existing terrain. Each Lot, with its unique topography and vegetation, will require a comprehensive design review to accomplish this goal.

As required for Final Design Approval, landscaping and irrigation drawings shall be prepared in sufficient detail to indicate the installed size, placement and character of all elements. The philosophy of the Guidelines is to ensure that as each Lot is finished, it becomes a coordinated element of the existing environment. To that end, the landscape plan must be integrated with the natural landscape. The Architectural Committee will look for sensitive treatment of all areas inside the Building Envelope as well as design which blends with the natural surroundings. Plant material should be used to reduce the scale of high walls and wherever possible, help to integrate the residence into its surroundings.

4.8.n. Existing

Extreme care shall be taken to preserve all existing mature vegetation when siting improvements. No existing vegetation shall be removed from any Lot without the prior written approval of the Architectural Committee. Transplanting services will be retained by the Owner when planning dictates the removal of vegetation. Such a service will be contacted by the

Owner or his representatives to access transplanting possibilities. A last resort will be absolute minimum cutting allowed in only the severest of building conditions. In all cases, existing trees should be preserved for screening of structures as viewed from other locations in Wilson Arch and surrounding areas.

4.8.c. Landscaping

All new vegetation shall be limited to those species, domestic or native, which are indigenous to the Wilson Arch environment. No deciduous plantings shall be allowed excepting private areas not viewed from other Lots or surrounding areas. Landscaping of any Lot shall not commence without the prior review of a landscaping plan and the approval of said plan by the Architectural Committee. The Transitional Area of the Lot shall be maintained in an undisturbed natural state to blend with Open Areas. Appropriately completed, a landscape plan shall be included in both the Schematic and the Final Plan submittals.

4.9 Review and Approval Process

4.9.a. Introduction

The Design Guidelines and the Review and Approval process may be viewed by each Owner as his protection that the special environment of Wilson Arch and the Property will be preserved and, therefore, enhance investments over time. However, the Design Guidelines and the Architectural Committee

need the cooperation of the Owner and/or his agents to be totally effective. In the event that cooperation is not achieved, the developer has established a legal fund for the protection of the Declaration to be used by the Association for enforcement.

Architectural Review Procedure was developed to provide adequate checkpoints throughout the design and development phases so that time and money are not wasted on final plans with design elements that do not adhere to the Design Guidelines or to the Design Philosophy of Wilson Arch. This procedure will not result in any time delays, provided each Owner performs in the spirit with which the Design Guidelines are intended, namely a sensitive approach to the development of his Lot or other parcel within the Property within this unique community.

The Owner is responsible for applying for and obtaining formal written approval from Architectural Committee, the Association and San Juan County as required. All approvals must be secured before any improvements or alterations are made to the Lot. Failure to secure approval from the Architectural Committee before any improvements or alterations projects are started is subject to and may result in the levy of a \$5,000.00 fine.

In order to minimize conflicts with San Juan County approvals, the Wilson Arch Review and Approval process shall be initiated by the applicant and carried to a general level of acceptance prior to making a submission to San Juan County.

Since the design review procedures are independent and differ in their intent from those of the County, approval by the Architectural Committee is separate and distinct from San Juan County approvals.

The Wilson Arch Review and Approval process includes four phases: (1) Pre-design Meeting; (2) Schematic Submittal; (3) Final Submittal; and (4) Final Inspection.

The Architectural Committee will review the Schematic Submittal or the Final Submittal within 10 working days after receipt thereof. Where a submission is incomplete, additional materials will be requested and the 10 working day review period starts whenever all materials are in hand.

The architectural review process is private and all submissions will be responded to in writing, generally within 5 working days after the review meeting has occurred. Any request for further discussion related to decisions rendered by the Architectural Committee must be made in writing.

4.9.b. Pre-design Meeting

To initiate the Review and Approval Process, a Pre-design Meeting shall be held with an Architectural Committee representative. An appointment should be made a minimum of one week in advance of the desired meeting date. The purpose of the meeting is to review the submission and approval process with the applicant as well as to discuss the individual Lot or other

parcel within the Property. Only very preliminary sketches should be prepared for this meeting since this is an informal review and communication. The purpose of this meeting is to offer guidance before initiating schematic design.

The nature of the Lot or other parcel within the Property mandates that the architect or designer fully understand its physical attributes and restrictions. For this to occur, the architect or designer must visit the Lot or other parcel within the Property prior to the Pre-design Meeting. A topographic survey of the lot with two-foot contours shall be prepared and brought to this meeting. The survey need not extend more than 15 feet beyond the Lot or other parcel within the Property boundary, but shall include the proposed drive entrance to the public road. All rock outcroppings, native trees of four-inch caliper or more, and major shrub groupings (of 6' diameter or more) should be clearly indicated on the survey. It is preferred by the Architectural Committee that the tree survey be performed by a licensed land surveyor.

4.9.c. Schematic Submittal

The Schematic Submittal should be prepared only after the Pre-design Meeting has occurred. The Schematic Submittal shall include 3 copies of the following documents and drawings:

Topographic Survey as required for the Pre-design Meeting.

Site Plan/Floor Plan(s) at no less than 1/8" = 1'-0" showing the Lot or other parcel within the Property, Building Envelope, Transitional Area, all site improvements including a defined Improvement Area, proposed construction fencing and all proposed grading and proposed floor elevations.

Lot or other parcel within the Property sections at no less than 1/8" = 1'-0" at 20' intervals through all improvements. Show all heights in relation to natural grade. Show all proposed cuts and fills in a clear graphic delineation.

Elevations of all sides of the building showing all site improvements (i.e., retaining walls, planters, etc.). Show all natural grade lines and proposed new grades.

Roof Plan showing all roofs, flat or sloped, as well as any integrated solar panels or skylights.

In addition, the following is required with the Schematic Submittal:

Building material samples necessary to show intent.

Proposed color samples. The chips must be affixed to an 8 1/2" x 11" sheet can fit into a normal file drawer.

A preliminary on-site staking generally locating proposed improvements.

A non-refundable Design Review Fee in the amount of \$250.00 will accompany the Schematic Submittal. This fee may be used for professional services such as an architect or engineer

to assist the Architectural Committee during the Review Process. The total Design Review Fee, or balance of, will be deposited in the Legal Fund Account. A statement shall be forwarded to the Owner with the Final Design Approval as to the disposition of their fee.

4.9.d. Schematic Design Review

The Architectural Committee will meet within 10 working days following receipt of the Schematic Submittal to review the design. Within 5 working days of the design review meeting, the Architectural Committee will issue either a written approval with conditions or a written clarification as to why the Schematic Submittal is not in conformance with the Guidelines. In the event of non-conformance, additional submittals will need to be made before proceeding to Final Submittal.

4.9.e. Final Submittal

After the Schematic Design is approved, 3 copies of the following documents are to be submitted for the Final Submittal:

Complete construction documents and specifications, including final identification of the Improvement Area, utility meter locations, as well as manufacturers' cut sheets for all exterior lighting. The submittal must include all the roof and floor plans, elevations and sections at no less than 1/8" = 1'-0".

Samples of exterior materials (if unique) and final color selections. All window frame finishes and glass types must be clearly indicated.

Detailed landscaping and irrigation plans.

4.9.f. Final Design Approval

Within 10 working days following receipt of the Final Submittal, the Architectural Committee will meet and review the submittal for conformance to the Design Guidelines including any previous stipulations required as part of the Schematic Submittal. Within 5 days of the Architectural Committee meeting, the Committee will either issue Final Design Approval or clarify what further revisions or information is required.

4.9.g. Building Permit

The issuance of Final Design Approval is not a San Juan County Building Permit. Required approvals by San Juan County must be processed separately.

4.9.h. Pre-construction Meeting

Prior to starting construction, the Owner and their contractor must meet with a representative of the Architectural Committee to review proposed construction procedures, construction fencing and logistics specific to the Lot or other parcel within the Property. A record copy of the COURSE OF CONSTRUCTION AGREEMENT, as shown on page 60, will be submitted for acknowledgement by the necessary parties.

4.9.i. Commencement of Construction

Upon receipt of final approval from the Architectural Committee, signing of the Construction Terms of Agreement, and having received a building permit from San Juan County, the Owner may commence construction in accordance with the approved plans.

If the Owner fails to begin construction within six months from the date of approval, the approval given shall be deemed revoked.

The Owner shall, in any event, complete the construction of all improvements within one year of commencing construction, except and for so long as such completion is rendered impossible or would result in great hardship to the Owner due to labor strikes, fires, national emergencies or natural calamities. Notification of such a condition shall be submitted in writing for consideration and written approval to the Architectural Committee. Notification should include reason for delay, any documentation available and the expected revised date of completion.

4.9.j. Work in Progress

From time to time, on-site random inspections may be conducted by a member of the Architectural Committee. Should violations of the approved design be found, the applicant will be notified and corrective work must be undertaken immediately.

4.9.k. Field Revisions

Should the Owner, during the course of construction, desire to make revisions to the approved exterior design of a house, written approval for any revision must be obtained from the Architectural Committee.

4.9.l. Final Inspection

Upon completion of all improvements, the Owner shall give written notice to the Architectural Committee. Within 10 working days of receipt of notice, a member of the Architectural Committee will inspect the residence for compliance with the approved Final Submittal. If it is found that work was not completed in strict compliance with the approved Final Submittal, the Owner will be notified in writing of such non-compliance within 5 working days of the inspection. Should the improvements be found in compliance, the Owner will be notified as such and the Review and Approval process shall be deemed complete.

If items of non-compliance have not been corrected after the expiration of a 30-day period from the date of the notice of non-compliance, the Owner will receive notice that the Architectural Committee may take such action as provided for in the Design Guidelines and the Declaration to remove the non-complying improvements.

When all items found in non-compliance have been corrected, the Owner shall notify the Architectural Committee

requesting Final Inspection. A Committee Member will review the residence within 10 days of the request for Final Inspection. Should all items be found to be in compliance, a letter will be sent to the Owner stating such, and the Review and Approval Process shall be deemed complete.

In all cases, occupancy shall not occur until a Letter of Compliance has been issued by the Committee confirming all construction has been completed in compliance with the approved plans. In addition, a Certificate of Occupancy must be issued by San Juan County upon completion and before occupancy.

4.10 Construction Phase

4.10.a. Grading

Construction may commence after Final Design Approval has been granted by the Architectural Committee and permits and approvals have been obtained from San Juan County. Once construction begins and the Lot or other parcel within the Property is disturbed, it is assumed that all work will continue until completed and fully landscaped. In the event a lot is graded and construction of the residence does not commence within three (3) months, the Association has the right to revegetate the lot at the owner's expense. Should the construction of a residence be delayed or interrupted, the Architectural Committee may, at its sole discretion, require that all disturbed areas be revegetated pending a newly approved plan and schedule of

completion.

4.10.b. Pre-construction Preparation

The drive entrance, including the installation of all other related improvements such as drainage culverts, shall be graded with a minimum 4" of ABC base material prior to any additional grading or construction.

4.10.c. Construction Trailers and Portable Field Office

No construction office structures of any kind shall be allowed on the Property.

4.10.d. Construction Fencing

To protect the Open and Transitional Areas from damage due to construction operations, a fence made of reinforcing steel posts, 4 feet high, 8 feet center to center, with heavy duty flagging tied between shall be installed, completely enclosing the proposed Improvement Area including only necessary working corridors. The Transitional Area of a Lot will not be included in the fenced area. The fenced area shall have a single entrance located at the driveway entrance and shall be maintained intact until completion of construction. In most cases, the drive entrance will also be fenced as needed and as required by the Architectural Committee at Schematic Review.

4.10.e. Debris and Trash Removal

At the end of each day, the builder shall clean the construction site. Trash and debris shall not be permitted to

630

accumulate. Lightweight material, packaging and other items shall be covered or weighted down to prevent them from being blown off the construction site. Builders are prohibited from dumping burying or burning trash anywhere in Wilson Arch.

During construction, each Lot or other parcel within the Property shall be kept neat and clean, and shall be properly policed to prevent it from becoming a public eyesore.

4.10.f. Sanitary Facilities

Each builder shall be responsible for providing adequate sanitary facilities for his construction workers. Portable toilets or similar facilities shall be located within the Improvement Area as approved by the Architectural Committee and shall not be visible from other Lots or parcels within the Property.

4.10.g. Vehicles and Parking Area

Vehicles and machinery shall be parked within the Improvement Area or in areas designated by the Architectural Committee. Construction crews shall not park on, or otherwise use, other Lots, Open Areas or parcels within the Property. All vehicles shall be parked so as not to inhibit traffic.

4.10.h. Conservation of Landscaping Materials

Builders are to be advised that the Lot or other parcel within the Property and Open Spaces of Wilson Arch contain valuable plants and other natural features such as topsoil, rock

outcroppings and boulders that must be protected during construction.

4.10.i. Excavation Materials

Excess excavation material must be hauled away from Wilson Arch.

4.10.j. Blasting

Each Owner and their builder shall take full responsibility for all blasting, including obtaining all necessary blasting permits. All applicable codes, ordinances and regulations must be adhered to by the builder. In all cases, 24 hours advance notification of blasting must be given to the Architectural Committee.

4.10.k. Restoration or Repair of Damage to Other Property

Damage and scarring to other property, including but not limited to, open space, other Lot or other parcel within the Property, roads, driveways and/or other improvements resulting from construction operations will not be permitted. If damage occurs, it must be repaired and/or restored promptly. Should the builder, for any reason, fail to repair any damage, the Architectural Committee will cause the remedial work to be undertaken by others at the expense of the Owner.

4.10.l. Miscellaneous and General Practices

All Owners will be responsible for the conduct and behavior of their agents, representatives, builders, contractors

and subcontractors while on the premises of Wilson Arch. The following practices are prohibited:

Changing oil on any vehicle or equipment on the Lot or other parcel within the Property.

Allowing concrete suppliers, plasterers, painters or any subcontractors to dump out or clean their equipment at locations not specifically designated for that purpose by the Architectural Committee, if any.

Removing any rocks, plant material, topsoil or similar items from other property within Wilson Arch.

Carrying any type of firearms.

Careless disposition of cigarettes and other flammable material. At least one 10-pound ABC rated dry chemical fire extinguisher shall be present and available in a conspicuous place on the construction site at all times.

No pets may be brought into Wilson Arch by construction personnel. In the event of any violation hereof, the Architectural Committee shall have the right to contact the San Juan County authorities to impound the pets, refuse the builder or subcontractor involved to continue work on the project or to take such other action as may be permitted by law and the Declaration.

The Contractor or Sub-contractor shall be responsible for controlling dust, noise and music from the Lot or other

parcel within the Property.

4.10.m. Construction Access

The only approved construction access during the time a residence or other improvement is under construction will be over the approved driveway location for the lot, unless the Architectural Committee approves an alternative access route. In no event shall more than one construction access be permitted on any Lot or other parcel within the Property.

4.10.n. Construction Signage

Temporary construction signs shall be limited to one sign per Lot or other parcel within the Property, not to exceed six square feet of total surface area. The sign shall be free-standing and its design and location shall be subject to approval by the Architectural Committee.

4.10.o. Daily Operation

Daily working hours for each construction site shall not begin before 6:00 a.m. and no audible or outdoor construction activity after 6:00 p.m., unless other hours are designated by the Architectural Committee. In all cases working hours shall adhere to the Ordinances of San Juan County.

4.10.p. Occupational Safety and Health Act Compliance (OSHA)

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

ARTICLE 5

ADDITIONAL RESTRICTIONS ON COMMERCIAL LOTS

IN WITNESS WHEREOF, the Declarant as undersigned has caused this Declaration to be executed as of the 8th day of December, 1999.

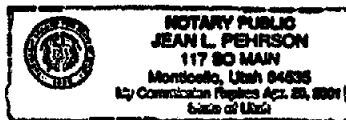
WILSON ARCH RESORT COMMUNITY,
LLC, a Utah corporation

By *Phillip Vance Glaze*
Phillip Vance Glaze

STATE OF UTAH)
): ss.
County of San Juan)

I hereby certify that on this day before the undersigned, a Notary Public in San Juan County, State of Utah, personally appeared Phillip Vance Glaze, known to me to be this person described in and who executed the foregoing instrument as Project Manager of Wilson Arch Resort Community, LLC, a Utah corporation, and he acknowledged before me that he executed the same as such officer in the name of and for and on behalf of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 8th day of December, 1999.



Jean L. Peterson
Notary Public

58

E 060308 B 0783 P 635

ARTICLE 5

ADDITIONAL RESTRICTIONS ON COMMERCIAL LOTS

IN WITNESS WHEREOF, the Declarant as undersigned has caused this Declaration to be executed as of the 8th day of December, 1999.

WILSON ARCH RESORT COMMUNITY,
LLC, a Utah corporation

By *Phillip Vance Glaze*
Phillip Vance Glaze

STATE OF UTAH)
): ss.
County of San Juan)

I hereby certify that on this day before the undersigned, a Notary Public in San Juan County, State of Utah, personally appeared Phillip Vance Glaze, known to me to be this person described in and who executed the foregoing instrument as Project Manager of Wilson Arch Resort Community, LLC, a Utah corporation, and he acknowledged before me that he executed the same as such officer in the name of and for and on behalf of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 8th day of December, 1999.



Jean L. Peterson
Notary Public

My Commission Expires:

04-20-01

E 060308 B 0783 P 636

636

COURSE OF CONSTRUCTION AGREEMENT

The following signatures acknowledge the receipt, review, understanding of and agreement to terms and conditions set forth in the Declaration of Covenants, Conditions and Restrictions and Design Guidelines for Wilson Arch.

Voluntary cooperation to these terms and conditions will minimize problems for the owners, their contractor and subcontractors, the Association, the Committee as well as reduce the impact and disturbances to existing owners and will help preserve the natural character, value and quality of life in Wilson Arch.

ACKNOWLEDGED:

Building Site:

Construction Type:

_____ Contractor	_____ Phone	_____ Date
_____ Contractor's Job Foreman	_____ Phone	_____ Date
_____ Owner	_____ Phone	_____ Date
_____ Wilson Arch Representative	_____ Phone	_____ Date

Subcontractors listed below have also received and understand these documents:

_____ Name	_____ Phone	_____ Trade
_____ Name	_____ Phone	_____ Trade
_____ Name	_____ Phone	_____ Trade
_____ Name	_____ Phone	_____ Trade

WILSON.ARC

Exhibit "A"

WILSON ARCH RESORT COMMUNITY described as follows:
Beginning at the NW Corner of Section 22, T29S, R23E,
SLB&M, and proceeding thence with the North Line of said
Section 22 S 89 deg. 57' E 2638.1 feet to the 1/4 corner
common to Sections 15 & 22, thence with the center 1/4
line of section 15 N 0 deg. 04' E 1326.8 feet to the
Center South 1/16 corner Section 15, thence S 89 deg. 57'
E 1318.4 feet to the NE Corner SW1/4SE1/4 said Section 15,
thence S 0 deg. 04' W 1326.6 feet to the East 1/16 corner
Sections 15 & 22, thence S 0 deg. 13' E 2648.7 feet to the
center East 1/16 corner Section 22, thence N 89 deg. 44'
W 3964.9 feet to the West 1/4 corner said Section 22,
thence with the West line said Section 22 N 0 deg. 02' W
2633.7 feet to the point of beginning.
LESS: The right-of-way for U.S. Highway 191 and the old
Highway right-of-way (now a county road) passing through
same.

000570000000 - 000570000190
0005700000AD - 0005700000HD
0005700000JD - 0005700000ND

E 060308 B 0783 P 638