

# 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 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 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).

### 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 Committee guidelines. You should consult with the Architectural 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 Committee. The Architectural 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 and date
2. Firm preparing submittal with address and telephone number
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 Committee to assess the design implications of the proposal.

The intention of the Architectural Committee at this stage is to weed out all proposed designs that would clearly not be in harmony with the design standards, the existing natural features of surrounding homes so the submitting Owner's 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 (which initially shall be in the amount of \$600.00) made out to the Enclave at Sparkle Creek Homeowner's Association must accompany the initial submittal to defray Association professional review expenses.

#### B. Preliminary Submittal

This submission should incorporate all revisions required by the Architectural 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.
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 location.
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 hardscape 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 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, 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 Committee representative.

#### Initial Construction

Once final plans have been approved in their entirety by the Architectural Committee, the Owner may proceed with construction on a stage-by-stage basis, subject to the approval at each stage by the Architectural Committee.

#### Construction Inspections

Each design professional must make a minimum of five inspections and after each inspection will certify in writing to the Committee that the house is being constructed in substantial accordance with the plans and specifications approved by the Committee prior to the construction. Construction may not proceed into the next stage of construction unless the Owner's Design Professional has provided written certification that the preceding stages of construction are in compliance with the approved plans.

Inspections are required at the completion of the following stages:

1. foundation;
2. framing;
3. cornice/shell;
4. final building; and
5. final landscaping.

#### 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 the following:

1. Each lot must have its own dumpster which must be emptied prior to overflow.
2. Each site must be cleaned of debris at the end of each day.
3. Construction materials must be kept out of the right-of-way at all times.
4. Construction working hours are from 7:00 a.m. until 7:00 p.m. on weekdays, 7:00 a.m. until 4:00 p.m. on Saturdays, and 12:00 noon until 4:00 p.m. on Sundays.\*
5. There must be absolutely no dumping of excess concrete or any other materials within Enclave at Sparkle Creek.
6. Each Builder and Owner is responsible for establishing property corners and construction staking. Only a licensed Engineer should survey the property and locate proposed improvements.
7. 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.

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 Builder to additional liabilities.

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

\*Subject to change

## Approved Architects

Jack Arnold	7310 South Yale	985.845.8181	Tulsa, OK 74136
Terry Barham	410 N. McLean	901.276.2854	Memphis, TN 38018
Jeffrey Blackledge	356 S. Main St.	901.527.3560	Memphis, TN 38103
T. Douglas Enoch	5050 Poplar Ave.	901.685.7636	Memphis, TN 38117
Hnedak Bobo Grp.	101 S. Front St.	901.525-2557	Memphis, TN 38103
Lewis A. Graeber	4152 Crestview Pl.	601.366.3611	Jackson, MS 39211
Looney Ricks Kiss	175 Toyota Plaza	901-521-1440	Memphis, TN 38103
Robert F. McAlpine	One Dexter Ave.	334.262.8315	Montgomery, AL 36104
Oscar E. Menzer	866 Ridgeway Loop Road	901.767.6640	Memphis, TN 38120
John Millard	766 South White Station	901.682.5631	Memphis, TN 38117
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.	1.985.845.8181	Madisonville, LA 70447

## Approved Builders

Hank Akers  
Richard Akers  
Charles Clarke  
John Duke  
Karen Garner (Magnolia Homes)  
Alfred Greenberg  
Hank Hill  
Russell Kostka

Kircher/Belz  
Master Design  
Doyle Ricks  
Chip Tayloe  
Don Willis