

SUPPLEMENTAL DESIGN GUIDELINES:

Pinnacle at Promontory

This design criteria apply to the Pinnacle Estate Lots and the Lots designated for Portfolio of Homes model designs within the Pinnacle subdivision described more fully in the Supplemental Declaration of Covenants, Conditions and Restrictions for Pinnacle at Promontory, including each Phase.

These Supplemental Design Guidelines for The Pinnacle (hereinafter "Supplemental Guidelines") have been promulgated pursuant to Article 4.3 of the Declaration of Covenants, Conditions, and Restrictions for Promontory (hereinafter the "Declaration") and The Supplemental Declaration of Covenants, Conditions, and Restrictions for Pinnacle at Promontory subdivision (hereinafter the "Supplemental Declaration"). These Supplemental Guidelines apply only to the real and personal property subject to the Declaration and the Supplemental Declaration and, with respect to that real and personal property only, they supplement the Design Guidelines for Promontory (hereinafter the "Design Guidelines") promulgated by the Architectural Review Committee for Promontory pursuant to Section 4.8.8 of the Promontory SPA plan dated January 16, 2001 as amended from time to time. Both sets of design guidelines are binding upon all Persons in accordance with the Declaration who at any time construct, reconstruct, refinish, alter or maintain any improvement upon the Pinnacle lots, or make any change in the natural or existing surface, drainage or plant life thereof.

The Supplemental Guidelines are administered and enforced by Architectural Review Committee (hereinafter "Committee") in accordance with the Declaration and the procedures herein and therein set forth. In addition, the Committee administers and enforces the Design Guidelines pursuant to the Promontory SPA Plan. The Committee may amend these Supplemental Guidelines and the Design Guidelines from time to time and it is the responsibility of each Owner or other Person to obtain and review a copy of the most recently revised Supplemental Guidelines and Design Guidelines.

The purpose of the Committee is to evaluate each proposed design, alteration, addition, improvement, etc., for appropriateness to its own Lot, to the existing Improvements, and to the community. The Committee may determine that what was found acceptable in one situation might not be acceptable in another. The goal is for the appearance and character of all Residences and Improvements, including exterior landscaping, art and sculpture, to harmonize with and enhance their natural and manmade surroundings rather than to dominate and/or contrast sharply with them.

The Promontory philosophy is explained in the Design Guidelines, which are hereby made a part of these Supplemental Guidelines by reference. It is intended that the Pinnacle will be harmonious with, but not exactly like, other areas of the Promontory community. These Supplemental Guidelines impose certain restrictions with respect to the Pinnacle in order to preserve the unique character of this neighborhood while integrating the village into Promontory as a whole.

THE PINNACLE VISION

Nestled within the exclusive mountain community of Promontory is a unique piece of land that is by far the most extraordinary parcel of an already incredible property. Everything about it speaks to its exceptionality. It is the best of the best. Astonishing views. Gorgeous topography. An exhilarating elevation that heightens the senses as well as one's aspirations.

The Pinnacle is envisioned as an exclusive controlled-access Legacy Estate enclave, within the larger Promontory Community. Comprised of Custom Estate lots, a pre-designed Portfolio of Homes and Pinnacle Exclusive recreational and service amenities, the neighborhood features expansive areas of open space with panoramic golf and mountain views.

Owners of Estate lots may construct aesthetically designed private family estates that accommodate a primary home and no more than one related, attached guest/caretaker ancillary structure on the Homesites.

The Portfolio of Homes are specially designed and Developer built, with views toward the 14th, 15th and 16th Pete Dye Canyon Golf fairways and Wasatch Mountain Range.

The Pinnacle exclusive Recreational Amenities and Service Facility will provide all Pinnacle owners with concierge and postal services, pool, fitness, catering kitchen & indoor/outdoor social gathering areas along with a controlled-access entry.

The general appearance (including but not limited to materials, coloration, and massing) of residential structures will be governed by the same principles incorporated in the *Design Guidelines* for the larger Promontory Community. Modifications are made herein to allow for the massing requirements of larger homes than permitted in certain locations within Promontory., All structures on each Homesite (other than landscaping, entry gates, walls and entry monuments) must be located within the designated building envelope. Furthermore, all structures and improvements are subject to the prior approval of the Promontory Architectural Review Committee, which Committee operates within the broad discretion granted it under Promontory's Declaration and general *Design Guidelines*. The Committee shall apply the same general aesthetic considerations and principles concerning appearance and proportionality that is applied elsewhere in Promontory.

BUILDING ENVELOPE CONCEPT

The specific building envelope for each Estate lot Homesite and Portfolio of Homes are indicated on the final Pinnacle subdivision plats. The building envelope is that portion of each Homesite within which the Estate lot Owner may make improvements, including structures, decks, walks, landscape improvements, grading, walls, and fencing (excluding the previously mentioned above). Owners of Incentive Densit lots may only build homes and make improvements allowed within the approved Portfolio of Homes designs.

At the time of land planning and plat approval, certain areas of some building envelopes appear to encroach into 30%+ sloped topography. The lot owner is responsible for having a certified survey prepared which will also verify such encroachment. Development within the 30%+ areas is not allowed without Summit County approval.

ACCESS DRIVES

Driveway surfaces are allowed outside the building envelope. However, a specific request regarding access drive/driveway width and/or surface shall be submitted by each Estate Homesite Owner for review to the Committee. The Committee then may, in its sole discretion, approve such request upon finding it to be consistent with the Pinnacle Vision stated above. Although the standard drive is one (1) per lot, in some instances where possible and warranted, two (2) drives may be permitted.

Portfolio of Homes may only have one (1) access drive.

WALLS AND FENCING

Each Estate Homesite Owner may construct fencing and/or walls (as set forth in Promontory's general *Design Guidelines*) inside the building envelope so long as such improvements receive site plan approval by Summit County and design pre-approval from the Committee. Entry walls & gates may be installed outside of the building envelope along driveways and the entry roadway, however, the design must be similar and in keeping with the neighborhood streetscape and controlled-access entry design. It must be subdued to blend with the natural landscape.

Retaining wall design is standardized utilizing Gabion systems. No other retaining wall types are allowed unless they are an integral part of the home structure design.

GATES

All posts for gates on private driveways and roads shall be four-feet wider than the approved road pavement width. All gates shall be located at least 15 feet from the right-of-way and shall open inward allowing a vehicle to stop while not obstructing traffic on the major or minor roads. Should gates be electronically operated, a receiver shall be installed that would permit emergency service access with a transmitter. If the gate can be locked, a lock-box or other access device shall be approved by the jurisdictional Fire Service District and Summit County Sheriff, and shall be located on the exterior side of the gate to provide for emergency equipment access to the property through the gate.

SIGNAGE AND ADDRESS IDENTIFICATION

All address identification and signage are standardized and subject to review by the Committee pursuant to the Pinnacle Vision stated above.

LIGHTING

Additional downward orientated low voltage site lighting is permitted within a building envelope, provided such lighting does not result in excessive glare toward the street or neighboring properties. As preservation of a dark sky is a priority at Promontory and Summit County ordinance, no street lighting scheme will be employed by the Developer throughout the Subdivision.

HOMESITE RESTRICTIONS

No more than one (1) primary residence may be constructed on any one (1) Homesite. Other outbuildings such as attached garages, household staff quarters and guest houses must be connected to the primary structure and must be constructed within the building envelope so long as they are pre-approved by the Committee, in its sole discretion, and so long as they are consistent with the all plat requirements and the Pinnacle Vision stated above.

FLOOR AREA

The total maximum net livable floor area on an Estate Lot is 10,000 square feet. The total minimum net livable floor area on an Estate Lot is 6,000 square feet. In the case of phased construction, the main residence and garage must be built prior to construction of any ancillary buildings such as, but not limited to guest and/or servant quarters.

The Portfolio of Home Designs have been previously evaluated and do not need to conform to this additional step.

HEIGHT AND MASSING OF STRUCTURES

Offsets or indentations in wall planes create visual interest and add depth via shadow lines. While minimum wall length, offsets and heights are relaxed for the Estate lots from the Promontory Design Guideline requirements, given the potential scale and massing of the homes, each design will be heavily evaluated for compliance with the Pinnacle Vision Statement and the 13 Elements of Composition described in the Promontory Design Guidelines.

The maximum building height limit is 32' above existing grade for Estate Lots and Portfolio of Homes designed Lots with the exception that the maximum building height limit is 28' above existing grade for Estate lots 2, 3, 4, 15, 16, 17 and 18.

ESTATE LOT ROOFS

In order to minimize the monolithic appearance of large structures and in order to ensure that the roofline of each building in the Pinnacle creates a complimentary visual relationship with surrounding landscapes, Open Spaces, roadways, and Homesites, the Committee, in its sole discretion, will typically require that roof forms be broken into several planes and composed of differentiated materials (See Promontory's general *Design Guidelines* for further explanation.) All roof surfaces must be Cor-ten, Copper, Zinc Slate in Grey or Black. Asphalt shingles and concrete tile roofs are not allowed. Flat roof designs must comply with the requirements in the Promontory Design Guidelines and further, must step down toward the perimeter of the home to relate to the surrounding homes with potentially pitched roofs.

The Portfolio of Home Designs have been previously evaluated and do not need to conform to this additional step.

EXTERIOR MATERIALS

Each building on any and all Homesites within the Pinnacle must include a substantial amount of stone on its exterior surface. The Committee, in its sole discretion, generally requires a minimum amount of 50 percent of the exterior wall surface of the home (excluding windows and door openings) to be made of stone. As every Homesite Design will be uniquely tailored to its own Homesite conditions, architectural theme, etc., the Committee will make the final decision as to whether this required stone minimum is met on each Homesite Design as such applicable Plans are appropriately submitted. The stone used may either be native or cultured (i.e. El Dorado); but regardless, the stone type must be evaluated and pre-approved by the Committee. Stucco is not allowed.

LANDSCAPING

Each Estate lot must incorporate at least 30 trees composed of a minimum of 20 evergreens and 10 deciduous meeting the requirements of the main design guidelines with most of the trees located on the street side of the lot.

INCENTIVE DENSITY LOTS

Homes on Incentive Density Lots in Phases II, V, and VI, are limited to designs offered by the Developer through its Portfolio of Homes and built by Developer or Developer's affiliate. The designs available include the Bradford, the Mitchell, the Stella, and the Pollock, with their respective allowable customizations. No custom homes are allowed on these lots and the Committee shall not approve the construction of any custom home.