

THE ENCLAVE AT SPARKLE CREEK

HOMEOWNER'S GUIDELINES

Introduction

The purpose of this document is to provide each lot Owner with a general outline of his or her responsibilities as recorded in the Covenants and Restrictions of The Enclave at Sparkle Creek. The Covenants and Restrictions are designed to facilitate the construction process while ensuring design compatibility. Therefore, all proposed architectural and landscape designs must be submitted to and approved by the Architectural Control Committee of the Enclave Homeowners Association. This requirement encompasses all initial designs, later additions or alterations of any home, structure, wall, fence, or exterior elements. It will be the Owner's responsibility to insure that the architect and builder adhere to the Covenants and Restrictions and the approved plans and specifications.

Selecting Your Architect

Only a select group of qualified design professionals have been chosen to submit proposed designs to the Architectural Committee for approval. Only designs done by these professionals may be submitted (See attached list at the end of these guidelines). In order to assure that each review is conducted in a totally unbiased manner, thereby preserving the integrity of the process, the applicant will at no time contact the reviewing architect directly. Any correspondence should flow through the Architectural Control Committee.

Note: If The Enclave's Review Architect is selected to design a plan or prepare a submittal for an owner/applicant, such architect will be automatically eliminated from the review process for the project and another architect will be chosen to do the review.

Selecting Your Builder

Equally important is employing a highly responsible custom home builder who is cooperative, capable of the highest quality work, and who will abide by all Architectural Control Committee guidelines. You should consult with the Architectural Control Committee prior to the final selection of a builder as only builders who are approved by the Committee shall be permitted to engage in construction activities in The Enclave.

Review Procedure

Final approval to start any type of improvement or change will not be given until a full set of plans (Final Working Drawings) showing the full nature and impact of the proposed improvement has been submitted as required, appropriately reviewed, and approved by the Architectural Control Committee. The Architectural Control Committee utilizes a simple review process that is designed to assure smooth coordination between the Committee and the Owner's design professional.

The Committee requires the following three sequential submittals:

1. Schematic
2. Preliminary
3. Final

Submittal Requirements

All submittals must contain the following basic information:

1. Lot number, street address, owner's name, present address, telephone number, email address and date
2. Firm preparing submittal with address and telephone number of contact person
3. Scale for each drawing or detail
4. Stage of each submission, ie. schematic, preliminary, or final.
5. Existing site conditions including field run topography at no more than two foot intervals, existing trees with diameters 6 inches or greater, easements, boundary lines, required setbacks, existing adjacent structures, and street names
6. Two copies of the submittal itself.

A. Schematic Submittal

Provided an approved architect has been engaged, you may begin the review process by submittal of your schematic. The schematic submission should represent what is planned. It should include all relevant site information as described above in sketch form. The submittal need not be highly detailed, but at the same time, it should be sufficiently representative for the Architectural Control Committee to assess the design implications of the proposal.

The intention of the Architectural Control Committee at this stage is to weed out all proposed designs that would clearly not be in harmony with the design standards or the existing natural features of surrounding homes so the submitting Owner will not spend valuable time and money on a proposal that has no chance of becoming a reality. A check representing the design review fee (\$750.00) made out to Doug Enoch, The Enclave's review architect, must accompany the initial submittal.

B. Preliminary Submittal

This submission should incorporate all revisions required by the Architectural Control Committee from the schematic submittal. It is understood that these plans, once approved, will be carried to the working drawing stage, and, in order to allay the probability of design issues arising after working drawings are complete, the preliminary drawings should be fully representative.

The site plan portion of the submittal should include the following additional information not included in the schematic submittal:

1. Precise location of all improvements proposed, including driveway, pools, fire pits, etc..
2. Proposed site grading at no more than two foot intervals with spot elevations where necessary.
3. Scale for each drawing or detail.
4. Stage of each submission, ie. schematic, preliminary, or final.
5. Proposed finished floor elevations which shall in no event be at an elevation lower than the elevation shown on the Plat.
6. Compressor and generator (if installing one) locations.
7. Meter locations.
8. Fencing locations and materials.

The architecture at this detail should show all exterior elevations and floor plans in detail as well as all exterior materials and colors. The landscape architecture detailing the landscape such as proposed locations & shapes of flower beds, stone paths, ponds, waterfalls, additional trees, path lighting, up lighting, moon lighting from trees, etc. should also be submitted at this time.

C. Final Submittal

Final working drawings to be submitted for building permits must be reviewed and approved by the Architectural Control Committee prior to application for a building permit.

The Final Submission should respond positively to all comments made by the Committee during the earlier stages. The site plans and architectural submittals should at this stage contain all necessary details and specifications for construction. It is critical that the architectural elevations show proposed grading lines corresponding to the site plan, and must be accompanied by actual color and material samples. In the case of roofing and proposed brick or stone work, the Committee requires that a small mock up approximately 3 feet by 4 feet be constructed on site with the proposed mortar mix and tooling utilized. All approvals or disapprovals either complete and final, conditional, or qualified, will be in writing and signed by an Architectural Control Committee representative.

Initial Construction

A construction deposit of \$4000 paid by either the builder or owner or combination of both must be paid prior to commencing site preparation. Checks should be made payable to The Enclave at Sparkle Creek HOA. The construction deposit will be returned to the builder and/or owner after the completion of the project in the amount remaining after any fines or additional fees.

Once final plans have been approved in their entirety by the Architectural Control Committee and the construction deposit has been paid, the Owner may proceed with construction.

Expiration of Approval

Construction of an approved project must commence within 6 months of the date of issuance of written (email or U.S. Mail) notice of an approval. If an approval lapses, the applicant must submit a new application with another design review fee of \$750.

Completion Time

The construction project must be completed within 18 months of commencement.

Construction Requirements

During construction, tidiness of the site and conscientiousness toward neighboring lots will be of the utmost concern. Contractors' sloppiness will not be tolerated. As recorded in the covenants, each builder will be required to enforce the following:

1. Each lot must have its own dumpster, it's location approved by the ACC, and must be emptied prior to overflow.
2. Each lot must have a porta-potty located out of public view.
3. Each site must be cleaned of debris at the end of each day.
4. Construction materials must be kept out of the right-of-way at all times.
5. Construction working hours are from 7:00 a.m. until 7:00 p.m. on weekdays and 7:00 a.m. until 4:00 p.m. on Saturdays. No construction is allowed on Sundays.
6. There must be absolutely NO DUMPING of excess concrete or dumping or burning of any other materials within the Enclave at Sparkle Creek (streets, trails, other lots, or woods).
7. Each Builder and Owner is responsible for establishing property corners and construction staking. Only a licensed Engineer shall survey the property and locate proposed improvements.
8. Each Builder and Owner is responsible for protecting all common area infrastructure, walls, fencing and other common area improvements adjacent to and within the subject property.
9. Temporary lighting shall follow standards of permanent lighting.
10. Stockpiling of any building materials is not allowed within the drip line of any existing trees.
11. Temporary EROSION CONTROL is required on site during construction. Hay bales, silt fences and/or overseeding annual grasses shall be required. Wind screening (orange fencing) shall be required on each site to contain debris. Removal of mud/dirt and/or trash from the streets shall be the responsibility of the builder/owner. Repairs to neighboring resident's property resulting from damage caused by inadequate screening or inadequate mud control will be charged back to the negligent jobsite.
12. Weeds must be cut back on a regular basis.
13. Once commenced, construction will be diligently pursued to completion, and may not be left in a partially finished condition any longer than reasonably necessary for typical construction practices.
14. Only one sign will be permitted on any single homesite at any given time.

15. Use of residents' driveways, yards or privately owned vacant lots or homes by construction vehicles is strictly prohibited.
16. Loud radios or other similar devices that can be heard from the street or neighboring properties are prohibited.
17. Generators, trailers, trucks or other construction equipment must be removed from the jobsite at the close of each business day. Such equipment must not be stored on the jobsite, street, neighboring lots or common areas overnight.

Any deviation from the above will result in fines and necessitate immediate corrective measures at the Owner's and/or Builder's expense and expose the Owner and/or Builder to additional liabilities.

Violations of the Covenants and Restrictions will not be tolerated. The Architectural Control Committee and the Association have the right to impose on the owner an initial fine of \$500.00• for any one violation of the Covenants, a fine of \$100.00• per day for continued or unremedied violations, and the payment of any attorney and/or corrective costs involved.

•Subject to change

Approved Architects

Jeffrey Blackledge	356 S. Main St.	901-527-3560	Memphis, TN 38103
T. Douglas Enoch	5050 Poplar Ave.	901-685-7636	Memphis, TN 38117
Lewis Graeber	4152 Crestview Pl	601-366-3611	Jackson, MS 39211
Looney Ricks Kiss	175 Toyota Plaza	901-521-1440	Memphis, TN 38103
Robert McAlpine	One Dexter Ave.	334-262-8315	Montgomery, AL 36104
Oscar E. Menzer	866 Ridgeway Loop	901-767-6640	Memphis, TN 38120
Brad Shapiro	4646 Poplar Ave.	901-685-9001	Memphis, TN 38117
Charles Shipp	4646 Poplar Ave.	901-680-0204	Memphis, TN 38117
Ken Tate	206 Covington St.	985-845-8181	Madisonville, LA 70447

NOTE:

Lot Owners may also have Architects not listed above submitted to the Architectural Review Committee for approval.

Approved Builders

Eddie Kircher Construction
Hank Akers
Mark Belz
Charles Clarke
John Duke
Ken Garland
Karen Garner
Hank Hill
Master Design
Doyle Ricks
Chip Tayloe
Walker Ulhorn
Don Willis

NOTE:

Lot Owners may also have Builder not listed above submitted to the Architectural Review Committee for approval.

