



LAKE POINTE

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LAKE POINTE DESIGN GUIDELINES

Pursuant to ARTICLE XI – DESIGN REVIEW COMMITTEE of the DECLARATION OF COVENANTS, CONDITIONS, EASEMENTS AND RESTRICTIONS FOR LAKE POINTE, the Design Review Committee (hereinafter referred to as Committee) has promulgated the following rules referred to herein as Design Guidelines. The primary function of these Design Guidelines is to provide this community with the necessary tools of regulation that will enhance the natural beauty of the development and simultaneously protect future use and property values. Questions and correspondence pertaining to these Design Guidelines should be addressed to the Design Review Committee.

Chairman, Design Review Committee
Lake Pointe Homeowners Association
PO Box 2442
Bigfork, MT 59911
(406) 837-4536

I. USE OF DESIGN PROFESSIONALS

The protection and preservation of the natural beauty and topography of each building site to the maximum extent possible shall be required. All design and construction activities shall attempt in every way possible to blend with, and reinforce the natural amenities of Lake Pointe. To preserve the beauty and character of the entire development, it is essential that the development of each lot be done with extreme care and with particular attention to designing the proposed house to the particular site.

It is required that each property Owner or his Authorized Agent (herein referred to as Owner) commission a registered architect for complete services to accomplish the design. It is highly recommended that a landscape architect also be employed prior to the site analysis stage to encourage a home truly indigenous to the lot and site.

The attached form Appendix #2 “Owner Authorization” is to be completed and submitted by the Owner to the Committee if the Owner is to be represented in the approval process of the proposed home.

II. DESIGN PROCESS

Objective: The objective of the review process is to promote aesthetic harmony in the community by providing for compatibility of specific designs with surrounding buildings, the environment, and the topography. The review process strives to maintain objectivity and sensitivity to the individual aspects of design. To meet the development objectives of Lake Pointe, the developers, Owners and Architects must adhere to a strict and comprehensive design process and the property Owner must thoughtfully integrate each site and house design to be compatible with this special setting.

A. Site Visit, Analysis and Survey

1. Responsibility for Compliance: An applicant is responsible for ensuring that all of the applicant's representatives, including the applicant's architect, engineer, contractors, subcontractors, and their agents and employees, are aware of these guidelines and all requirements imposed by the Lake Pointe DRC as a condition of approval. Following a complete tour and orientation of the development, each Owner and Architect must visit the site and conduct a visual survey of the setting, the immediate surroundings and the broader environment. A Landscape Architect shall also be a participant in this orientation process. It is important that all of the aforementioned participants understand the unique amenities that exist on each site and its context.
2. Inspection: Prior to building, a detailed site analysis is required for each lot. This must include parts of surrounding areas and take into account the potential impact of the building site from key vantage points, including neighboring lots.
3. Submittals: Requests for approval of proposed landscaping or exterior modifications to buildings or landscaping must be made by submitting the information and materials outlined in the plan review process. The site analysis should include the following:
 - a. Location and description of all existing plant materials.
 - b. Identification and description of views and vistas.
 - c. Descriptions of special or unusual features on the site, and outward to note all amenities such as rock outcroppings, exceptional trees and any unusual topographic features.
 - d. To assist with the site analysis, a thorough survey of land form (topography) and vegetation should be prepared. The survey should extend as far into the adjacent areas as necessary in order to ensure that the architect pay careful attention to all environmental issues. Trees and shrubs should be located, indicating size and species. Scale of the survey should be 1/4" = 1' - 0". Utilities locations shall be noted. Contours should be shown at one-foot intervals.

B. Architectural Design Guidelines and Recommendations

Creative architectural solutions are encouraged to compliment the uniqueness of each site, to express the design concept of the individual property Owner and to contribute to Lake Pointe as a whole.

The Architecture should exhibit characteristics and features that respond to climate, building shape, function and site. Some of these features are listed as follows:

1. Forms: Steeply pitched roofs and generous overhangs are recommended. Height and profile should be determined by setting.
2. Layout: Open planning is recommended, allowing thorough ventilation. Glass should be used generously to capitalize on views and vistas. Massing should be scaled to the site, recognizing the surroundings. Shape and location of buildings and grounds should fit, where possible, within the trees.
3. Space: High ceilings are desirable with well-developed inside/outside relationships. Rooms should open onto terraces, decks, balconies and views.
4. Exterior: Integration of grounds, drives, parking, car shelters and gardens is essential. House, courtyards, porches and service areas should create a unified design solution.
5. Structural Fill: In connection with review and approval of construction plans for a Dwelling Unit by the Design Review Committee, each proposed Dwelling Unit must have an engineer's certificate which sets forth the plans for structural fill and addresses compaction issues of the lot.
6. Fences, Walls, Gates & Privacy Screens: Allowable only with design review approval from the Design Review Committee.
7. Decks, Balconies & Terraces:
 - a. Design: Decks, balconies and terraces, cantilevered or supported with columns, are encouraged on high profile homes to allow outdoor living, to capitalize on views and vistas, and to assist with scale and massing. Decks, balconies and terraces shall be designed to enhance the overall architecture of the building by creating variety and detail on exterior elevations.
 - b. Materials: Low level decks shall be skirted to grade. Decks which are not practical to skirt shall be designed to assure that the underside of the deck is integrated with the design of the building. No asphalt paved material will be allowed.
 - c. Exterior speakers are only permitted within the rear yard of each Lot and placed in such a manner so as to minimize their effect upon any other portion of the Development or to its occupants. The "rear yard" for the purpose of this provision means the yard area in the rear or posterior to the residence in a covered area of the patio.
8. Lighting: Lighting sources shall be discrete. Illumination of surfaces such as walls, walks and decks is permissible. No light shall be emitted from any Lot

or Dwelling Unit which light is not adequately shielded or which is unreasonably bright or causes unreasonable glare. In determining whether an exterior light is adequately shielded, these definitions and rules shall apply:

- a. "Fixture" means the assembly that holds the lamp bulb or tube in a lighting system. It includes the elements designed to give light output control, such as a reflector (mirror) or refractor (lens), the ballast housing, and the attachment parts.
 - b. "Horizontal Cut-Off" means a feature of a Fixture designed and functioning in such a manner that all light rays emitted by the fixture, either directly from the lamp, reflector, lens, or housing, are projected at least 25 degrees below a horizontal plane running through the lowest point on the fixture from which the light is emitted.
 - c. Every exterior light Fixture must have and use a functioning Horizontal Cut-off.
 - d. Exterior Fixtures shall not be placed higher than the ridge line of the structure on which they are located. The Lake Pointe Design Review Committee may require that exterior fixtures be placed lower than the ridge line.
 - e. Exterior flood security lights shall be controlled by a movement-detector device and shall not remain illuminated. Exterior garage lights that are to be left on all night must follow the lighting guidelines for minimum amount of illumination.
9. Driveways: Driveways and parking areas shall be crowned and sloped for adequate drainage and safety. Driveway and parking surfaces shall be concrete. No asphalt or other material may be used to surface driveways or parking areas. A minimum of two permanent (enclosed garage) and two visitor (driveway) spaces will be provided.
10. Basements: Due to the elevation of the water table, basements shall not be permitted in any Dwelling Unit. Crawl spaces may be permitted at the discretion of the Design Review Committee. Elevation and water levels will be a consideration for DRC approval of crawl spaces and the mitigation of potential water accumulation.
11. Materials: Materials used and construction techniques employed shall be primarily those that are typical to the Northwest. Low maintenance materials are to be encouraged. Roof colors and textures and exterior wall materials should be compatible with the setting and reflective of Montana traditions. Materials shall be selected for the quality, durability and maintenance characteristics. The following are the only allowable materials:
- a. Roof Materials: Class A or B treated wood shakes or shingles, natural and synthetic slate tiles and tile. Class A asphalt random tab shingles

other similar materials, as allowed by the Committee. Asphalt shingles shall be wind resistant Class “D” or higher and Impact rating of Class “II” or higher. All roof flashing vents, hoods, and roof accessories shall be copper, painted, or a prefinished metal that blends with the color of the roofing material selected. Decorative metal roofing may be allowed with Committee approval. Exterior paint shall be flat or satin finishes only. White houses are not allowed.

- b. Exterior Wall Materials: Earth tones should be predominant on the main body of the building. Exterior trim shall be complimentary and contrast with the main body, adding visual interest to the predominant neutral tones. Exterior color schemes throughout Lake Pointe shall emphasize the natural tones of the surrounding natural environment.

The Committee shall consider materials not listed below that maintain the aesthetic continuity of Lake Pointe, including pre-finished composite wood products and synthetic siding materials.

- i. Stone work: Natural and or cultured stone. Natural and or cultured stone, which is required on all homes, is to be integrated into house design.
- ii. Unit Masonry: Unit masonry materials shall be limited to brick, as approved. Brick surfaces shall be limited to 40% of the exterior surface area, and shall not be applied to individual wall surfaces in order to avoid a veneer-like appearance.
- iii. Concrete: Exposed concrete foundation walls between ground level and exterior wall siding shall be a maximum of 8 inches. Foundation exposure over 8 inches shall be finished with synthetic textured stucco (stained a subdued color in harmony with the building), stone, or treated wood.
- iv. Stucco: Synthetic stucco shall be permitted providing that the finished surface is adequately textured to obscure the pattern of insulation panels.
- v. Wood Siding / Wood Product Siding: Smooth or rough wood siding shall be an acceptable exterior wood sheathing material.
- vi. Natural Log: Natural Log construction will not be allowed.
- vii. Metal or Vinyl: Engineered Wood or Metal siding may be considered if it is in keeping with the appearance guidelines. Vinyl siding shall not be allowed.

12. Detailing: Detailing of structures at Lake Pointe must be done with proper consideration for the architectural style being used, the available construction technology and the environment of Northwestern Montana. The environmental considerations would include the hot summer sun, heavy seasonal snows, prevailing seasonal winds, cold winter winds and the short winter days.

13. Additional Special Requirements:

- a. The open storage of boats, trailers, campers, recreational vehicles and any other vehicular type equipment is prohibited at Lake Pointe. Extended parking of any vehicle on the Lake Pointe roadways is prohibited. Short term-overnight roadway parking of Lake Pointe guest vehicles is permitted, however overnight street parking of owner vehicles is prohibited.
- b. All garbage cans shall be housed internally or placed in a service area which is screened from public view in a design to be architecturally compatible with the home and approved by the Design Review Committee.
- c. Pet enclosures must be architecturally compatible with the home and receive Design Review Committee approval prior to construction.
- d. Visible outdoor athletic equipment, spas, hot tubs and pools must receive Design Review Committee approval prior to installation.

14. Energy Conservation: All home construction must follow the Montana energy code. The following website will address energy requirements that contractor and architect must adhere to.

https://deq.mt.gov/Portals/112/Energy/Documents/Energy_Code/Residential_Energy_Code_Summary.pdf

C. Landscape Design Guidelines and Recommended Plants

All landscape designs must be submitted to the Design Review Committee for approval and are required to be closely integrated with the architectural design concept, wherein plant size shall be determined by the Design Review Committee. Landscape design issues should be closely addressed as follows:

1. Preservation

- a. Preserve all of the existing ecological systems including trees, roots, vegetation and drainage areas. THE IDEA IS TO DESIGN YOUR HOME TO FIT THE LAND, ITS TREES, GRADES, VIEWS, SUN, ETC., RATHER THAN FORCE A PRECONCEIVED HOUSE ON THE SITE.

- b. The goal at Lake Pointe is not only to save existing trees, but to minimize damage to trees during design and construction.
2. Vegetation: Both existing and added plant materials should be carefully and thoughtfully used to:
 - a. Provide enrichment to the home setting and to contribute visually to the total development.
 - b. Stabilize the ground, prevent erosion and control runoff.
 - c. Create outdoor “rooms”, an exterior third dimension, and other spaces through the use of tree canopies, patio walls, trellises, and screening with plants, and also to screen buildings from each other and from the roads.
3. Use of Natural Elements: Existing vegetation on lots should be treated as an opportunity to capture initial full-scale landscape, have a low maintenance design, create privacy and screening by careful minimal clearing, provide shade/climate control and stabilize the ground; thus, harmonize the site into the development through the protection of existing plants and the planting of new ones.
4. Irrigation: Irrigation systems are required and must cover 100% of vegetated portion of Owner lot for all homes in Lake Pointe. Down spouts/French drains must direct water toward the golf course or pond whenever necessary to prevent water running into neighboring lot.
5. Screening with Plants: The master plan carefully evolved with the goal to make maximum use of natural vegetation for visually screening all man-made facilities. A primary objective in locating home sites is to increase the privacy with natural arrangements of indigenous plants. Property owners and developers should add trees and shrubs to these buffers to create a verdant environment to ensure a minimum of visual exposure of homes from property to property, from road to home and from open areas.
6. Plant Materials Suggested for Use at Lake Pointe: Planting plans shall call for the required number of trees with enough additional plant materials to provide cover, scale and visual privacy for lots located in open areas. All open lots will require trees and shrubs to help all structures virtually disappear. Each Residence Lot must contain at least six (6) deciduous trees (which may include crab apple, ash, maple, birch, aspen, cherry or apple or any other deciduous tree approved by the Design Review Committee) and at least three (3) evergreen trees (which may include fir, blue spruce, scotch pine, or Austrian pine or any other evergreen approved by the Design Review Committee). No existing trees may be removed without approval from the Committee. Wooded lots can use existing trees and vegetation as its primary planting, adding trees as desired by the Owner for aesthetic reasons. Where needed, plants and trees will be added to hide buildings from the roads and

neighbors. Material weed barriers are required under all decorative or rock edging.

7. Suggested Plant Materials: The following is a comprehensive list of suggested plants, including those that are native. The list is not intended to restrict the designer, but is provided to stimulate ideas and interest.

TREES

Green Ash	<i>Fraxinum Pennsylvannic</i>
Mountain Alder	<i>Alnus Incana</i>
Quaking Aspen	<i>Tremuloides</i>
Willow	<i>Salix Alba</i>
Bog Dwarf Birch	<i>Betula Glandulosa</i>
Mountain Ash	<i>Sorbus Scopulina</i>
Rocky Mountain Maple	<i>Acer Glabrum</i>
Blue Spruce	<i>Picea Pungens</i>
Crab Apple	<i>Malus Sylvestris</i>
Cherry	
Apple	<i>Malus Pumila</i>
Fir	
Scotch Pine	<i>Pinus Sylvestris</i>
Austrian Pine	<i>Pinus Nigra</i>

SHRUBS

Service Berry	<i>Amelanchier Alnifolia</i>
Red Osier Dogwood	<i>Cornus Stolonifera</i>
Chokecherry	<i>Prunus Virginiana</i>
Buffalo Berry	<i>Shepherdia Argentea</i>
Snowberry	<i>Symphoricarpos Albus</i>
Wild Rose	<i>Rosa</i>
Arctic Willow	<i>Salix Arctica</i>
Birchleaf Spiraea	<i>Spiraea Betulifolia</i>
Mochorange Syringa	<i>Philadelphus Lewisii</i>
Ash	<i>Sorbus Sitchensis</i>
Block Hawthorne	<i>Crataequs Douglasii</i>
Ocean Spray	<i>Holodiscus Discolor</i>
Nine Bark	<i>Physocarpus Monogynus</i>
Buck Thorn	<i>Rhamnus Smithi</i>

8. Plant Materials **Not** Allowed

Ponderosa Pine	<i>Pinus Ponderosa</i>
Western Larch	<i>Larix Occidentorta</i>
Lodgepole Pine	<i>Pinus Contorta</i>
Cottonwood	<i>Populus Deltoides</i>
Poplar	<i>Liriodendron Tulipifera</i>
Junipers/Conifers	

9. Service Areas and Utilities: Service areas of individual homes must be carefully planned to screen from view; garbage can enclosures, utility

hookups, and mechanical equipment. Underground utility lines and telephone service will be provided on the primary roads and property owners shall provide underground lines to their respective residences. All such utilities shall enter the house in the service area. Television antennas and CB antennas are not permitted in Lake Pointe. Per Federal Regulations satellite dishes not exceeding one meter in diameter are permitted in Lake Pointe. However, due to safety restrictions, Committee approval is required for location and means of fastening the satellite dish. Satellite receivers must have an enclosure to screen them from view so they are not visible from neighboring property.

10. Yard Art: Upon prior committee approval, one outside decorative article may be permanently displayed.

11. Holiday Displays: Temporary holiday displays are permitted on nationally recognized Holidays. Displays are to be exhibited no sooner than one week prior to the Holiday and must be removed within one week following the Holiday with the exception of Christmas which will be permitted after Thanksgiving through January 15th.

D. Additional Controls and Recommendations

1. International Building Code: It shall be the Owner and builder's responsibility to guarantee that the plans and construction comply with the "International Building Code. The site addressing these codes is below: <https://www.iccsafe.org/products-and-services/i-codes/2018-i-codes/ibc/>
2. Set Backs: No Dwelling Unit or other structure shall be situated or constructed on any of the Lots except in conformity with the "Set Back" requirements as established by the Flathead County Zoning Regulations which shall be in conformity with any set back lines shown on the Plat. Lake Pointe is zoned RC-1 which states that all structures shall be normally set back a minimum of 5' from the side lot lines and totally clear with no encroachments to the eave, 20' from the side corner lot line and totally clear with no encroachments to the eave, 20' from the front lot line and 20' from the rear lot line and totally clear with no encroachments to the eave. The Committee may increase these minimums should lot topography, location or building design warrant variation, subject to paragraph 3 below.
3. Site Views and Height: As used herein, "view" shall mean those views of Flathead Lake and River and their flood plains, the horizon, mountains, cliffs, the golf course and wooded common areas. An owner may build so as to obstruct his own view but shall minimize the obstruction of all neighbors' views. Building heights shall not exceed a maximum of thirty-five (35) feet from curb height. Garage doors and garage openings shall not exceed nine (9) feet in height.

4. Square Footage: All Lake Pointe residences shall have a minimum footprint at street level of 1800 sq. feet of finished, heated/cooled living area. While this figure is the absolute minimum, each plan and its square footage will be considered on an individual basis with respect to slope, shape, footprint placement and size of the structure in relation to lot size and the homes in the area. Garages, unfinished storage areas, patios, unenclosed and/or unheated porches or decks, over hangs, slabs or walkways of any description are not considered living area.
5. Construction & Landscaping Period: All construction (interior and exterior), and landscaping, must be completed within a period of twelve months from the approval of the construction application. If the construction and landscaping is not completed within the required period, a fine of \$100 per day shall be assessed until completion and approval by the Design Review Committee.
6. External Mechanical Devices: No mechanical devices, including, but not limited to, air conditioners and heat exchangers shall be permitted unless they can be installed in such a manner as not to be audible from the neighboring lot line and require approval of the Design Review Committee.
7. Major Maintenance: Major Maintenance to the exterior of any home within Lake Pointe shall be approved by the Architectural Review Committee. Examples of major maintenance items are exterior painting, roof decking and/or roof shingle replacement, siding replacement, gutter and downspout addition, surface drainage additions or modifications, garage door replacement, or major driveway/patio concrete repair. This listing is not all inclusive, so it is paramount to contact the ARC to verify any maintenance to the exterior is approved prior to commencement of repair. The regulations defined in SECTION V. CONSTRUCTION PHASE applies to work performed under this major maintenance section.
8. An applicant must disclose whether he/she/they/it are applying for approval for construction of their own home intended to be their residence, or whether construction is a “spec home” by a contractor, or Owner for resale. If (1) the application is for a “spec home” for resale and if (2) the home is sold prior to completion and final inspection, then the applicant/contractor must give written notice of the intended sale at least 30 days prior to closing. Upon notice and prior to closing, the Design Review Committee will inspect the residence with applicant and meet with the contractor to determine the following:
 - A. What portion of construction will Contractor/Applicant complete prior to closing and what will be completed after closing;
 - B. Upon final inspection and if approved, Contractor/Applicant will receive the refunded deposit.

Form #5 must be completed and approved by the Design Committee prior to commencement of work and **Form #4** must be completed requesting a Final Inspection.

III. ADMINISTRATIVE FORM LISTING

The following is a list of administrative forms relating to the approval process for construction in Eagle Bend North.

- A. **Owner Authorization Form** (Appendix #2) – Submitted if the owner is to be represented by a third party during the design and construction.
- B. **Form #1** (*Application for Preliminary Design Review*) – Include two (2) sets of drawings and a non-refundable deposit for Architectural Review of \$500.00 per lot or unit made payable to “Lake Pointe Homeowners Association”.

Additional funds, over and above the initial deposit amount, will be required for administrative purposes if out-of-pocket expense exceeds \$500.00.

- C. **Form #2** (*Construction Application for Documents Review*) – Include two (2) two sets of drawings and one set of specifications. Completion of documents accompanied by a \$3,000.00 deposit (\$1,000.00 of which is nonrefundable) per unit or lot made payable to “Lake Pointe Homeowners Association”. After submission and approval construction can begin. Of that \$3,000.00, \$500.00 will be kept by the Homeowners Association. Additional portions of the remaining \$2,500.00 may be used by the Committee to repair damages to roads or shoulders, damage to trees caused by construction, site cleanup, adjacent property clean up, or removal of material from roadways or unauthorized storage areas and any other reason the Committee deems necessary to guarantee correcting damages caused by construction. Additional funds, over and above the initial deposit amount, will be required if out-of-pocket expense exceeds \$3,000.00. Any unused portion of the construction deposit shall be returned upon completion of the project.

D. If the applicant has disclosed that they are a builder, building a spec home, then the applicant shall deposit an additional \$5,000.00 (for a total deposit of \$8,000.00). Upon completion of construction and acceptance after final inspection, the Design Review Committee will refund to the applicant/owner or contractor this deposit, PROVIDED THAT the Committee does not utilize any portion of the deposit to insure complete construction and final inspection. This additional deposit is NOT ASSIGNABLE to any purchaser, may only be refunded to the applicant owner/contractor and only upon the Committee’s approval after final inspection. If the contractor fails to complete the residence and/or fails to complete final inspection and committee approval, the Owner/Contractor may forfeit all or any portion of the owner/contractor’s deposit.

- E. **Form #3** (*Application to Make Construction or Design Change*) – Include two (2) sets of drawings and a deposit of \$500.00 - \$2500.00 (to be

determined by the Committee dependent upon specific project) made payable to “Lake Pointe Homeowners Association.” This form will be required to initiate the approval process for remodeling, or an addition to, an existing structure. The deposit, or portions of it, may be used by the Committee to repair damages to roads or shoulders, damage to trees caused by construction, site cleanup, adjacent property clean up, or removal of material from roadways or unauthorized storage areas and any other reason the Committee deems necessary to guarantee correcting damages caused by construction. Additional funds, over and above the initial deposit amount, will be required if out-of-pocket expense exceeds the deposit amount. Any unused portion of the construction change deposit shall be returned upon completion of the project.

- F. **Form #4** (*Application for Final Inspection*) - Self-explanatory. Depending on circumstances, all or a portion of the construction application fee will be returned.
- G. **Construction Sign** (*Appendix #3a*) – if desired, to be used when the home is being built for the lot owner.
- H. **Construction Sign – For Sale** (*Appendix #3b*) – if desired, to be used when home is being built as a speculative residence.
- I. **Lot & Home Resale Sign** (*Appendix #3c*) – to be used when lot or home is up for resale.

IV. REVIEW PROCESS

The Committee will respond quickly to each submittal and will generally be supportive and constructive with positive encouragement of each design approach to emphasize compatibility with overall development philosophy. The design review process must be followed for any of the following:

- Construction of any building.
- Renovation, expansion, or refinishing of the exterior of any building.
- Interior changes which affect the structural integrity of the home.
- Major landscape or parking changes.
- Exterior lighting changes.

A. Preliminary Design Review: First Submission

Prior to the start of the design process and submission of the first submittal, the Architect and Landscape Architect must visit the site. If the Owner desires, the Committee will conduct an early “sketch review” of preliminary concepts prior to the preparation of design solutions. Although not a requirement, this review will provide early project support in principle with suggestions, if necessary, to keep the design process moving along without delay. Information which could be presented would include a Sketch Plan showing the general function layout and massing of everything to go on the lot including, but not limited to, the home, other buildings, drives, parking, service area, walks, and all major amenities such

as pools, terraces, decks, gardens, etc. The purpose of this plan is to sensitively fit the entire program, buildings and everything outside, to the site and its environs. The Preliminary Design Review submission must be accompanied with the completed **Design Review Committee Form #1** and the non-refundable Architectural Review fee of \$500.00 for each residence as well as two (2) copies of the preliminary design in conceptual drawing form to describe the following items.

1. Site Analysis: A site analysis shall be presented at a minimum scale of 1" = 20' - 0" depicting the site area gathered. The analysis shall indicate property lines, easements, setbacks, contour lines, rock outcroppings and other prominent natural features. This site analysis shall include but not be limited to drainage, views, adjacent homes and driveways, site access and areas providing minimal or maximal privacy. In addition, sections through the proposed building and adjoining buildings are required when the site's topography dictates a design that may impact neighboring views and/or structural soundness.
2. Schematic Landscape Plan: A site plan at a scale of 1" = 20' - 0" showing the location of the house, orientation of garage, driveway and walks with materials and widths, retaining walls, site drainage and amenities also to be included are proposed landscaping concepts specifying irrigation and plant materials and sizes to be utilized as intended to help integrate the building with its environment and to provide for positive drainage.
3. Dimensional Site Plan: The site plan drawn at a scale of 1" = 20' - 0" must show the roof plan of the house and contain dimensions demonstrating conformity with all required easements and setbacks. Driveways and walks must be located along with the proposed service area, HVAC units, trees to be removed, screening of roads and neighbors.
4. Floor Plans: Floor plans at 1/8" or 1/4" scale must be presented depicting the layout of spaces for all levels of the proposed building.
5. Elevations: Drawings presented at 1/8" or 1/4" scale representing the view of all exterior sides of the proposed structure.
6. Building/Site Section: A section drawn at 1/8" or 1/4" scale showing the relationship of the interior and exterior spaces with the natural topography.
7. Preliminary Stake-out: The house and driveway must be staked out on the lot with stakes at least two (2) feet tall marking the corners. A string shall connect all stakes outlining the shape of the house. All trees to be removed shall be tied with red surveyor's ribbon. Utility ditches, pools and amenities shall also be staked. It is highly recommended and suggested that lot owners ensure they have the correct lot lines by utilizing a survey. The Design Review Committee is not responsible for the lot line locations.

8. Completed Form #1 - Application for Preliminary Design Review: The Committee will either grant preliminary approval or state reasons for the rejection of the project and normally will offer suggestions for improvement. If the preliminary drawings are substantially changed, either by request of the Committee or desire of the Owner, they must be re-submitted and receive preliminary approval before proceeding for Construction Documents Review.
- B. Construction Documents Review: Final Submission – Completed Form #2 - Application for Construction Documents Review. Two copies of all necessary materials must be submitted to the committee for review.

The Construction Documents are prepared after changes are made, if any, from the review of the preliminary submission. The final stake-out, reflecting any changes, must be completed before submitting the Final Submission. A representative of the Committee will preview all submissions and will not present a project to the Committee for Final Review unless the following are completed, and have been submitted:

1. Final Stake-out: The Preliminary stake-out must be updated reflecting changes, if any, in the location of the house or driveway, amenities and any additional trees to be removed and approved by the Architectural Review Committee. No trees over 6" in diameter or 3" in diameter for small flowering trees or evergreens may be removed at any time without prior approval. All underground utilities will be staked and adjusted to save tree roots on this visit. (See #3 below.)
2. Color Samples. Proposed colors of all exterior materials including siding, trim, brick, stone, roofing, stucco and lattice must be submitted including actual samples of materials proposed for use. The siding and color samples shall be no less than 2 square feet. These sample submissions are most important to both the Owner and the Committee in evaluating the final appearance of the house, as color chips often vary greatly from actual applications. Final submission and approval of colors and finish materials may take place at the appropriate time during construction at the discretion of the Committee.
3. Dimensional Site and Landscape Plan: Site and landscape plans must be drawn at a minimum scale of 1/4" = 1' - 0" and must convey a scale representative of all property boundaries, easements and setbacks. Proposed roads, walks, driveways, parking, decks, pools, patios, accessory buildings, trash enclosures and all site improvements as well as proposed materials to be utilized for such. Mechanical equipment, utility meters, transformers, surface drainage and planting materials. Adequate plant screening or fencing must be provided for HVAC units, service areas, trash enclosures, electric, gas and water meters. All underground utilities including, but not limited to, water lines, sewage lines, telephone lines, cable lines, irrigation lines, gas lines, lighting lines, etc. will be located on the plans.

4. Note also proposed location of portable toilet, dumpster, material storage areas, and Contractor employee parking.
5. Foundation and Framing Plan: Plans at 1/4" scale and showing locations and sizes of foundation and framing elements and how they relate to nearby trees.
6. Floor Plans: Floor plans must be drawn at 1/4" scale containing all information necessary for construction as well as square footage.
7. Elevations: Drawn at 1/4" scale, elevations shall accurately represent the view of all sides of the house and other structures. Floor elevations must be delineated and existing and proposed grade levels must be shown. All exterior material must be labeled. Building height must be indicated.
8. Building Sections: Drawn at 1/4" scale as necessary for clarification of construction.
9. Details: Typical wall section
 - Sample of exterior light fixtures (May be catalog photo)
 - Exterior trim
 - Window and door details
 - Sample of proposed exterior doors & windows (May be photo)
 - Exterior stone
 - Roofing materials and flashing
 - Exterior finish colors
 - Exterior walls, fences or screens
 - Screen porch section
 - Rails
 - Privacy walls, as appropriate
10. Landscape and Irrigation Plans: To be submitted by a Landscape Architect or landscape professional and to include:
 - Extent and location of all plant materials and landscape features and ground materials.
 - Plant schedule identifying material by scientific nomenclature, quantity and size.
 - Extent of turf areas to be mowed and irrigation plan. (transition zone maintained and irrigation method indicated.)
 - Landscape lighting location type and wattage, details of fencing.
11. Specifications: A full set of specifications must be submitted defining the quality of work and materials.

11. **Completed Form #2 – Construction Application and Document Review**

If the Committee does not grant final approval of the project, it may suggest items to be corrected or resubmitted. If it grants final approval, the Owner may make

application for a construction permit using **Form #2**. At the time he makes this application the Owner must submit two (2) sets of complete working drawings and specifications for the approval stamp, and a construction deposit in the amount of \$3,000 per unit. Should a construction deposit greater than \$3,000.00 per unit be required the Owner will be notified. This deposit, or portions of it, may be used by the Committee to repair damages to roads or shoulders, damage to trees caused by construction, site clean-up, adjacent property clean up, or removal of material from roadways or unauthorized storage areas and any other reason the Committee deems necessary to guarantee correcting damages caused by construction. In the event the Committee utilizes said construction deposit, or a portion thereof for any reason, the Owner within 2 weeks of notification must reimburse all monies spent by the Committee. Two working days will be considered sufficient notice by the Committee for correction of such deficiencies. After two working days the Committee may take corrective action. Any unused portion of the construction deposit shall be returned upon completion of the project.

D. Review Timing Summary

The Committee will meet upon call to review any home designs that have been submitted for review.

Note: It is possible that the Committee may need additional time due to unusual circumstances. In this case, Owner and Architect will be notified.

V. CONSTRUCTION PHASE

INSURANCE: The General Contractor must provide the Committee with ACORD certificates of commercial general liability and automobile insurance 15 days prior to commencement of construction. The minimum limits required are as follows: respects commercial general liability insurance, \$1,000,000 each occurrence / \$2,000,000 general aggregate; respects automobile insurance, \$1,000,000 limits of automobile liability for vehicles owned by general contractor and hired and non-owned vehicles. The General Contractor is also required to furnish the Committee with a certificate of workers compensation insurance with \$1,000,000 limits of employer liability insurance. Any and all subs hired by the General Contractor need to provide the General Contractor with certificates of general liability, automobile liability and workers compensation insurance prior to working at the construction site. All General Contractors and Sub Contractors must comply with all OSHA and Montana Safety Culture Act requirements. The Committee requires that all of these policies be written with reputable companies authorized to do business in Montana, and the insurer must have a current AM Best rating of A or better. The certificate must have a 30-day cancellation notice and certificate holder needs to read; Lake Pointe Homeowners Association, Inc. PO Box 2442 Bigfork, MT 59911. The certificate holder needs to show on the ACORD certificate as an additional insured respects commercial general liability.

CONSTRUCTION REGULATIONS: All of the property owners, as well as Lake Pointe Homeowners Association, will be concerned that the natural beauty always be protected as much as possible, including times when Contractors are working at Lake Pointe.

Therefore, the following regulations apply to all Contractors and their employees as well as service personnel while at Lake Pointe. Refer to fine schedule on page 36.

- A. Owners are required to apply for permission and receive approval prior to any development of a lot using **Form #2**.
- B. The Committee has the right to disapprove any particular contractor for good cause.
- C. No construction activity will commence prior to 7:00 a.m. and must halt no later than 6:00 p.m., Monday - Saturday. No work shall be performed on Sunday, unless written advance authorization has been obtained from the Committee.
- D. Contractors are required to keep their job sites as neat and clean as possible at all times. Trash and discarded materials will be removed daily. All trash stockpiled for removal shall be located in the rear of the residence until removed. There will be no stockpiling of materials or trash on adjacent roads or property. Dumpsters must be provided by the Owner. Trash not removed may be removed by the Lake Pointe Homeowners Association and all costs thereof shall be deducted from the construction deposit.
- E. Contractors will use only the utilities provided on the immediate site on which they are working.
- F. Any damage to roads, drainage inlets, street signs, utilities, etc., will be repaired by the Contractor. If not repaired on a timely basis by Contractor, the Lake Pointe Homeowners Association will do so at Contractor's expense.
- G. The established speed limit within Lake Pointe is 15 miles per hour for construction vehicles, including light trucks and autos. This must be obeyed.
- H. There will be no washing of any concrete truck or chutes on the roads or common property. Any concrete truck washed out must be on the construction site, and debris promptly removed by the Contractor.
- I. Operators of vehicles are required to see that they do not spill any materials while within Lake Pointe and if spillage of a load occurs, operators are responsible for cleanup. Clean ups done by Lake Pointe personnel will be billed to the responsible party. Please report any spills as soon as possible.
- J. On-street parking must be kept to a minimum and parking for vehicles associated with on-going construction must be confined to one side of the street so as not to impede traffic flow. Workers should be prepared to off load tools or materials from their vehicles and park them off roadways whenever possible. Construction crews shall not park on, or otherwise use, other Lots. No construction vehicle will be permitted to leak oil or otherwise damage or deface any street located within the community.

- K. All personnel working in the development are to ensure that they will keep all areas in which they work or travel free of discarded materials such as lunch bags, wrappers and beverage containers. Objects should not be thrown out of cars or trucks.
- L. Loud radios or noise will not be allowed within the development. This is distracting and discomforting to property owners and wildlife alike. Normal radio levels are acceptable. Do not mount speakers on vehicles or outside of homes under construction.
- M. No vehicles (trucks, cars, vans, etc.) may be left on the development. Construction equipment may be left on the site while needed, but may not be kept on the roads or adjacent property.
- N. No dogs or other pets owned by construction personnel will be allowed.
- O. Fires and flash burning of any kind is absolutely prohibited in Lake Pointe.
- P. Only bona fide workers are allowed at Lake Pointe. Spouses may drive workers to the construction site and pick them up, but must not remain on the property unless they are actual employees of the Contractor or Subcontractor. Children of workers are not allowed at the construction site.
- Q. Contractors shall install portable toilet facilities in the location approved by the Committee as approved on Construction Documents.
- R. Construction personnel shall wear shoes and shirts when on the construction site. Personal vehicles used by workers shall be parked out of view to the greatest extent possible.
- S. The Contractor shall protect important trees and existing vegetation by fencing when directed by the Committee.
- T. The only sign allowed to be posted on the site shall be in accordance with Appendix #3a of these controls and be approved by the Committee. The sign shall be removed from the site at the earlier of, 1) completion of the construction of the home or, 2) twelve (12) months from the construction application approval.
- U. Tracked vehicles will not be allowed on pavement unless pavement is protected by tires, planks or other approved means.
- V. 48 hours prior to any excavation on the site, the Contractor must call U-DIG at 755-8344, or 1-800-551-8344 to locate all existing utilities.

VI. TREE PROTECTION DURING CONSTRUCTION

A tree is moderately damaged if it loses more than 20% of its root system and severely damaged if it loses more than 40%. Therefore, the following procedures will be used to

help assure healthy trees at Lake Pointe. This procedure applies to all construction work which exists within the drip line of any tree not marked to be removed.

- A. The plans will carefully designate which trees are to be removed. All other trees will be saved. No tree will be removed or damaged that is not shown to be removed. Should the stakeout or future work reveal that a tree will be damaged or is impractical to save; the Committee will be notified to render a decision.
- B. All trees to be removed will be flagged and approved prior to clearing, grubbing and tree removal.
- C. No root rake will be used for clearing under the drip line of any tree not marked to be removed except by special permission of the Committee.
- D. All utilities shall be located in one ditch or immediately adjacent to each other where possible, and preferably dug in open areas. Ditching dug within the drip line of trees shall be staked and approved by the Committee prior to digging. This includes, but is not limited to, water lines, gas lines, phone work, TV cable hook-up, irrigation lines, etc. Grading, including cut and fill beneath the drip line of trees, will be adjusted on the site to protect the tree roots from damage. This includes damage by grading or smothering by fill. Grading will be staked and adjusted to fit the tree roots.
- E. Packing or running heavy equipment beneath the drip lines of trees is to be minimized.
- F. Storage of materials for construction shall be located so as to protect trees and located as noted on Construction Document approval.
- G. In extreme dry weather, trees that have had roots damaged shall be watered with 1" of water weekly.
- H. The Owner must be responsible to see that the above work procedures are followed and the protection of trees is maximized.
- I. Clearing of views and vistas must be done in such a way to protect the neighbors on each side. Such clearing must be approved by the Committee prior to being done. This applies to brush clearing, tree limb clean-up or thinning and any tree removal.

VII. FINAL CONSTRUCTION

Upon the completion of your new home, you will need to file a completed Lake Pointe **Form #4 - Application for Final Inspection**. Upon receipt of **Form #4**, the Committee will either note discrepancies yet to be completed, or grant final approval. At that time, the Committee will refund any remaining deposit due to the Owner.

VIII. OCCUPANCY AND FUTURE IMPROVEMENTS

The joyous culmination of this major planning and construction effort will be when the Owner takes occupancy of the new home and congratulations are certainly in order! In the years to come there will no doubt be numerous future improvements to the site that will be intended to add beauty and enrichment to the home. It is anticipated that additional plant materials will continue to be used to contribute to the total master plan concept. The natural beauty of Lake Pointe should continue to be emphasized both by the property owners and the developers as an ongoing program. Future improvements including additions, landscape elements and any alterations to the exterior will require review by the Committee. To facilitate this process, the Owner should submit a completed **Lake Pointe Form #1 – Preliminary Design Review & Form #3 - Application to Make Construction or Design Change**. When submitting for review of proposed improvements, presentations must include, but are not limited to the following:

- A. Letter of Intent: The Owner should inform the Committee as to the intent and purpose of the proposed improvements.
- B. Color Samples: Samples are most important when applying for improvements approval because of the necessity of matching existing materials.
- C. Site Plan: A plan with dimension of the property must be submitted showing the location of the proposed improvements.
- D. Drawings: Sufficient plans and elevations shall be submitted to adequately define and explain the improvement.
- E. A non-refundable design review fee of \$500.00 must accompany the completed **Form #1 - Preliminary Design Review**. A partially refundable construction deposit of \$3,000.00 must accompany the completed **Form #2** and two (2) sets of the Construction Documents are to be stamped before obtaining a Lake Pointe construction permit. If an applicant proposes to make construction and design changes, they must submit **Form #3** in advance. Depending on the nature of the change, the Design Review Committee may require an additional deposit of between \$500.00 and \$2,500.00. Upon completion of all approved work, the Owner must notify Lake Pointe ARC to request a final inspection. Members of the ARC may inspect the work at any time to verify conformance with the approved submittals.

IX. DISAPPROVAL, FINES AND ASSESSMENTS

The committee may reject and disapprove any work or construction proposed to be performed or suspend any construction in progress on any Owner's property if the Owner is in violation of any of the Declarations of Covenants, Conditions, Easements and Restrictions or these Design Guidelines of the Lake Pointe Homeowners Association.

The Committee is granted the authority to impose a fine or assessment to an Owner of a Lot at Lake Pointe for failure to comply with the Design Guidelines, Committee Rules or the Declarations of Covenants, Conditions, Easements and Restrictions of Lake Pointe

after adequate and sufficient notice is given, either prior to, during or after construction of a home. The Committee also has the authority to assess reasonable fines for failure to comply with or meet the application procedures. At the discretion of the Committee and Board of Directors of the Lake Pointe HOA and based upon the severity of the violation, the fine may be up to a maximum of \$100.00 per day. During the construction phase there is a separate fine schedule for infractions of the Construction Regulations noted within these design guidelines. That schedule is part of and attached to these Design Guidelines. Such fines shall accrue interest until paid at the highest rate allowable in the State of Montana. The Committee may secure such indebtedness by Filing a Lien upon the property and may take whatever action it deems appropriate or necessary to enforce payment of the amount due. Any costs incurred by the Committee, whether Legal or otherwise shall be charged against the Owner and due to the Committee.

X. NOTICE

Any notice, correspondence or submissions shall be directed as follows:

Chairman, Design Review Committee
Lake Pointe Homeowners Association
P.O. Box 2442
Bigfork, MT 59911 – (406) 837-4536

Any notice directed to an Owner shall be sent to the address first written on **Form #1 Application for Preliminary Design Review**, or until such further notice by the Owner.

XI. OPEN HOUSE SIGNS

In an effort to accommodate property owners who are attempting to sell their property in Lake Pointe, the Design Review Committee will allow Open House signs to advertise the sale of properties in Lake Pointe, with the following guidelines:

- A. Open House signs shall be a maximum of three feet by two feet and shall reflect professional appearance in color and lettering.
- B. The Open House signs may be erected one half hour prior to the beginning of the open house and must be removed one half hour after the conclusion of the scheduled time of the open house.
- C. One Open House sign may be placed at the entry gate of Lake Pointe and one Open House sign may be placed at the property sight. Direction signs to the property are to be used in a prudent manner.



TO: Prospective Home Builder/Homeowner
FROM: Architectural Review Committee Lake Pointe Homeowner Association
SUBJECT: Building Guidelines

The Lake Pointe Homeowners Architectural Review Committee (ARC) is sending this notice in order to save you time and money in your house approval process. Please consider asking for a Conceptual Design Review and then once it is reviewed, it will be much easier to progress to the detailed architectural plan phase. A Conceptual agreement of a proposed home that meets the basic visual expectations of the ARC is no more than an acknowledgment that the design will blend with the architecture that exist within Lake Pointe. It does NOT in any way signify approval of the final design nor approve any construction to begin. It is only a way to save time and money in the whole design and building process. By reading all Lake Pointe ARC Guidelines prior to submitting your house plans, the process will be less costly and more efficient. Those ARC Guidelines can be found on our website <https://www.lakepointebigfork.com/documents-forms>.

The ARC Guidelines cover all requirements needed for the submission of your plans, and the forms needed. Once your plans have been presented, if any part is missing or specifications are not appropriately met, this will require the committee to send them back to you for completions or corrections. The task of the committee is to protect and preserve the natural beauty and topography of each building site. All design and construction activities shall attempt in every way possible to blend with and reinforce the natural amenities of Lake Pointe. To preserve the beauty and character of the entire development, it is essential that the development of each lot be done with extreme care and with particular attention to designing the proposed house to the site. It is also necessary to ask permission of the committee if you find that encroachment of adjacent lots is necessary. While we are interested in making your design work for you, we must also consider that our decisions are made for the good of the Lake Pointe neighborhood.

The Montana construction period is truly short due to the unpredictability of our weather. That coupled with the unprecedented increase in the cost of building materials and the availability of qualified construction personnel, it is paramount that all phases of the approval and construction processes are optimized. We are here to help and the sooner we communicate with one another the better it will be for all concerned.

Upon reading the guidelines, if you have any questions, you are welcome to email the following people for clarification.

Karen Sykes sykes4450@aol.com

Shere Osegovich shere.Osegovich68@gmail.com

We are pleased that you have chosen Lake Pointe for your future home, and we look forward to working with you.

Architectural Review Committee



LAKE POINTE

Form #1 APPLICATION FOR PRELIMINARY DESIGN REVIEW PAGE 1 of 2

(Please include two (2) sets of drawings and the non-refundable Architectural Review fee in the amount of \$500.00 per unit made payable to “Lake Pointe Homeowners Association”.

Date Prepared _____ Date Received _____

Street Address _____ Lot # _____

IF OWNER IS NOT MAKING SUBMISSION, PROVIDE ‘OWNER AUTHORIZATION FORM’ TO AUTHORIZE A DESIGNEE TO ACT AS AGENT ON BEHALF OF OWNER.

Provide Names, Address and Phone Numbers, and Email for all listed below:

Owner
Name _____

Address _____

Phone _____ Email _____

Architect
Name _____

Address _____

Phone _____ Email _____

Landscape Architect
Name _____

Address _____

Phone _____ Email _____

Contractor
Name _____

Address _____

Phone _____ Email _____

Contractor Reg.# _____

Contractor Insurance Company and policy number/proof that Lake Pointe has been added to policy as insured: _____

Continued



Form #1 APPLICATION FOR PRELIMINARY DESIGN REVIEW

PAGE 2 OF 2

Surveyor: _____

Signed: _____ Date: _____
Owner or Authorized Agent



Preliminary Design Approved _____ Date: _____
continued

Comments:

It is understood and agreed that this Construction Documents Approval when granted shall be for a period of twelve (12) months from the approval date hereof. If Construction Application is not granted within said twelve (12) month period, this Construction Design Review approval shall be forfeited.

It is understood that all construction (interior & exterior) and landscaping must be completed within a period of twelve (12) months from the approval of the construction application. If the construction and landscaping is not completed within the required period, a fine of \$100 per day shall be assessed until completion and approval by the Design Review Committee.

Construction Documents Approved _____ Date: _____

Signed _____
Contractor

Signed _____
Design Review Committee



LAKE POINTE

Form #2 CONSTRUCTION APPLICATION AND DOCUMENT REVIEW

Date of Construction Documents Approval _____

Date Prepared _____ Date Received _____

Street Address _____ Lot # _____

Owner: Name _____

Address _____

Phone # _____ Email# _____

Contractor:

Name _____

Address _____

Phone # _____ Email# _____

Contractor Registration # _____

Deposit of \$3,000.00 per unit is attached hereto of which \$1000.00 is nonrefundable (made payable to "Lake Pointe Homeowners Association") and a second check for \$500.00 Non-Refundable Review Fee. If a spec home, include a third check for \$5,000.00

AGREEMENT:

I hereby agree that I have read and understand the Lake Pointe Design Guidelines and will abide by said Guidelines and shall perform the Construction approved herein in accordance with the final approved Construction Documents. I will not make any changes without prior approval by the Design Review Committee. Even if a spec home, I am obligated to complete the construction through final inspection and approval. Failure to do so, I am subject to a fine and/or forfeiture of my entire deposit.

I understand that my deposit may be used to make corrections for unauthorized work, to clean up site clutter, repair streets, trees or road shoulders and perform any other actions or repairs that are required to remedy infractions or violations to the Design Guidelines.

It is agreed that a conference shall be held among the Owner, Contractor and Architect prior to construction to review all Documents and assure the parties adherence to the Design Guidelines.

I shall also promptly pay any additional fees, fines or assessments for the stated purpose should I be so requested by the Committee.

I further agree to submit within 15 days prior to commencement of construction an insurance certificate naming the Lake Pointe as an insured on Owners and Contractors Policy.

Signed: _____ Date: _____
Owner or Authorized Agent

Signed: _____ Date: _____
Contractor

Approved: _____ Date: _____
Design Review Committee



LAKE POINTE

Form #3 APPLICATION TO MAKE CONSTRUCTION OR DESIGN CHANGE Page 1 of 2

Please include two (2) sets of drawings and Construction Review deposit in the amount of \$2500.00 (made payable to "Lake Pointe Homeowners Association")

Date of Construction Documents Review Approval _____

Date Prepared _____ Date Received _____

Street Address _____ Lot # _____

Owner:
Owner Name _____

Address _____

Owner Phone _____ Email _____

Architect:
Name _____

Address _____

Phone _____ Email _____

Proposed Change:
(Attach Drawings) _____

Reason for Change: _____

Signed: _____ Date: _____
Owner of Authorized Agent

Construction Change Approved _____ Date: _____

Comments:

It is understood and agreed that this Construction or Design Change approval when granted shall be for a period of six (6) months from the approval date hereof. If Construction has not commenced within the said six (6) month period, this approval shall be forfeited.

Signed: _____
Design Review Committee



LAKE POINTE

Form #3 APPLICATION TO MAKE CONSTRUCTION OR DESIGN CHANGE

Page 2 of 2

AGREEMENT:

I hereby agree that I have read and understand the Lake Pointe Homeowners Design Guidelines and will abide by said Rules and shall perform the Construction approved herein in accordance with the final approved Construction Documents. I will not make any changes without prior approval by the Design Review Committee.

I understand that my deposit may be used to make corrections for unauthorized work, to clean up site clutter, repair streets, trees or road shoulders and perform any other actions or repairs that are required to remedy infractions or violations to the Design Guidelines.

It is agreed that a conference shall be held among the Owner, Contractor and Architect prior to construction to review all Documents and assure the parties adherence to the Design Guidelines.

I shall also promptly pay any additional fees, fines or assessments for the stated purpose should I be so requested by the Committee.

I further agree to submit within 15 days prior to commencement of construction an insurance certificate naming the Lake Pointe Homeowners Association as an insured on Owners and Contractors Policy.

Signed: _____ Date: _____
Owner or Authorized Agent

Signed: _____ Date: _____
Contractor



LAKE POINTE

Form #4 **APPLICATION FOR FINAL INSPECTION**

Date Prepared _____ Date Received _____

Street Address _____

Lot # _____

Owner:

Requested Date for Inspection: _____

I certify that Construction has been completed and that all work done conforms to State, County and Local Codes and is in accordance with the Approved Plans granted by the Committee and meets Lake Pointe standards as approved.

Signed: _____ Date: _____
Owner or Authorized Agent

-

Deposit Returned { }

Deposit Withheld { }

Comments:

Signed: _____

Design Review Committee
Chairman



LAKE POINTE

APPENDIX #3d

Form #5 **EXTERIOR MAJOR MAINTENANCE APPLICATION**

Date of Maintenance Documents Approval _____

Date Prepared _____ Date Received _____

Date Work to Commence _____

Date Of Approximate Completion: _____

Lot# _____ or Address of Proposed Work _____

Scope of Work: _____

Owner Name _____

Address _____

Email _____ Phone _____

Contractor #1:

Name _____

Address _____

Email _____ Phone _____

Contractor Registration#

Deposit of \$500.00 - \$2,500.00 (amount to be determined by homeowner association) per unit is attached hereto (made payable to "Lake Pointe Homeowners Association")



Contractor #2 if Used:

Name _____

Address _____

Email _____ Phone _____

Contractor Registration# _____

AGREEMENT:

I hereby agree that I have read and understand the Lake Pointe Design Guidelines and will abide by said Guidelines and shall perform the Maintenance approved herein in accordance with the final approved Maintenance Documents. **I will not make any changes without prior approval by the Design Review Committee.**

Owner Signature

Contractor Signature

I understand that my deposit may be used to make corrections for unauthorized work, to clean up site clutter, repair streets, trees or road shoulders and perform any other actions or repairs that are required to remedy infractions or violations to the Design Guidelines.

It is agreed that a conference shall be held among the Owner, and Contractor prior to commencement of work to review all Documents and assure the parties adherence to the Design Guidelines.

I shall also promptly pay any additional fees, fines or assessments for the stated purpose should I be so requested by the Committee.

I further agree to submit within 15 days prior to commencement of construction an insurance certificate naming the Lake Pointe as an insured on Owners and Contractors Policy.

It is understood and agreed that this Construction Documents Approval when granted shall be for a period of twelve (12) months from the approval date, unless a written extension is agreed upon by the Committee and the Owner.

Signed: _____ Date: _____
Owner or Authorized Agent

Signed: _____ Date: _____
Contractor

Approved: _____ Date: _____
Design Review Committee

with the final approved Maintenance Documents. I will not make any changes without prior approval by the Design Review Committee.



APPENDIX #2

**LAKE POINTE
OWNER AUTHORIZATION FORM**

This letter of Agreement dated this _____ day of _____ 20__ , between homeowner
_____ whose address is _____

_____, phone _____

Email _____, authorize the design review committee of Lake
Homeowner Association to recognize as my designated agent _____

whose address is _____,

phone number _____, email _____,

to represent me on all matters relating to the construction of my residence on Lot # _____ located
at the street address of _____, Bigfork, MT 59911.

I acknowledge receipt of the Design Guidelines for the property and have read,
understand and shall abide by those covenants. It is understood that the Committee shall
enforce said covenants in accordance with the authorities vested to insure and protect the
values of the Members of the Homeowners Association.

I understand and agree that I am responsible for the actions of my Agent and that
this authorization shall continue until _____ or my written notice to the
Committee to terminate this authorization.

AGREED TO AND ACCEPTED THIS _____ DAY OF _____ 20__.

BY: _____ OWNER LOT # _____

BY: _____ CONTRACTOR/REG# _____

ACCEPTED BY THE DESIGN REVIEW COMMITTEE

BY: _____ DATED: _____

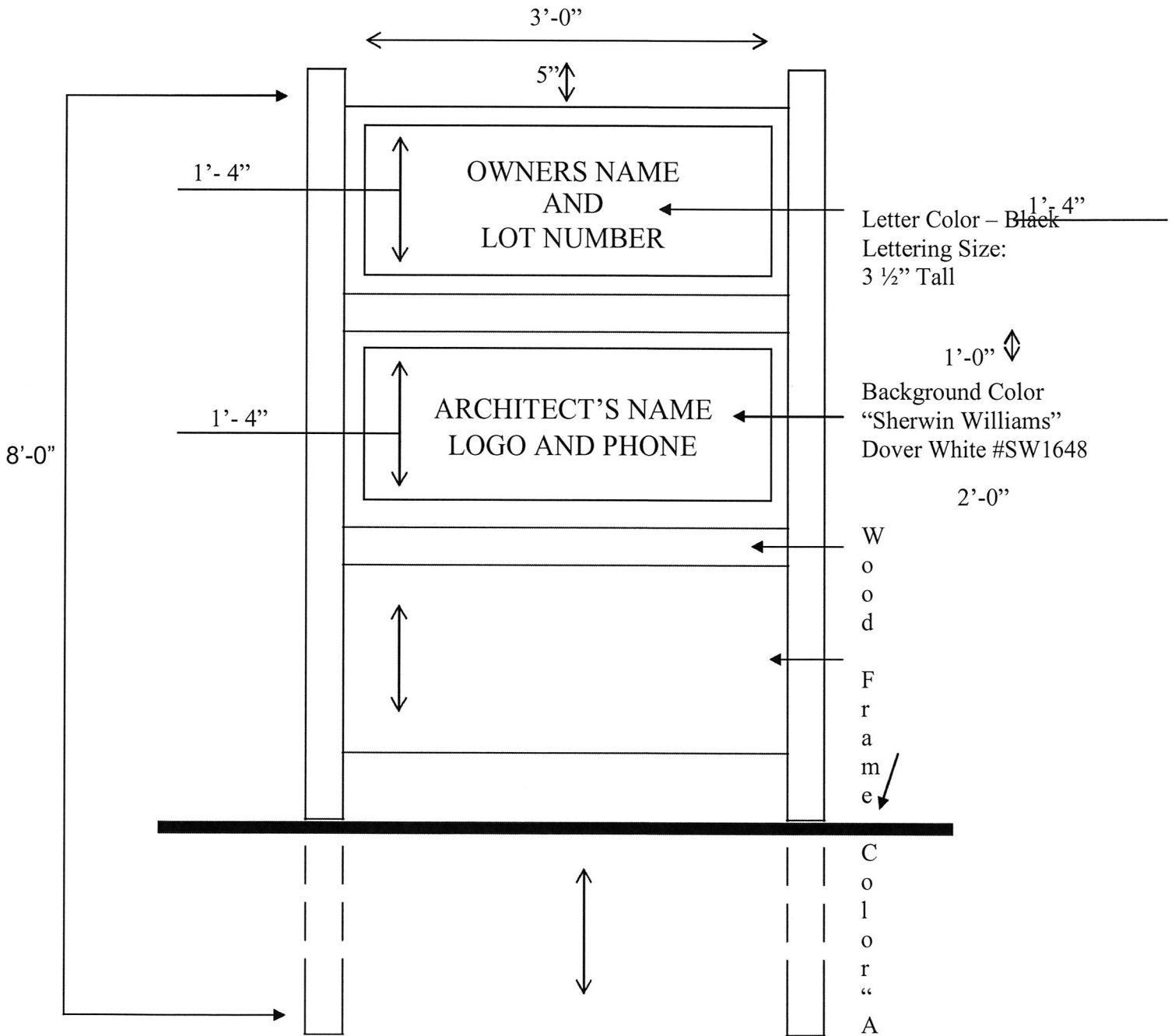


A

CONSTRUCTION SIGN

NOTE:

- All panels shall have the same colors as noted
- All colors may be color matched to some other manufacturer

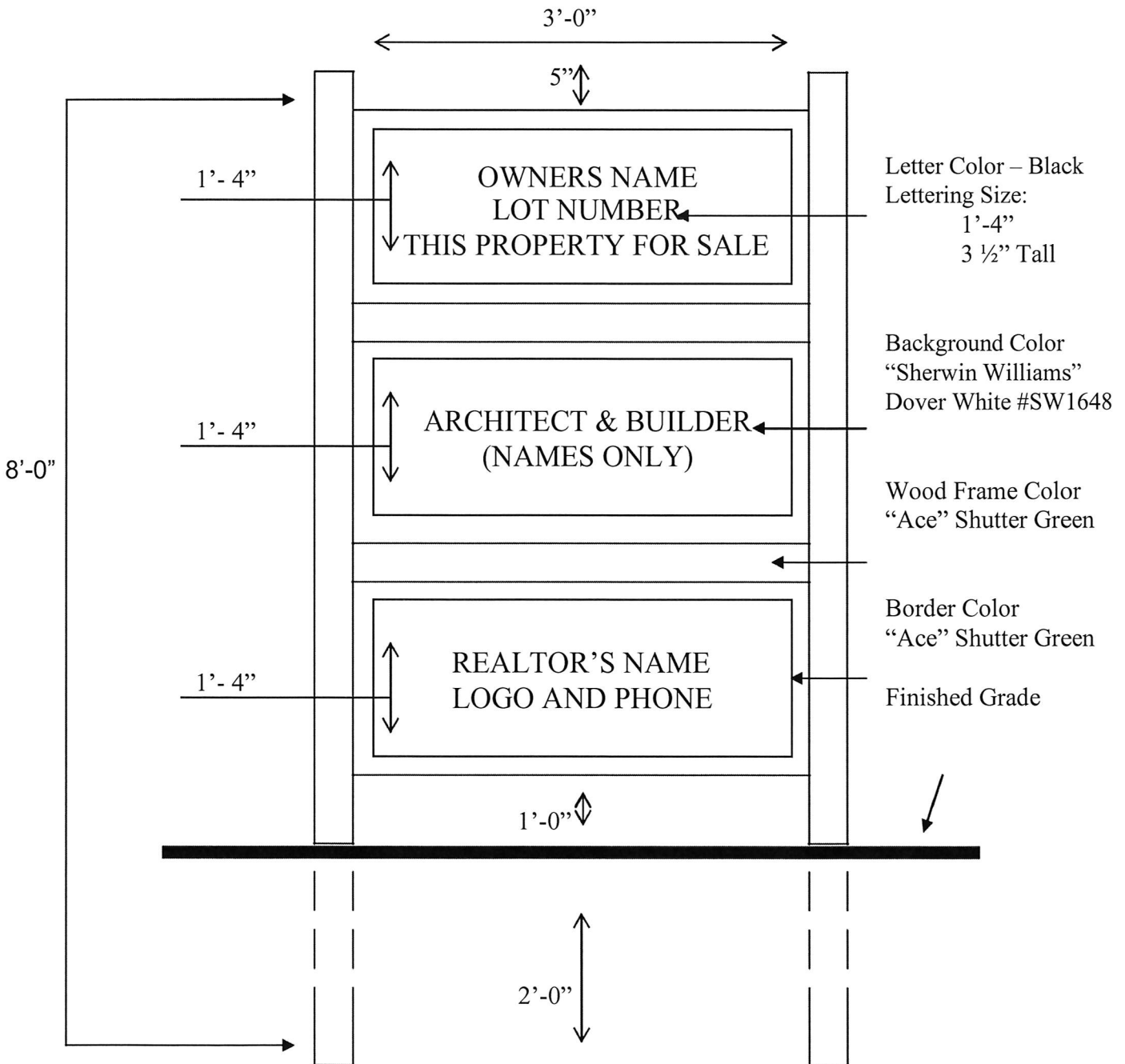




CONSTRUCTION- FOR SALE

NOTE:

- All panels shall have the same colors as noted
- All colors may be color matched to some other manufacturer

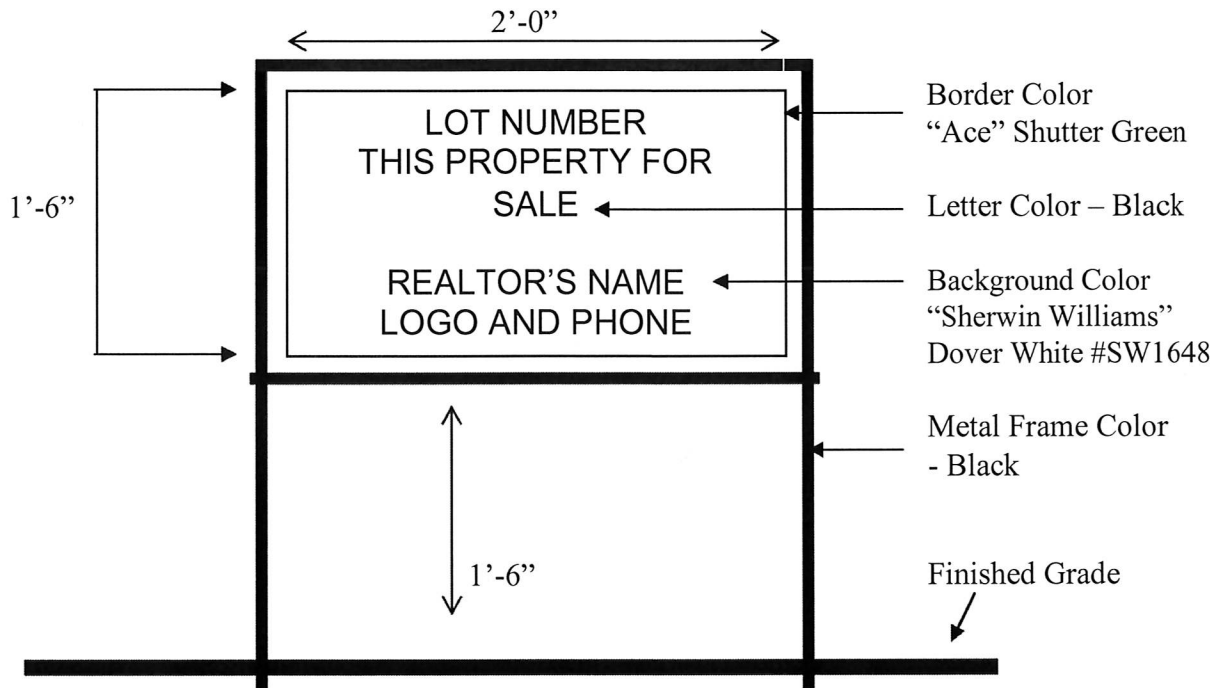




LOT & HOME RESALE SIGN

NOTE:

- All colors may be color matched to some other manufacturer





LAKE POINTE FINE SCHEDULE

- Construction that starts before 7:00 a.m. or after 6:00 p.m. shall be fined:
 - First violation \$300.00
 - \$500.00 second violation and subsequent violations
 - Construction work on Sunday without prior authorization follows the same fines
- Garbage and trash materials not picked up or lack garbage bins:
 - First violation \$100.00
 - \$250.00 second violation and subsequent violations. Any trash fished out of ponds will be removed and owners are to reimburse.
- On street parking on one side only:
 - First violation \$100.00
 - \$250.00 second violation and subsequent violations
- Loud radio or music:
 - First violation \$100.00
 - \$250.00 second violation
- Dogs loose and unleashed at construction site:
 - First violation \$100.00
 - \$250.00 second violation and subsequent violations
- Fires and Flash burning:
 - First violation \$500.00
 - \$1000.00 second violation and will double for each additional violation
- No portable toilet on site:
 - First violation \$250.00
 - If toilet isn't on site within 1 week
 - \$500.00 second violation
- Washing of any concrete truck, chutes on road or common areas:
 - First violation \$500.00 and Owner must clean up
 - Second violation \$750.00 and Owner must clean up
- Any exterior changes to a heretofore approved design without prior written approval via a change form submitted to HOA for approval, is subject to a fine:
 - \$500.00 base violation and is on a sliding scale up from there. If a violation occurs, the house in question may be required to revert to the original approved design. Any changes to the original approved design shall be at the discretion of the ARC.
- Any Lake Pointe home rental for periods of less than six (6) months:
 - First violation \$500.00 per day



- Damage to adjacent property occurring during construction activities and/or damage to HOA Common Areas:
 - \$500.00 base and damages must be repaired at offender's cost.
 - \$750.00 Second violation and damages must be repaired at offender's cost.
- Any and all construction activities shall be contained on the property approved for construction. No impediment on others property for any reason without written permission shall be fined as follows:
 - First violation \$500 and damages must be repaired at offender's cost.
 - Second violation \$750 and damages must be repaired at offender's cost.
- In keeping with the Lake Pointe adherence to the Dark Skies concept of limiting light pollution:
 - Contractors must ensure that all inside lights are turned off at night. Only minimal, approved outdoor lighting may be illuminated.
 - First violation will be a warning and the contractor will be asked to turn off.
 - The second infraction will bring a \$100.00 fine and the contractor will receive a call and be required to turn off the lights at that time.
 - All infractions thereafter will bring a \$100.00 and the contractor will receive a call and be required to turn off the lights at that time.

Lake Pointe HOA reserves the right to increase fines that align with violation or multitude of violation from builder/owners.