

**Stone Creek Frankfort Homeowners Association
Resolution of the Members Regarding
Architectural Standards**

WHEREAS, the Stone Creek Frankfort Homeowners Association (the “Association”) is a not-for-profit corporation organized and existing under the laws of the State of Illinois pursuant to the terms of that certain Declaration of Covenants, Conditions, Restrictions and Easements for the Stone Creek Subdivision, Frankfort, Illinois, which was recorded as document number R2005-124654 as to Phase One and document number R2006-133094 as to Phase Two, as amended from time to time (the “Declaration”);

WHEREAS, each Lot Owner (as defined in the Declaration) is a member of the Association and the affairs of the Association are managed by its Board of Directors;

WHEREAS, the Association and its Board of Directors are responsible for administering certain real estate in the County of Will, State of Illinois, which real property is subject to the provisions of the Declaration;

WHEREAS, Article IV, Section 2(i)(b) of the Declaration provides the Association with the authority to adopt rules and regulations necessary and proper to carry out the Association's powers and duties;

WHEREAS, Article IV, Section 2(i)(e) of the Declaration provides the Association with the authority to administer the architectural review process and appointments as set for in Article III of the Declaration;

WHEREAS, Article III of the Declaration establishes an Architectural Review Committee (“ARC”) for the purpose of keeping and maintaining architectural standards within the Association;

WHEREAS, the Lot Owners and the Board of Directors of the Association deem it desirable and in the best interests of the Association to adopt architectural standards for new construction within Stone Creek, Phase One (as defined in the Declaration) and Stone Creek, Phase Two (as defined in the Declaration, and together with Stone Creek, Phase One, hereinafter referred to as the “Subdivision”); and

WHEREAS, the Lot Owners and the Board of Directors of the Association deem it desirable and in the best interests of the Association to establish an Architectural Review Committee for new construction (“ARC-NC”) for the purpose of reviewing plans and specifications for the initial home to be constructed on each Lot (as defined in the Declaration);

NOW THEREFORE, in accordance with the terms and provisions of the Declaration and the above-stated recitals, the Lot Owners and the Board of Directors of the Association hereby approve and adopt the following architectural standards for new construction (“New Construction Standards”) within the Subdivision.

1. ESTABLISHMENT OF THE ARCHITECTURAL REVIEW COMMITTEE FOR NEW CONSTRUCTION

The Architectural Review Committee for new construction (“ARC-NC”) is hereby established for the purpose of reviewing plans and specifications for the initial home to be constructed on a Lot.

2. FORMATION OF THE ARCHITECTURAL REVIEW COMMITTEE FOR NEW CONSTRUCTION

The ARC-NC shall be comprised of two (2) committee members. One committee member shall be appointed by the Board of Directors of the Association and shall be the owner of an existing completed home on a Lot (“Existing Home Member”); the initial Existing Home Member shall be _____. If at any time the Existing Home Member is temporarily unavailable (as determined by the Board of Directors) to participate in committee activities, then _____ shall be the acting Existing Home Member. The other committee member, representing the owners of vacant Lots or Lots without completed homes (“Builder Member”), shall be an authorized representative (the “Blue Stone Representative”) of Blue Stone Creek LLC, a Michigan limited liability company, or its successor or assignee (“Blue Stone”). Blue Stone shall have the right to appoint the Builder Member until such time as Blue Stone no longer owns or controls the largest number of vacant Lots or Lots without completed homes held by a single person or entity (“Transfer Date”). Each ARC-NC member shall serve for a one (1) year term, which shall automatically renew unless and until (i) with respect to the Existing Home Member, the Existing Home Member resigns or no longer owns a Lot in the Subdivision or (ii) with respect to the Builder Member, the Blue Stone Representative is no longer an authorized representative of Blue Stone, or the Transfer Date has occurred. The Board of Directors may appoint a substitute member to serve out an existing term of a member of the ARC-NC upon the occurrence of the foregoing events, provided however, the Board shall appoint the owner of a completed home (at the time of appointment) to be the successor Existing Home Member and, on or after the Transfer Date, the owner (or authorized representative of an owner) of a vacant Lot (at the time of appointment) to be the successor Builder Member, and provided, further, if the Blue Stone Representative is no longer an authorized representative of Blue Stone, then Blue Stone shall have the sole right to appoint a new authorized representative to serve out the existing term of the Builder Member. If during the Builder Member’s term, the Builder Member (or the entity he represents) no longer owns or controls the largest number of vacant Lots or Lots without completed homes held by a single person or entity, then the Board of Directors shall appoint a new Builder Member. Any appointment or reappointment of a new member of the ARC-NC as described herein shall occur within fifteen (15) days of the event causing the vacancy. Each ARC-NC committee member may serve consecutive terms.

Except as provided herein, all actions of the ARC-NC shall be by unanimous consent. The Existing Home Member and the Builder Member, their members, managers, representatives, successor or assigns shall not be personally or corporately liable to any Lot Owner or to any other party for any acts or omissions made in good faith in carrying out their responsibilities as provided in these New Construction Standards and the Declaration. The Existing Home Member and the Builder Member shall not be responsible for any defects in any plans submitted, revised or approved in accordance with these New Construction Standards.

3. ARC-NC NEW CONSTRUCTION STANDARDS

Plans and specifications submitted to the ARC-NC shall be reviewed by the ARC-NC for compliance with the terms of the Declaration and these New Construction Standards.

4. ARC-NC REVIEW PROCESS

No work on the initial home on any Lot shall be commenced until such time as the plans and specifications have been submitted and approved in writing by the ARC-NC but subject to the provisions of this Section 4.

In order to request architectural approval from the ARC-NC, the Lot Owner shall submit the following information to the ARC-NC in duplicate-to the property manager, currently Kuehl Property Management. Attn: Jennifer Arthur P.O. Box 1164 Frankfort, IL 60423. The property manager will distribute copies to the office of the Builder Member, c/o S.R. Jacobson Companies, 32400 Telegraph Rd., Suite 100,

Bingham Farms, MI 48025 Attn: Manny Kianicky, and one set to the Existing Home Member-

- a. Architectural plans and exterior material specifications from a licensed architect (“Submitted Plans”) showing the nature, kind, shape, height, materials and color scheme of the building or structure, for the construction of the initial home on the applicable Lot; and
- b. A plot plan or survey showing the exact location on the Lot of the building or structure prepared by a surveyor or engineer showing proposed grades at all corners of the structure and existing grades along the perimeter of the Lot, though it is understood the Village of Frankfort will be responsible for making all required evaluations of lot grading.
- c. The completed Stone Creek Architectural Review for New Construction Checklist, which is attached hereto as Exhibit A.

Each Lot Owner shall provide a check for \$200.00 payable to the Association (“Review Fee”) at the time of submission of plans and specifications for the initial home on each Lot to the ARC-NC. All Review Fees shall be deposited in the general operating account in the name of the Association. Review Fees are non-refundable

If the ARC-NC unanimously agrees to approve or to disapprove the Submitted Plans, then that decision shall be final. The ARC-NC reserves the right to require modifications to Submitted Plans within the fifteen (15) day review period.

The Lot Owner may demand the Submitted Plans be sent to a reviewing architect for a final evaluation if one of the following occurs: (i) no written approval, disapproval or request for modifications is sent to the Lot Owner by the end of the fifteen (15) day review period or (ii) the Existing Home Member and the Builder Member of the ARC-NC do not agree whether to approve or to disapprove the Submitted Plans and so notify the Lot Owner within said fifteen (15) day review period. The reviewing architect shall be an individual who is a licensed architect familiar with the current zoning or building codes of the Village of Frankfort (“Architect”). The Architect’s fees shall be paid one-half by the Association and one-half by the applicant tendering the Submitted Plans. The Architect shall be appointed by the ARC-NC and may be changed from time to time by the agreement of the ARC-NC. The Architect shall be responsible for reviewing the Submitted Plans for the initial home and determining if the Submitted Plans comply with the objective standards set forth in the Declaration and the New Construction Standards within three (3) business days after the Submitted Plans are received by the Architect. The Architect’s approval or disapproval shall be the final and deciding vote.

Upon approval by the ARC-NC or upon the approval of the Architect and communication of this decision to the ARC-NC, the property manager for Stone Creek shall issue an approval letter to the Lot Owner. If the Submitted Plans are not approved by either the ARC-NC or the Architect, the Lot Owner may work with the Architect at the Lot Owner’s cost and expense to revise the Submitted Plans to bring them into compliance with the Declaration and the New Construction Standards. The time periods referred to in this paragraph are in addition to the initial fifteen (15) day review period noted above.

5. MASTER PLANS.

Plans and specifications may be submitted to the ARC-NC for consideration to be used on one or more Lots in the Subdivision (“Master Plans”) for an initial determination that they meet the architectural standards required by the Declaration and these adopted Architectural Standards (“Conforming Master Plans”), which determination shall be evidenced by a letter in a form and substance similar to the letter attached hereto as Exhibit B, and provided, however, that any such Master Plans shall be accompanied by

the payment of a single \$200.00 Review Fee for the initial determination of the Master Plans and shall be sufficiently detailed in accordance with the New Construction Standards to permit the ARC-NC to make the initial determination, and provided, further, that upon submission of the final plans for the applicable Lot which are substantially similar to a Conforming Master Plan, the Lot Owner or a builder on behalf of a Lot Owner (“Builder”) for such Lot shall pay the \$200.00 Review Fee for each Lot for which final approval of the ARC-NC is requested. Once final exterior selections are made, such as paint color and stone and brick color, the Lot Owner or Builder for the applicable Lot shall resubmit the specific plans and specifications for such the applicable Lot that were a part of the Conforming Master Plan determination along with the final selections highlighting any changes so the ARC-NC may give a final approval and ensure compliance with the Residential Monotony standard as defined in the Village of Frankfort Zoning Ordinance, Article 7, Part 6, Residential Monotony (“Frankfort Residential Monotony Standard”) in place at the time of submission to the ARC-NC and these New Construction Standards, though it is expressly understood that the ARC-NC has no duty to enforce any applicable municipal ordinances. The ARC-NC may require submission of samples of building and construction materials proposed for use on any Lot if such materials are not clearly designated on the plans and specifications, Master Plans, or Submitted Plans, and other information as may be reasonably necessary for the ARC-NC to evaluate the proposed improvements in accordance with these New Construction Standards. Once the Submitted Plans have been received, the ARC-NC shall have fifteen (15) days to submit a written approval or disapproval to the Builder or Lot Owner; provided however, that the ARC-NC shall have ten (10) days to submit a written approval or disapproval where the Submitted Plans are based on Conforming Master Plans and only final selections of exterior colors and textures have occurred.

6. TERMINATION OF THE ARC-NC

The review process of the ARC-NC shall end once the initial home on the last Lot in the Development to be constructed has received a certificate of occupancy from the Village at which time the ARC-NC shall be dissolved.

7. NEW CONSTRUCTION STANDARDS

In addition to the minimal restrictions and standards set forth in Article II of the Declaration, the following New Construction Standards and restrictions shall apply:

- a. All homes shall incorporate a minimum of five (5) of the following accent elements: stone accents, stone lintels, keystones, brick soldier coursing and similar details, wing walls, balconies, bay/bumped out windows, covered front porch, arbor/ trellis, shutters (none plastic), columns, cupola, ornate chimney pots, window boxes, decorative gable vents, and other similar accents (but excluding outdoor electrical elements or features) as approved by the Board from time to time.
- b. Eave returns are required on all houses with appropriate rooflines.
- c. Three car garages shall be side loaded if possible, or if not practical, have 2 cars side loaded and one front loaded, or if front loaded have a break in the roofline by stepping one stall back a minimum of one (1') foot.
- d. All garage doors shall have two of the following design details: transom windows, permanently affixed decorative brackets and handles, raised/recessed panels, faux half-timbering and/or other similar design elements.
- e. Each dwelling shall utilize the same or similar style and quality windows, doors, and trim on all facades. As stated in the Annexation Agreement recorded on August 13, 2004, all homes will be constructed of brick, stone, masonry, or wood, with the entire

first floor being constructed out of brick, stone, or masonry materials. The incorporation of stone into exterior elevations is encouraged.

- f. The front entrance must be distinctive, utilizing architectural features such as windows, sidelights, transom windows, and columns.
- g. There shall be no uninterrupted wall length of thirty five (35) feet or greater along any façade of the house, except to encourage side load garages where a home may be constructed with a maximum of two uninterrupted wall lengths greater than thirty five feet.
- h. Aluminum and/or vinyl will only be allowed as fascia and soffit material. Aluminum is the preferred fascia and soffit material.
- i. Front elevations shall conform to the Frankfort Residential Monotony Standard in place at the time of submission to the ARC-NC and every effort should be made to create distinct elevations from those homes surrounding the proposed home. The ARC-NC shall encourage the use of natural siding materials, such as brick, stone and wood.
- j. Primary house paint colors or brick color shall conform to the Frankfort Residential Monotony Standard in place at the time of submission to the ARC-NC.
- k. Pet runs, houses or other such enclosures are prohibited.
- l. All decks shall be contiguous to the residence and have concrete footings and be constructed out of cedar, redwood pressure treated or simulated wood such as Trex. Colors should complement house colors.
- m. Outdoor hot tubs must be incorporated into a deck or patio and may not be more than ten (10) feet from the rear wall of the residence and shall not be visible from the street.
- n. Curbside mailboxes and posts shall be of similar design and manufacture. The ARC shall provide a list of acceptable mailbox designs and manufacturers. Additionally, the current mailbox options can be found on the Association's website. Any installed mailboxes that are not in compliance with this provision must be brought into compliance within 6 months from the date of the adoption of this Resolution. This provision does not apply to any mailboxes located upon vacant Lots or Lots upon which a home is under construction. The Lot must be in compliance with this provision no later than 6 months following issuance of a temporary certificate of occupancy from the Village of Frankfort.
- o. No brick, masonry or stone mailboxes are permitted.
- p. No Sheds are allowed on any Lot. A shed is defined as a structure, unit, or container more than four (4) feet in height, four (4) feet in depth or four (4) feet in width which is used to store items. No shed or container shall be more than four (4) feet in any dimension.

- q. Temporary storage containers may be utilized during construction, remodeling or moving. Such containers shall not be stored on the Lot longer than thirty (30) days, without prior written approval of the ARC for good cause shown.
- r. Sport courts are not permitted on any Lot.
- s. Landscaping for new construction must follow the requirements found in the Village of Frankfort Landscape Regulations and Sections 150.75 & 150.76 of the Village Code. Landscaping must be completed within six (6) months of the issuance of a temporary certificate of occupancy or the next spring following issuance of a temporary certificate of occupancy, whichever is earlier. Current homes not in adherence have until Spring, 2014 to bring the landscaping into compliance. All Lots must have at least one (1) bush or tree per three (3) linear feet in all landscaping beds that do not contain other plantings.
- t. Temporary rear decks must be replaced with permanent structures within twelve (12) months of occupancy. Temporary decks are defined as less than one hundred (100) square feet in size at the platform level of the door. Any homes not meeting these criteria shall be required to adhere within twelve (12) months of the adoption of the Resolution.

The ARC-NC shall have the right to prevent the building of and to disapprove any construction plans that do not meet the requirements of the Declaration and these New Construction Standards.

8. CONFLICTS.

The New Construction Standards were adopted to address recent changes by the Village of Frankfort which are more restrictive than those standards stated in Article II of the Declaration and to make other clarifications. If the New Construction Standards and the Declaration conflict, the more restrictive standard will govern. If at any time the terms of Article II of the Declaration or the New Construction Standards conflict with current zoning or building codes of the Village at the time construction is to commence, the more restrictive standard will govern.

ADOPTED: _____, 2014

Exhibit "A"
Stone Creek Architectural Review for New Construction Checklist

[See attached]

STONE CREEK ARCHITECTURAL REVIEW FOR NEW CONSTRUCTION

Name: _____

Lot # _____

Date: _____

Email: _____

Phone # _____

Square Footage Requirements:

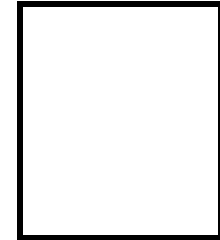
Ranch - 2600 min	Total	
1 1/2 Story - 1800/2600	1st Floor	
	Total	
2 story - 1800/3000	1st Floor	
	Total	

Roof Pitch - 9/12:	
2 1/2 Car Garage:	

TO BE COMPLETED BY STONE CREEK ARC-NC		
Y = Meets	N = Does Not	N/A = Not Applicable

Resolution:

7a. All homes shall incorporate a minimum of five (5) of the following accent elements: stone accents, stone lintels, keystones, brick soldier coursing and similar details, wing walls, balconies, bay/bumped out windows, covered front porch, arbor/trellis, shutters (none plastic), columns, cupola, ornate chimney pots, window boxes, decorative gable vents, and other similar accents (but excluding outdoor electrical elements or features) as approved by the Board from time to time.



- 1 _____
- 2 _____
- 3 _____
- 4 _____
- 5 _____

STONE CREEK ARCHITECTURAL REVIEW FOR NEW CONSTRUCTION

Name: _____

Lot # _____

Date: _____

7b. Eave returns are required on all houses with appropriate rooflines.

7c. Three car garages shall be side loaded if possible, or if not practical, have 2 cars side loaded and one front loaded, or if front loaded have a break in the roofline by stepping one stall back a minimum of one (1') foot.

7d. All garage doors shall have two of the following design details: transom windows, permanently affixed decorative brackets and handles, raised/recessed panels, faux half-timbering and/or other similar design elements.

1 _____

2 _____

7e. Each dwelling shall utilize the same or similar style and quality windows, doors, and trim on all facades. As stated in the Annexation Agreement recorded on August 13, 2004, all homes will be constructed of brick, stone, masonry, or wood, with the entire first floor being constructed out of brick, stone, or masonry materials. The incorporation of stone into exterior elevations is encouraged.

7f. The front entrance must be distinctive, utilizing architectural features such as windows, sidelights, transom windows, and columns.

7g. There shall be no uninterrupted wall length of thirty five (35) feet or greater along any façade of the house, except to encourage side load garages where a home may be constructed with a maximum of two uninterrupted wall lengths greater than thirty five feet.

STONE CREEK ARCHITECTURAL REVIEW FOR NEW CONSTRUCTION

Name: _____

Lot # _____

Date: _____

7h. Aluminum and/or vinyl will only be allowed as fascia and soffit material. Aluminum is the preferred fascia and soffit material.

7i. Front elevations shall conform to the Frankfort Residential Monotony Standard in place at the time of submission to the ARC-NC and every effort should be made to create distinct elevations from those homes surrounding the proposed home.

7j. Primary house paint colors or brick color shall conform to the Frankfort Residential Monotony Standard in place at the time of submission to the ARC-NC.

Primary House Color - Name	
Trim Color - Name	
Brick Color - Name	

7k. Pet runs, houses or other such enclosures are prohibited.

7l. All decks shall be contiguous to the residence and have concrete footings and be constructed out of cedar, redwood pressure treated or simulated wood such as Trex. Colors should complement house colors.

7m. Outdoor hot tubs must be incorporated into a deck or patio and may not be more than ten (10) feet from the rear wall of the residence and shall not be visible from the street.

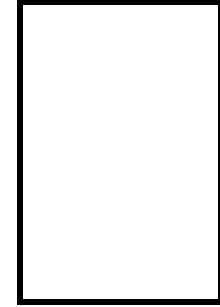
STONE CREEK ARCHITECTURAL REVIEW FOR NEW CONSTRUCTION

Name: _____

Lot # _____

Date: _____

7n. Curbside mailboxes and posts shall be of similar design and manufacture. The ARC shall provide a list of acceptable mailbox designs and manufacturers. Additionally, the current mailbox options can be found on the Association’s website. Any installed mailboxes that are not in compliance with this provision must be brought into compliance within 6 months from the date of the adoption of this Resolution. This provision does not apply to any mailboxes located upon vacant Lots or Lots upon which a home is under construction. The Lot must be in compliance with this provision no later than 6 months following issuance of a temporary certificate of occupancy from the Village of Frankfort.



7o. No brick, masonry or stone mailboxes are permitted.



7p. No Sheds are allowed on any Lot. A shed is defined as a structure, unit, or container more than four (4) feet in height, four (4) feet in depth and four (4) feet in width which is used to store items.



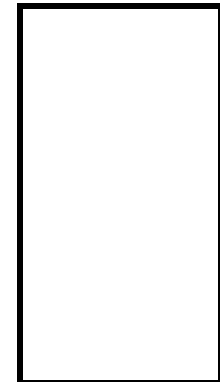
7q. Temporary storage containers may be utilized during construction, remodeling or moving. Such containers shall not be stored on the Lot longer than thirty (30) days, without prior written approval of the ARC for good cause shown.



7r. Sport courts are not permitted on any Lot.



7s. Landscaping for new construction must follow the requirements found in the Village of Frankfort Landscape Regulations and Sections 150.75 & 150.76 of the Village Code. Landscaping must be completed within six (6) months of the issuance of a temporary certificate of occupancy or the next spring following issuance of a temporary certificate of occupancy, whichever is earlier. Current homes not in adherence have until Spring, 2014 to bring the landscaping into compliance. All Lots must have at least one (1) bush or tree per three (3) linear feet in all landscaping beds that do not contain other plantings.



STONE CREEK ARCHITECTURAL REVIEW FOR NEW CONSTRUCTION

Name: _____

Lot # _____

Date: _____

7t. Temporary rear decks must be replaced with permanent structures within twelve (12) months of occupancy. Temporary decks are defined as less than one hundred (100) square feet in size at the platform level of the door. Any homes not meeting these criteria shall be required to adhere within twelve (12) months of the adoption of the Resolution.



Notes:

Exhibit "B"
Initial Determination Letter Form

To: Lot Owner or Builder

Re: Architectural Master Set Review
Stone Creek Subdivision, Frankfort IL

It is our understanding that _____ (Lot Owner/Builder) is requesting an initial review for one or more "Master Plans" of homes (as defined below) intended to be constructed in Stone Creek to determine if they meet the architectural standards required by the recorded Declaration of Covenants, Conditions, Restrictions and Easements, and the adopted Stone Creek Architectural Standards. The Stone Creek Architectural Review Committee for new construction ("ARC-NC") has received your master set of architectural plans and specifications for the following home plans:

- 1.
 - 2.
 - 3.
 - 4.
 - 5.
- (collectively, the "Master Plans").

The ARC-NC has determined that the Master Plans meet the requirements of the Declaration and the Architectural Standards, subject to the selection of final exterior colors and materials, and are hereby designated as Conforming Master Plans.

Please note that this initial determination does not constitute final architectural approval for plans to be constructed on any particular lot. In order to obtain final approval, two complete sets of plans and specifications for the home intended to be constructed on a specific lot ("Submitted Plans") shall be submitted to the ARC-NC through the Association's management company, as provided in Paragraph 4 of the Stone Creek Frankfort Homeowners Association Resolution of the Members Regarding Architectural Standards.

If the ARC-NC confirms that the Submitted Plans are substantially similar to one of the Conforming Master Plans previously submitted which has been determined to meet the Stone Creek architectural requirements, the ARC-NC will provide final architectural approval for the Submitted Plans for the particular lot as long as the ARC-NC approves exterior colors, building materials, anti-monotony standards and a topographic plot plan contained in the Submitted Plans.

Sincerely yours,

Authorized Representative, Stone Creek ARC-NC



Addendum #1 to Architectural Review Committee for New Construction Resolution

Any changes to any ARCHITECTURAL ELEMENT of a home under construction or pre-approved for construction must be re-approved by the ARC-NC.

This includes, but is not limited to:

Roof lines, stone work, shutters, brackets, gables, porches, stairs, architectural details, windows, doors, siding,

Any non-approved changes may be subject to correction at the cost of builder/current owner. Additionally, fines may be levied by the HOA for non-compliance.