



**DURFEE CREEK ESTATES
DEVELOPMENT GUIDELINES**

Preface

These Development Guidelines have been created in order to ensure that all improvements in Durfee Creek Estates preserve the natural beauty of the mountain valley setting, ensure harmonious residential and accessory building design and protect and enhance property values.

The Development guidelines are intended for use by all Persons involved in any new buildings 150-square feet and larger, and initial landscapes as well as any subsequent additions to any Lot in Durfee Creek Estates.

The Development Guidelines are administered by the Development Review Committee (DRC).

The DRC's role is to assist Owners and their chosen design professionals to ensure that the design process is a smooth and satisfying experience.

This document may be amended in accordance with the procedures set forth in Utah Code, Title 57, Chapter 8a, Section 217 as it may be amended from time to time. Before submitting plans, Owners are encouraged to meet with a representative of the DRC to obtain a copy of the current Development Guidelines.

These Development Guidelines are applicable to the real property set forth in the attachment hereto and are recorded with Weber County, Utah.

ARCHITECTURAL DESIGN GUIDELINES

General Design Considerations

It is the intent of Durfee Creek Estates to create a sense of spaciousness and living close to the land, in a distinctive rural, residential Community where the natural environment dominates the scene. These Development Guidelines seek to ensure that buildings remain subordinate to the grandeur of the surrounding natural landscape. Those view opportunities should be an important factor in architectural design.

Building Size

One of the first goals of all Owners and their design professionals should be to create the highest-quality home within the smallest possible volume consistent with the Owner's need for space. The natural landforms that are dominant at Durfee Creek Estates should remain the dominant visual image in the Community. In keeping with this philosophy, building size criteria are imposed to assure a proper balance of open space within Durfee Creek Estates.

All Residences should have at least a two (2) car garage with a rear or side entry preferred. Single story Residences should have a minimum footprint of 1,500 square feet and two-story or split-level Residences should have a minimum footprint of 1,000 square feet. All square footage calculations should be exclusive of breezeways, decks, garages and porches.

Prefabricated Buildings

No building that is constructed off-site and requires transportation to any Lot, whole or in partial assembly, will be permitted, including mobile homes, stock modular buildings, or any other structure requiring transportation and set up in a partially completed state. However, structures that are assembled off-site and completely disassembled for transportation, including log homes may be permitted. The aesthetic merits of any such structures are subject to review and approval by the DRC.

No dome, A-frame or modified A-frame structures shall be permitted.

Building Height and Wall Planes

Weber County ordinances limit building heights. Durfee Creek Estates considers the county ordinance to be acceptable. The DRC may suggest additional height restrictions of less, if it believes it is necessary due to specific Lot conditions.

Offsets or indentations in wall planes create visual interest and add depth via shadow lines. No building wall should extend more than 20-feet in height without an offset. An example of a reasonable offset would be two feet.

No single-story building wall should extend more than 30-feet in length without an offset of at least two feet.

No two-story building wall should extend more than 20-feet in length without an offset of at least two feet.

Beyond the criteria noted above, the DRC may render individual judgments with respect to the overall scale of the proposed design in relation to its location and all surrounding uses. The process does not seek to impose generalized criteria where more specific insights can be demonstrated to result in a better solution.

Building Foundations

All unfinished (un-faced) visible surfaces of concrete masonry or concrete foundation walls and piers should receive a mortar-wash finish and should be treated or painted to blend unobtrusively with adjacent materials. Exposed aggregate concrete, or textured concrete block with an integral or applied color, could be considered in lieu of the mortar-wash applique.

Foundation walls should step down with the grade change so their exposed surface does not exceed a vertical height of 8" above finish grade at its greatest exposure. Material covering the foundation wall should be in the same plane as the wall above.

Where the vertical distance from the underside of a ground level deck structure (along its perimeter edge) exceeds 30-inches above finish grade, the exposed space should be finished in a way to avoid exposed concrete or visibility to the cavity beneath. This may be done by the installation of a stone, finished concrete, or lattice wall to screen the cavity beneath the deck. Exposed foundation walls beneath 2nd story decks should be finished. It is preferred that this finished material matches the exterior material of the rest of the home, or be treated or painted to blend unobtrusively with adjacent materials is allowed. Exposed aggregate concrete, or textured concrete block with an integral or applied color, may be considered in lieu of the mortar-wash applique. Concrete walls that are not visible are exempt from the facing suggestions stated above.

Exterior Materials

The use of natural exterior materials that blend and are compatible with the native landscape is encouraged. The predominant exterior wall materials should consist of wood, including shingles, beveled or tongue-in-groove board siding, board-on-board, board and batten, free edge boards, logs or timbers, and natural or manufactured stone.

Brick and stucco may also be used but should be combined with a major element of another material.

Plywood siding is discouraged unless the applicant can demonstrate to the DRC that the specific proposed application would result in a finished appearance that is indistinguishable from an individual board siding application.

The use of metal siding, fiberglass siding, or asbestos siding is prohibited.

The DRC may consider on a case-by-case basis some specific composition siding products, which in the opinion of the DRC, would be virtually indistinguishable from their natural wood counterparts. Such consideration should be limited to products suitable to individual board application, no multi-board panels will be allowed. The product should be utilized in an assembly that prohibits the exposure of joint reglets. The proposed product should have a porous wood-grained surface suitable for application of traditional stains or paint, with a DRC approved color.

All exterior surfaces including gutters, roof vents, and window frames should be finished or painted. Unfinished metallic exterior surfaces are not permitted.

The use of large scale brick or textured masonry block as an exterior finish material may be considered on a case-by-case basis, and should be limited to accent segments of the building façade. The use of typical 4" x 2" x 8" brick is discouraged.

The aesthetic merit of any combination of exterior materials is subject to review and approval by the DRC.

Roofs

Roofs potentially have the greatest impact upon the overall image of Durfee Creek Estates. For that reason, roof design will be one of the most carefully considered elements for development review by the DRC. The roofline of each Residence should create its own pleasing relationship to the street, Common Areas and adjacent structures when viewed from all directions.

Gable and hip roof forms with dormers and limited shed roofs should be used. The DRC will not approve large expanses of single pitch, flat and mansard roof forms. Overhangs should be in keeping with the rooflines and extend an appropriate distance to balance the exterior elements. A minimum roof pitch of 6:12 is suggested.

Asymmetrical roofs are preferred. Internal volumes and groups of uses within the building should be expressed by changes in roof planes. The roofs of all two-story homes should include single-story elements. The higher masses should generally occur toward the center, with the lower profiles occurring toward the outer portions of the home.

Covered decks, terraces or porches should be fully integrated into the design of the home, and are strongly encouraged as a design element.

Roof materials should be non-reflective, textured and recessive in color to assure that the roof blends with the natural environmental elements of the area. such colors shall be earth tone and darker than the predominant color of the Residence.

Suggested unit roofing materials include concrete shake tiles, architectural grade fiberglass shingles, slate, and flat concrete tiles. Architectural grade fiberglass shingles should be heavyweight, three-dimensional thick-butt asphalt shingles. Shingles with a minimum 30-year warranty are recommended. If fiberglass shingles are used, an edge cap detail should be used to finish the edge appearance.

Metal roofs of choice are rusting steel (Cor-Ten) and copper. Copper roofs should be allowed to turn brown or patina.

Barrel or "S" – shaped tile, asphalt roll roofing, or reflective metal surfaces are prohibited.

Chimneys and Outdoor Fires

External stone chimneys are encouraged as a major design feature. Exposed metal flue pipes are not encouraged and may not be approved. The area (measured in plan view and above the roofline) of any one chimney should be no less than 12 square feet and no more than 48 square feet. Caps must be painted a dark color that

either matches the roof or be of a decorative metal such as copper that age to a natural finish. (Not shiny)

To preserve the environmental air quality within Durfee Creek Estates, the use of natural gas log fireplaces, rather than standard wood-burning fireplaces or stoves is encouraged. If wood-burning fireplaces or stoves are selected, they should incorporate a catalytic combustor to reduce emissions.

Due to extreme fire danger usually present in this high desert and mountain region, all chimneys, including outdoor fireplaces, should be equipped with a U.L. or I.C.B.O. approved spark arrestor. All metal spark arrestors should be concealed from view by means of a chimney cap detail.

Wood burning fire pits and permanently installed barbeque/oven/fireplace combinations are discouraged.

Exterior Colors

Durfee Creek Estates desires to maintain the look and feel of a natural environment that does not compete with its surroundings. The color of exterior building material should be subdued. Colors, particularly those used for roofs and walls should complement and blend, rather than contrast, with the surrounding natural environment. Earth tones are recommended, although accent colors, which are used judiciously and with restraint, may be permitted.

In no case will drastic contrasts or primary colors (red, blue and yellow, or white or light grey) be permitted. Accent or "trim" color should harmonize with the predominate color scheme. Garage and exterior doors are not considered "trim".

Proposed colors should be provided to the DRC in a format that adequately depicts the hue, tone and shade of the proposed color range in its final application. Stained or painted sample boards of the actual siding are preferred. The samples should be submitted in conjunction with the initial plans. Small color samples, printed on paper, may not accurately depict how a finished color will appear on an expansive wall of real construction materials, and are therefore discouraged. The DRC may require the color selection to be applied to an area of the home prior to approval.

Doors, Windows, Skylights, Draperies and Shutters

The main entrance of a Residence should be part of a covered front deck, terrace or porch and incorporate a high quality door(s) of a natural finished material. Main entrance features will be approved by the DRC.

Windows should not appear as openings cut into the side of a box, but rather as architectural features recessed, projected, or bordered by projections that provide a shadow pattern and reduce reflectivity.

While the elevations will differ on various sides of the home, windows on all sides must be treated with the same attention to detail given to the front or street elevation. All facades should contain some degree of doors, windows, or other openings in the walls.

Large expanses of undivided glass will be considered on a case-by-case basis.

Octagons, circles, hexagons, and triangles are discouraged, and may only be approved on a case-by-case basis. No scissor truss windows with slopes not matching the roofline will be permitted.

Glass may be coated or tinted to control solar heat gain, but due to visual impact a silver or reflective mirrored appearance will not be approved. Owners are to present proposed glass applications in advance to the DRC.

Skylights should be placed on the roof in an organized pattern that compliments roof design. All skylights should be low profile flat type. Bubble type skylights are prohibited. The lens and frames of skylights should not be highly reflective. The lens of skylights should be clear, grey or bronze. This especially applies to aluminum frames that should be anodized or finished with baked enamel.

Shutter and drapery linings should be in neutral color ranges when visible outside the home.

Building Projections

The use of porches, verandahs, courtyards and patios for climate control and/or outdoor living and circulation is encouraged. Such projections should be designed as integral elements of the building using compatible forms and materials.

All roof projections, including flues, vents, and other equipment should penetrate the roof behind the ridge and should be compatible in height and material with the structure from which they project and/or be painted to match the roof color.

Free standing, external pad-mounted equipment such as required for air conditioning, spas, or garbage can storage areas should be integrated into the building through the use of walled or fenced enclosures.

The use of retractable canvas awnings, solar screens and shades will be permitted, if approved by the DRC.

Garages and Garage Doors

All Residences should have at least a two-car garage. The garage may be either attached or architecturally harmonized with the home. Side or rear entry designs are preferred unless this proves impracticable due to Lot topography.

Carports are prohibited.

Garage doors should not dominate the Residence when viewed from the street, especially in areas visible from rights-of-way, Common Areas and adjacent Lots. The garage door(s) should be either the same color as the body of the Residence or a slightly darker shade of the same color.

Garage doors over 9-feet in height are strongly discouraged. In no case will a door over 9-feet tall be approved if it is visible from the street or an adjacent Lot. Single garage doors divided by a substantial pier or column are encouraged over double doors.

Where three or more garage bays are planned, care should be taken in the design of the garage door plane. More than two doors should not be placed in the same plane. The third and successive doors should occur in a secondary building plane, offset by a minimum of 24 inches from the primary front wall of the garage, to avoid a continuous uninterrupted wall of three or more garage doors. It is recommended that all garage doors be recessed a minimum of 12 inches, but in no case less than 8 inches.

The use of fluorescent or other highly visible lighting should be avoided in areas where the expanse of an open garage door might cause excessive glare, particularly when visible from neighboring Residences or when windows are used in the garage or garage door.

Solar and Wind Power

Subject to DRC approval, solar and wind power generation systems may be permitted.

Solar power generation system design should incorporate non-reflective components that are integrated in the structure of the Residence. Plans submitted to the DRC should include a feasibility study, proposed system design summary and an assessment of the expected visual impacts prepared by a licensed professional engineer.

Owners considering wind power generation should provided the DRC with a Lot specific feasibility study, an assessment of the expected noise and visual impacts, including a mitigation plan, and a system design summary prepared by a licensed professional engineer.

Exterior Furnishings and Sound Systems

All outdoor furniture and sound systems should conform to the color and reflectivity standards as set forth by these Development Guidelines for the home exterior colors. Exterior audio speakers should be an integral part of the home or concealed from view from surrounding property.

Changes or Additional Construction

The DRC must approve all revisions to previously approved plans before, during, and after construction.

SITE DEVELOPMENT AND LANDSCAPE GUIDELINES**General Design Consideration**

Landscape is a major component in establishing Durfee Creek Estate's Community image. The siting of buildings and design of the landscape surrounding them is as critical as the architecture of the buildings themselves. The landscape plan for each Lot should respond to and integrate the designs, grading plans and plant materials of the adjacent Lots and Common Areas. It is the intent of the following guidelines to ensure environmentally sound and esthetically pleasing development in Durfee Creek Estates for the mutual benefit and enjoyment of all its residents.

Durfee Creek Estates is located in a spectacular natural setting dominated by views of Ben Lomond Peak, Willard Peak, North Fork Park, Pineview Reservoir and the surrounding landforms. In order to preserve these views the DRC may require special restrictions on the use of tall growing tree species in some areas of individual Lots.

Identification of Lot Boundaries

As part of the development review application process, Lot Owners shall be responsible for identifying all of their Lot corners and any intermediate points of intersection between those corners. If for any reason, one or more corners cannot be identified Lot Owners shall, at their sole expense, hire a registered land surveyor to re-establish the Lot corner.

Prior to granting any approvals, the DRC shall inspect the Lot to verify that all proposed improvements are contained within the Lot boundaries.

Private Area

A private area is that part of a Lot that is, for the most part, not visible from adjacent properties or streets because it is hidden behind walls or structures. Private areas can enclose spas, children's play areas, dog runs, patios or other outdoor use areas.

Where possible, the walls, fences or structures that create the private area should be in close proximity to the Residence and compliment or enhance the architectural style of the Residence. All privacy walls and fences are subject to DRC approval.

Site Grading and Drainage

Grading should be designed as a combination of cuts, fills and occasional retaining walls that protect existing vegetation and blend into and/or appear to be extensions of existing natural landforms.

Whenever possible, natural slopes are preferable to structures. Retaining walls, where visible from off-site, should be built of rock, stone and/or treated timber. Walls exceeding four feet in height should be battered and stepped to include ample planting pockets. slopes should not exceed 2:1 unless approved by the DRC. All cut and fill slopes should be re-vegetated and blended into the surrounding environment.

Natural drainage courses should be protected and existing drainage patterns maintained. In some cases, the DRC may allow the re-routing of a portion of a drainage way within the boundaries of the Lot. New drainage ways should be designed to appear and function like natural drainage ways. Impervious concrete or asphalt surfaces are not allowed.

Any topsoil disturbed by grading operations should be stockpiled on the home site and reused as part of the site restoration and landscaping.

Drainage easements established by plat are not subject to relocation without specific approval from Weber County.

Any improvement that creates an obstruction to surface flows resulting in the routing of or a backup of storm waters onto a neighboring Lot or the Common Area is prohibited.

Ground floor levels should be established at a vertical elevation such that the final placement of backfill, walks, drives and porches will produce positive drainage away from the structure in all directions. The inclusion of foundation waterproofing and a perforated foundation drainage system are recommended.

Weber County prohibits building on slopes steeper than a 30-degree gradient and, for any development proposed on slopes over 15 degrees, requires a Grading and Conservation Plan specifying soil erosion and slope stabilization measures in conjunction with the Weber County Hillside Development Ordinance. Over-Lot grading intended to create a large flat building pad on sites is not permitted. All development should generally conform to the existing landform.

During construction, measures must be taken to eliminate erosion. The following outlines the required methods that must be performed by the contractor.

- Whenever necessary, temporary run-off channels must be built to drain construction zones. Channels must have silt screens installed at appropriate locations; silt screens should be stretched across and anchored to the bottom of channels with hay bales placed on the upstream side of the fabric.
- All storm drain inlet structures must be protected by a filter berm until the area is stabilized with vegetation or the base course of pavement is installed.

- To minimize erosion, re-vegetation (by seeding and mulching) of disturbed areas should be done in an expeditious timeframe following completion of construction work in the area.

Vehicle Access and Drives

Each Lot shall have only one vehicle access point. Access drives should be located to preserve and avoid important natural features such as large or significant plant materials, drainage ways and rock outcroppings. Where space permits, curving driveway alignments are favored over linear alignments to avoid natural features and because of their softened visual appearance.

The proposed driving surface of any driveway is subject to review by the DRC. Driveways shall be constructed from asphalt or concrete with edge material preferred, colored exposed aggregate concrete, pavers, or other pattern and textured materials.

A concrete culvert pipe, with a minimum diameter of 12-inches or larger if appropriate to manage Lot drainage needs shall be installed beneath each access driveway between the road shoulder and the property line. The invert flow line of the pipe shall be aligned and sloped so the ditch or drainage way storm flows will continue smoothly and unimpeded beneath the driveway crossing. The exposed ends of the pipe shall be aesthetically finished, in a manner that controls erosion. This shall be included for the DRC to review.

Parking

In addition to the required garage, each Residence shall have a minimum of 500 square feet of graded or hard-surfaced area sufficient for the off-street parking of a least two vehicles.

Utilities

Utility services are typically stubbed to the front property line of each Lot. The extension of services from these stub locations to the Residence is the responsibility of the Lot Owner. The routing of such utility services should be done in a manner that minimizes disruption to the natural landscape.

All disturbed areas of the site should be restored to their natural condition.

Information regarding connection to the Durfee Creek Estates' Wastewater Disposal System may be obtained by contacting the DRC. Connection procedures for culinary water, electricity, natural gas and telephone services are available from the respective public utility companies.

To the extent possible and with the approval of the utility company, electrical and natural gas meters should be screened from the street, Common Areas and adjacent Lots.

Receiver dishes installed on a Residence by satellite television or Internet service providers are permitted. Unless specifically required by the service provider, such receiver dishes should not exceed 30-inches in diameter.

Visually obtrusive cellular telephone, radio and television antennas are prohibited.

Walls and Fences

Site walls and fences should appear as a visual extension of the Residence, using similar materials and finishes. In no case will site walls and fences be permitted to arbitrarily delineate the Lot. Walls or fences may define pet runs or small yards, courtyards or terraces in close proximity to the Residence for the purpose of privacy. Privacy or screen walls should not exceed six feet in height. Initial fencing design should be included with materials submitted to the DRC for review. Any additional fencing must also be reviewed by the DRC.

Structural retaining walls should not exceed an above natural or finish grade height of four feet whichever is lower. Multiple terraced retaining walls should be utilized where the overall height of the retained earth exceeds four feet. Where multiple retaining walls are used, a planting area should separate each tier. Tiered retaining walls should not exceed eight feet above natural or finished grade whichever is lower. Retaining walls should jog, in plan, 4 feet in 20 feet and should not exceed a maximum of 80 feet.

Retaining walls, where visible from off-site, should be built of rock, stone and/or treated timber. Retaining walls may also be constructed of cast concrete or concrete masonry units if all exposed surfaces and edges are covered in a stone veneer to blend with natural surroundings. Keystone or pre-manufactured retaining wall systems are prohibited.

Exterior Lighting

In order to maintain a rural character and to preserve views to the night sky, exterior lighting should be minimized.

All exterior lighting should be compatible with the design of the Residence and should not result in excessive glare visible from the street or adjacent Lots. All exterior lighting should be low level, subdued intensity. The source of light should be fully shielded and directed downward.

Security lighting should conform with these requirements and be connected to a timed motion detector.

Swimming Pools, Spas and Hot Tubs

Swimming pools are prohibited. Small portable wading pools designed for use by small children are allowed.

Spas and hot tubs should be designed as a visual extension of the Residence through the use of walls or decks and must be shielded from view. Associated pumps, motors and heaters should be fully screened from view from the street, adjacent Lots and the Common Areas.

All spas and hot tubs should be constructed in accordance with Weber County regulations.

Water from a spa or hot tub should be drained on the ground in a manner that prevents erosion and run-off on to adjacent Lots or the Common Area. No water shall be drained into the Community Wastewater Disposal System.

Tennis Courts, Sport Courts and Basketball Goals

Tennis and Sports Courts will not be permitted.

Wall mounted or freestanding basketball goals may be approved by the DRC. Support posts should be painted to blend with the visual backdrop and backboards must be clear.

Portable basketball goals should be stored in the garage when not in use.

Play Structures

Play structures, including trampolines, swing sets, slides and other such devices, and the placement of such structures should be reviewed by the DRC.

Timber or dark colored, powder coated steel components are preferred over plastic and bright colored materials.

Landscape Design and Planting

The goal of landscape design for Durfee Creek Estates is to integrate limited development with the natural landscape. The design intent for landscaping is not to replace all existing natural vegetation and features with lush lawns, gardens, ornamental plants and other man-made elements. Nor is it the intention to specifically deny the opportunity to modify the existing landscape in order to effectively blend the constructed and natural environments.

Landscape and grading plans submitted to the DRC should address areas on the Lot where existing native vegetation will be restored and enhanced and other areas where modifications such as lawns, planting and garden beds and other landscape improvements are proposed. Landscape plans should also define a transition or defined edge between native and improved areas.

Acceptable plants for areas where modifications have been proposed are regional native plants and some complimentary plant species. Plants that are not native to this region or do not capture the character of the native landscape are not

recommended. A complete list of suitable plants is available from Utah State University Extension Service.

Lawns should be minimized and used to help create a defensible space or wildlife buffer around the Residence. They should be shaped in an organic manner rather than a simple rectangle or square area.

Appropriate locations for plantings are adjacent to the Residence and outdoor living spaces, such as patios, decks and front entries. New plantings must respect views from adjacent Lots.

As part of the effort to reduce wildfire hazard potential, permanent underground irrigation systems are recommended in areas where the natural landscape has been modified. Irrigation systems should incorporate the use of rain sensors, backflow preventers, remote electrical control valves and drip and/or low-flow spray heads. Controllers should not be visible on the exterior of the Residence.

CONSTRUCTION AND BUILDER REGULATIONS

Introduction

In order to ensure that the construction of any improvements will occur in a safe and timely manner without damaging the natural landscape and Common Areas or disrupting resident and guests, the following regulations shall apply during construction at Durfee Creek Estates. Contractors must provide a signed copy of these regulations before beginning any work.

No construction may begin until (i) final plan approvals have been issued by the DRC; (ii) a building permit and land use planning permit have both been obtained from Weber County; and (iii) the contractor provides a signed copy of these regulations to the Board.

Pre-Construction Conference

Prior to beginning any construction, the Owner and their contractor should meet with an authorized representative of the DRC to review approved final plans, the construction area plan and these Construction Regulations. At this meeting the contractor or Owner should bring a copy of the building permit issued by Weber County.

Construction Area

Prior to beginning any construction, the contractor should provide the DRC with a detailed plan of the proposed construction area. The Construction Area Plan should show the area in which all construction activities will be confined and how the remaining portions of the Lot will be protected.

The Construction Area Plan should designate (i) the location and size of the construction material storage; (ii) construction personnel parking areas; (iii) the

locations of the chemical toilet, dumpster, debris storage, firefighting equipment (as noted below) and utility trenching; and (iv) the limits of excavation. The plan should clearly identify the methods proposed for protection of adjacent areas, such as fencing, flagging or rope barriers, to be set up prior to construction.

Construction Safety and Environmental Compliance

All applicable Occupational Safety and Health Act (OSHA) and Weber Fire District regulations and guidelines must be observed at all times.

At all times during construction, contractors and subcontractors shall comply with all applicable federal, State of Utah and Weber County environmental laws and regulations, including but not limited to those applicable to storm water management, erosion and sediment control and the disposal of hazardous or toxic materials.

Debris and Trash Removal

Prior to beginning any construction activity, including site grubbing, grading and excavation, a construction site trash receptacle must be provided.

Contractors shall clean up all trash and debris at the end of each day. An approved trash receptacle with a secure cover appropriate for all lightweight materials and packaging must remain on the site at all times. All litter or garbage generated by any contractor or subcontractor shall be placed into this trash receptacle. The receptacle should be positioned on the site along the access drive, clear of side and rear yard setbacks, adjacent road rights-of-way, neighboring Lots and the Common Area. Trash receptacles should be emptied at a suitable off-site facility on a timely basis to avoid overflow of refuse. Owners and contractors are prohibited from dumping, burying or burning trash anywhere in Durfee Creek Estates.

Heavy debris, such as broken stone, wood scrap or similar material should be removed from the site immediately upon completion of the work of each trade that has generated the debris. A dumpster of suitable size to contain contractor or subcontractor building waste materials must be onsite at the start of framing. This must be maintained and replaced as soon as it becomes full.

All concrete, mortar and grout washouts, from trucks and mixers, must occur within the Lot in a location where it will be ultimately concealed by structure or covered by backfill. Washout in road rights-of-way, setbacks, adjacent Lots and the Common Area is strictly prohibited.

If appropriate recycling intake facilities are available, contractors are encouraged to implement a construction-recycling program. Materials that may be suitable for recycling include but are not necessarily limited to glass, gypsum board, metal, plastics, cardboard and wood. Recycling containers should be maintained and replaced as soon as they become full.

During the construction period, each construction site should be kept neat and properly policed to prevent it from becoming a public eyesore or detriment to other Lots and the Common Area.

Sanitary Facilities

Prior to beginning any construction activity, including site grubbing, grading and excavation, on-site sanitary facilities must be provided for construction personnel. The facilities must be placed in a location on the Lot, clear of setbacks and screened from view. Sanitary facilities must be maintained on a regular basis.

Vehicles and Parking Areas

Construction crews shall not park on, or otherwise use, undisturbed portions of the Lot where construction is taking place, in nearby driveways, on adjacent Lots or any Common Area. All vehicles should be parked within the construction area, clear of setbacks. During very busy construction periods involving multiple trades such that all construction vehicles cannot be confined to the site proper, the overflow vehicles may be temporarily parked along the shoulder of the roadway, in locations and for time periods solely approved by the DRC. During these limited occurrences, vehicles must be off of the paved surface of the roadway or cul-de-sac to allow continual unconstrained access by normal traffic and emergency vehicles, including fire trucks and other emergency vehicles.

Changing oil or other vehicle maintenance is prohibited.

Restoration of any native vegetation or roadways damaged by parking along the street frontage shall be the responsibility of the Lot Owner and contractor.

Conservation of Native Landscape

Vegetation that is to be preserved should be marked and protected by flagging, fencing or barriers. Any trees, branches or other vegetation removed during construction must be promptly cleaned up and removed from the construction site.

Blasting and Excess Excavation Material

If any blasting is to occur, the DRC should be notified two weeks in advance and appropriate approvals must be obtained from Weber County. Blasting should be conducted by a properly licensed contractor with insurance coverage mandated by Weber County and the State of Utah.

The DRC has the authority to require in writing, documentation of the anticipated seismic effects associated with any proposed blasting and the precautions to be taken to prevent damage or injury to Persons or property. The DRC may require additional insurance to cover potential damages from blasting to subdivision improvements and Common Areas.

All excess material resulting from blasting, as well as all other excess excavation materials, must be removed from Durfee Creek Estates.

Dust, Mud and Noise Control

The contractor shall be responsible for controlling dust, mud and noise that is the result of construction activity, including the daily removal of dirt and mud from all public and private roads.

The sounds of radios or any other audio equipment used by construction personnel must not be audible beyond the property perimeter of any Lot. Repeated violation of this provision may result in a total prohibition of any on-site use of radios or audio equipment during construction.

Material Deliveries

All building materials, equipment and machinery required to construct a Residence on any Lot in Durfee Creek Estates must be delivered to and remain within the construction area of the Lot, clear of all setbacks. This includes building materials, earth-moving equipment, trailers, generators, mixers, cranes and any other equipment or machinery that will remain at Durfee Creek Estates overnight.

Material delivery vehicles and earth-moving equipment may not drive across adjacent Lots or Common Areas to access a construction site.

Firearms and Fireworks

The possession or discharge of any type of firearm and fireworks by construction personnel anywhere in Durfee Creek Estates is prohibited.

Alcohol and Controlled Substances

The possession and consumption of alcohol or any controlled substance by construction personnel anywhere in Durfee Creek Estates is prohibited.

Fires and Flammable Materials

Careless disposition of cigarettes and other flammable materials, as well as the build-up of potentially flammable materials constituting a fire hazard, are prohibited.

At least two 20-pound ABC-Rated Dry chemical Fire Extinguishers should be located in a conspicuous place on the construction site and available for use during all hours of construction.

No on-site fires of any kind are allowed.

Pets

Pets, including dogs, belonging to construction personnel are prohibited.

Protection of Subdivision Improvements and Restoration of Property

Each Lot Owner shall be responsible for the protection of all subdivision improvements, roadways, Common Areas and improvements of any other Lot that may be damaged by the activities of such Owner's contractor, subcontractor, agents or employees.

Upon completion of construction, each owner and builder should clean the construction site and repair all property which has been damaged, including but not limited to, restoring grades, planting shrubs and trees as approved or required by the DRC, and repair of streets, driveways, pathways, drains, culverts, ditches, signs, lighting and fencing.

In addition, the Owner and contractor shall be held financially responsible for site restoration, re-vegetation and refuse removal necessitated on any adjacent or nearby Lots and the Common Area that is the result of trespass or negligence by the contractor, employees and subcontractors.

Construction Signs

Temporary construction signs should be limited to one sign per site, no larger than 18" x 24" of total surface area. This sign is intended for job site identification only; therefore, it must be located on the Lot, facing the street frontage of the Lot. It may identify the general contractor and designer by name with address, license number and telephone number(s) and it may identify the job site by Lot number or Owner's name. The sign may have an attached "For Sale" notice in the event the Lot is for sale while under construction.

A construction sign may not be erected earlier than two weeks prior to the onset of sustained construction activity and must be removed no later than two weeks following the issuance of a certificate of occupancy by Weber County, or immediately upon the passage of 30 calendar days without significant construction activity.

Individual signs, or construction sign attachments, identifying individual subcontractors, tradesmen, or suppliers are prohibited; identification of licensed tradesmen, when required by state or county statutes, should be confined to the posting location of the building permit.

Construction Activity Times

Construction activity that generates noise that can be heard from the boundaries of any Lot, such as hammering, sawing, excavation work, concrete delivery, etc., will be limited to the hours of 7:00 a.m. to 7:00 p.m., Monday through Friday, and 8:00 a.m. to 6:00 p.m. on Saturdays and national holidays. Noisy activity is prohibited on Sundays.

Site Visits

Durfee Creek Estates is private property. It is the responsibility of the contractor and owner to ensure only authorized individuals are on the construction site. Injury

to any authorized non-construction individuals is the sole responsibility of the contractor.

Due to the inherent danger associated with an active construction site, visitors to any site should be limited to those persons with official business relating to the construction activity, such as construction workers and tradesmen, building officials, DRC members and the Owner.

Construction personnel shall not invite or bring family members or friends, especially children to the construction site.

Construction Insurance Requirements

All contractors and subcontractors should post or provide evidence of insurance with the Lot Owner prior to entering the construction premises. All insurance shall provide coverage mandated by the State of Utah.

The DRC may require the Lot Owner to provide evidence of such insurance as a condition to beginning construction.

VIOLATIONS AND FINES

Lot Owners shall be in violation of the Development Guidelines if required approvals are not obtained from the Development Review Committee prior to beginning work; approved projects are not completed in the manner agreed upon with the DRC; and Lot Owners contractors do not comply with the Association's Contractor and Builder Regulations.

When the Board of Directors becomes aware of a violation of the Development Guidelines, the Board shall promptly notify the responsible Lot Owner of the violation and inform the Lot Owner that a fine shall be assessed if the violation is not corrected in the manner and timeframe prescribed in Board's notice. If the violation is not fully corrected in accordance with the Board's notice, the Board shall assess a fine of \$50.00 per day for each day that the violation or any part thereof remains uncorrected. No fines shall be assessed within 48-hours of the Board's notice. Unpaid fines shall accrue interest and late fees at rates to be determined by the Board and shall be collected as an unpaid assessment as set forth in the Association's Governing Documents or Utah law.

A Lot Owner who is assessed a fine may submit a written request for an informal hearing before the Board to protest or dispute the fine within 30 days after the day on which the fine is assessed. No interest or late fees shall accrue until after the hearing has been conducted and the Board's final decision has been rendered or the day on which the time to request an informal hearing expires.

A Lot Owner may also appeal a fine by initiating a civil action in accordance with Utah Code Title 57, Chapter 8a, Section 208.

If it becomes necessary for the Association to correct a violation, the Board shall levy a Benefitted Assessment against the Lot Owner's Lot for the total cost of, including but not limited to any legal fees incurred as a result of correcting the violation.

SAMPLE APPLICATION PACKAGES

1. Development Review Application Form

2. Required Materials (4 copies to be retained by DRC)

- Site Plan: 1" = 20' minimum, showing property lines, construction area, existing and proposed grading, existing vegetation coverage and drainage pattern, easements, driveway, utility trench, building footprint with finish floor grades, parking area, turnarounds, drainage improvements, fences, walls, patios, decks, septic tank location if Phase 2, 2B or 2C Lot, and other site improvements together with any other pertinent information.
- Schematic Floor and Roof Plans: ¼" = 1' minimum, including all exterior door and window locations, including size, and the location of all exterior mechanical systems.
- Schematic Elevations: ¼" = 1' minimum including roof heights, existing and finish grades and a description of all exterior materials, colors and finishes.
- Sample Board, including:
 - Roof material and color.
 - Exterior wall materials, color of exterior trim material, color of window material and color of stone/rock material.
 - Fence/wall materials and manufacturer's literature.
 - Proposed glass application intended to control solar heat gain.
- Plan documents for solar and wind power generation, if proposed, including:
 - Feasibility study
 - System design summary
 - Assessment of expected noise and visual impacts and mitigation plan
- Perspective Sketches and Model: If available as a result of design process
- Construction Schedule: Including starting and completion dates for both building and landscape construction.

3. Identification of Lot Boundaries

As part of the development review application process, Lot Owners shall be responsible for identifying all of their Lot corners and any intermediate points of intersection between those corners. If for any reason, one or more corners cannot be identified Lot Owners shall, at their sole expense, hire a registered land surveyor to re-establish the Lot corner.

Prior to granting any approvals, the DRC shall inspect the Lot to verify that all proposed improvements are contained within the Lot boundaries.

WASTEWATER DISPOSAL SYSTEM CONNECTION PROCEDURE

Owners of Lots 34-65 located in Phase 2, 2B and 2C shall be required to install a septic tank on their Lot in a location between the Residence and the connection point for the wastewater collection line serving the Lot. The septic tank shall be of a size and specifications required by the Weber-Morgan Health Department, installed at the Owner's expense.

The location of connection points to the Wastewater Disposal System shall be identified by an authorized representative of Durfee Creek Association Inc. before any construction activity, including but not limited to site grubbing and excavation takes place.

Wastewater lines from the Residence to the connection point shall be installed by a licensed contractor at a depth below the typical frost line in Durfee Creek Estates and one (1) foot below and one (1) foot either side of the culinary water line. Wastewater lines shall be bedded with a minimum of 12" of sand or 1" minus gravel. The material used to backfill wastewater line trenches shall not contain any rocks larger than 4-inches.

An authorized representative of Durfee Creek Association Inc. shall inspect the installation of wastewater lines and septic tanks, if required, after the line has been properly bedded and prior to backfilling the pipe trench and excavation for the septic tank. The Owner shall pay the cost of such inspection.

CERTIFICATION

I, the undersigned, being President of Durfee Creek Association Inc., a Utah non-profit corporation ("the Association"), do hereby certify the foregoing to be the Development Guidelines for Durfee Creek Estates Subdivision, as adopted by resolution of the Board of Directors on September 19, 2014 and that such Development Guidelines are applicable to the real property contained in Durfee Creek Subdivision as set forth in the attachment hereto.

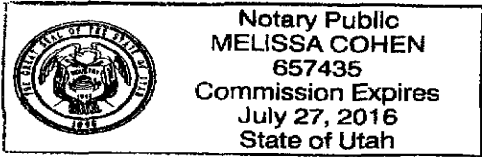
Tom McInally
Tom McInally, President

Acknowledgment

State of Utah
County of Weber

Subscribed and sworn to before me on this 20th ¹ November day of 2014 by
Tom McInally

Melissa Cohen
Notary Name Signature



Attachment to Development Guidelines

Durfee Creek Estates Subdivision Parcel Numbers		
17-092-0027 /	17-137-0017 /	17-226-0001 /
17-135-0001 /	17-138-0001 /	17-292-0001 /
17-135-0002 /	17-138-0002 /	17-292-0002 /
17-136-0001 /	17-138-0003 /	17-292-0005 /
17-136-0002 /	17-138-0004 /	17-297-0001 /
17-136-0003 /	17-138-0005 /	17-297-0002 /
17-136-0004 /	17-138-0006 /	17-297-0003 /
17-136-0005 /	17-138-0007 /	17-297-0004 /
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17-137-0004 /	17-139-0003 /	17-297-0009 /
17-137-0005 /	17-139-0004 /	17-297-0010 /
17-137-0006 /	17-225-0001 /	17-297-0011 /
17-137-0007 /	17-225-0002 /	17-297-0012 /
17-137-0008 /	17-225-0008 /	17-307-0001 /
17-137-0009 /	17-225-0009 /	17-307-0002 /
17-137-0010 /	17-225-0010 /	17-307-0003 /
17-137-0011 /	17-225-0011 /	17-307-0004 /
17-137-0012 /	17-225-0012 /	17-307-0005 /
17-137-0013 /	17-225-0013 /	17-307-0006 /
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