

**OLD TRAIL HOMEOWNERS ASSOCIATION, INC.**  
**ARCHITECTURAL REVIEW BOARD APPLICATION**

Lot No.: \_\_\_\_\_ Application Date: \_\_\_\_\_

Property Owner: \_\_\_\_\_

Address: \_\_\_\_\_

FINAL REVIEW ( )      PRELIMINARY REVIEW ( )      ABBREVIATED REVIEW ( )

Property Owners' Name and Current Address: \_\_\_\_\_

\_\_\_\_\_ Phone: \_\_\_\_\_

Contractors' Name and Current Address: \_\_\_\_\_

\_\_\_\_\_ Phone: \_\_\_\_\_

NEW HOME ( )      HOMESITE IMPROVEMENT ( )      EXISTING HOME IMPROVEMENT ( )

Description of project, and if a preliminary review is used, indicate the type of feed back desired:

\_\_\_\_\_

If this is a speculative home, what is the expected selling price? \_\_\_\_\_

Heated/Cooled Square Footage \_\_\_\_\_

(Minimum 3000 square feet)      1<sup>st</sup> Floor      2<sup>nd</sup> Floor

Submitted with this application are 3 sets of required property data and project plans, drawings, specifications and supplemental information:

TREE SURVEY: (include in site plan) \_\_\_\_\_      SITE PLAN: \_\_\_\_\_

ARCHITECTURAL DRAWINGS: \_\_\_\_\_      LANDSCAPE PLAN: \_\_\_\_\_

**ALSO SUBMITTED WITH THIS APPLICATION ARE THE APPROPRIATE FEES:**

- \_\_\_\_\_ Architectural Review Board Deposit Fee of **\$10,000** if the owner is the builder. A **\$250 nonrefundable portion will be retained to cover the association's costs.**
- \_\_\_\_\_ Architectural Review Board Deposit Fee of **\$5,000** by a contractor. A **\$250 nonrefundable portion will be retained to cover the association's costs.**
- \_\_\_\_\_ Abbreviated Review Board Fee of **\$50**

**MAKE CHECKS PAYABLE TO: OLD TRAIL HOMEOWNERS ASSOCIATION, INC.**

**ARCHITECTURAL REVIEW BOARD APPLICATION cont.**

The Architectural Review Board also requires a sample roof tile and exterior paint color samples be submitted with this application.

<u>ITEMS</u>	<u>MATERIALS</u>	<u>COLORS</u>	<u>DESCRIPTIONS</u>
Walks	_____	_____	_____
Service Court	_____	_____	_____
Driveway	_____	_____	_____
Siding	_____	_____	_____
Roofing	_____	_____	_____
Deck	_____	_____	_____
Ext. Lighting	_____	_____	_____
Trim	_____	_____	_____
Ext. Doors	_____	_____	_____
Garage Doors	_____	_____	_____
Windows	_____	_____	_____
Chimney	_____	_____	_____
Other	_____	_____	_____
	_____	_____	_____

Granted Variances (leave blank)

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_

This application is submitted with the full knowledge and understanding and existence of the recorded Declaration of Covenants, Conditions and Restrictions and the Old Trail Planning and Design Guidelines.

The undersigned accepts the obligation to adhere to the above mentioned documents.

\_\_\_\_\_  
Signature Old Trail Property Owner

\_\_\_\_\_  
Date

## SECTION I - INTRODUCTION

### **PURPOSE OF GUIDELINES**

Old Trail, in the Declaration of Covenants and Restrictions provides for application of planning and design concepts used in homesites, and/or dwellings by establishing an Architectural Review Board (ARB). The purpose of the standards and requirements set forth are to achieve a balance in building with the natural environment.

1. In reviewing applications for building the Architectural Review Board may recommend approval, approval with conditions, or disapproval after consideration of whether the following criteria are complied with.
  - A. The plan for the proposed building or structure is in conformity with good taste, good design and in general contributes to the image of Old Trail as a place of beauty, spaciousness, balance, taste, fitness, charm and high quality.
  - B. The proposed building or structure is not in its exterior design an appearance of inferior quality such as to cause the nature of the local environment to materially depreciate in appearance and value.

The proposed building or structure is in harmony with the proposed development of land in Old Trail.

### **ARCHITECTURAL REVIEW BOARD**

**1. MAKE-UP:** As referenced in Article VII, Section 2 of the By-Laws of the Home Owners Association of Old Trail.

The Architectural Review Board may retain consulting architects, landscape architects, planners, engineers, inspectors, attorneys, and/or others to assist and advise in the performance of its functions. The above costs which relate to the lot owner's project under review will be back charged to the lot owner.

The Architectural Review Board is the main approval mechanism for projects and is designed to give the applicant definitive feedback on project acceptance, project acceptance subject to specific modification or project rejection. The Architectural Review Board can reject a proposed project purely for aesthetic considerations without citing specific objections, is in its judgment, the proposed project is not consistent with the intent and objection of the Architectural Standards, Covenants and Restrictions and the Old Trail Design Guidelines.

**2. PURVIEW:** Exterior improvements will require the official review of the Architectural Review Board.

## SECTION II REQUIRED SUBMISSIONS AND APPROVAL

### ARCHITECTURAL REVIEW

Minimum standards and requirements for approval of new construction, alterations and additions in the development of Old Trail.

Prior to obtaining a building permit from the County of Martin, and prior to the stripping of any lot or beginning of construction, all plans for any and all buildings, and any additions or remodeling to existing structures, walls, irrigation systems, fences, hedges used as walls, pool and pool enclosures, must be presented and approved by the Architectural Review Board of Old Trail.

The following property data, project plans, architectural drawings, specifications and supplemental information are required.

1. **APPLICATION:** To be placed on the Architectural Review Board's meeting agenda, file the "Architectural Approval Application" form with required Final Review submittals with the Architectural Review Board. Information required thereon will identify and locate the proposed project, describe its nature and extent, indicate design particulars, and provide detailed description of those items of the proposed project's design that affect its appearance. At its regular meeting, the Architectural Review Board will review each project individually with the owner or owner's designee for project acceptance. The Architectural Review Board will have a regular meeting within two (2) weeks of determination that the application for review is complete. Upon approval, one stamped copy will be returned. The Architectural Review Board may request additional information as necessary for the board to evaluate.
2. **FEES:** Architectural Review Board Fee of \$5,000.00 with contractor, or \$10,000.00 when owner/builder, of which \$250.00 will be non-refundable upon completion of building and landscape, in accordance with approved plans by the Architectural Review Board.
3. **LANDSCAPE PLAN:** Prepare three (3) sets of landscape plans to scale on a copy overlay of the site plan showing the location, bounds, species and sizes for all plant materials, mulches, planting beds, non-living ground covers, other miscellaneous landscape materials and irrigation
4. **SITE SURVEY:** Prepare three (3) sets of a plot plan, to scale, of all existing site features including wet prairies and cypress heads. Show all large specimen trees existing in setback areas of lot where no construction will occur.
  - a) All property boundary lines and proposed location of structures.
  - b) Proposed contours at 2 foot intervals indicating contour elevation above sea level.
  - c) Proposed location of septic tank, drainage field and well field.
  - d) North arrow.
  - e) Title and name of legal owners, also name, address and phone number of person preparing survey, license and seal.

5. **ARCHITECTURAL DRAWINGS:** Submit three (3) copies at ¼" = 1'0" scale floor plans, elevations of every portion of every exterior wall including the garage, and roof ridges and peaks diagram. Graphically depict and label all material selections for roof, trim, siding, chimney, chimney caps, entry steps and foundation.
  - a. Compute and place on the floor plan total enclosed heating and air conditioned area in square feet, stated by floor in the case of multi-floored residences, and measured from the inside of exterior walls to the inside of exterior walls. Do not include stairways more than once except for that portion of space under stairs that is finished with drywall.
6. **BUILDING MATERIALS AND COLOR SAMPLES:** Unless specifically waived by the Architectural Review Board collect, label and submit physical samples of the proposed exterior building materials and finish colors.
  - a. **COLOR SAMPLES:** label color name, manufacturer, type of finish, and proposed application for each.
7. In **no** event shall a "preliminary" approval, based upon preliminary plans, be deemed an approval for construction to begin or for the clearing of the lot or placement of fill upon site.
8. **FIELD REVIEW:** Upon completion of various stages of construction, the Architectural Review Board may inspect the site for compliance with the approved plans.
9. A preliminary on-site meeting with the ARB members is required before clearing. No clear cutting is permitted.
10. **ISSUANCE OF WRITTEN CONSENT TO CONSTRUCT:** When compliance has been ascertained, the plans will be stamped "Approved" and the applicant should proceed to layout the project in the field, stake it as required, and obtain necessary Martin County building permits.
11. **CHANGES AFTER FINAL APPROVAL:** Changes to the approved plans that will affect the appearance of the approved project must be submitted to the Architectural Review Board and the Home Owners Association of Old Trail Board of Directors.

### SECTION III – BUILDING OR SITE MODIFICATION FOR APPROVAL

1. **PRESERVATION AREAS:** The intent is to save a natural buffer of trees and shrubs. Criteria for establishing setbacks are a maximization of view of and the assurance of design compatibility with surrounding properties of the Old Trail community. A project should not unreasonably impinge on another lot's primary view. Rear yard set backs are to be a minimum of 25 feet from the property line.
  - A. **WETLAND PRAIRIES:** A lowland area such as a marsh that is depicted on Old Trail's platted P.U.D. which is required and must be preserved pursuant to the local and state regulations. A setback of twenty-five (25) feet is required by Martin County. All necessary measures should be taken to prevent debris from entering wetlands. Architectural Review Board has the authority to require a silt barrier if deemed necessary.
  - B. **CYPRESS HEADS:** Consists of cypress trees and other native flora which due to its uniqueness and location must be preserved pursuant to the local and state regulations. A setback of twenty-five (25) feet is required by Martin County.
2. **TREE REMOVAL AND PROTECTION:** Protection regulations for existing trees on Old Trail are to preserve the natural environment by insuring their utilization as landscape elements. All large specimen trees 4" in diameter and larger in the 25' setbacks must be shown on the site plan. No clear cutting is permitted.
  - A. **TREE REMOVAL:** To justify, generally, at least one of the following conditions must exist.

1. Tree(s) prevent development of a homesite regardless of architectural adjustments.
2. Tree(s) pose a safety hazard to pedestrians, vehicles, buildings or other structures.
3. Tree(s) are diseased, injured or sufficiently weakened so as to threaten or cause damage to persons or property.
4. Tree(s) require removal for reasons other than set forth herein where it is determined to be in the public interest. Property owners must promptly cut and remove dead or diseased trees, as well as dead or diseased shrubs, bushes and other vegetation as specified.

**B. UNAUTHORIZED TREE REMOVAL:** To mitigate for disapproved removal or destruction of trees over four (4) inches in diameter, property owner shall cause like species live trees to be added to the property, per tree lost, as follows.

- 1) Trees are to be planted in accordance with standard nursery practices and watered as required to sustain life.
- 2) Species substitutions shall be approved in advance by the Architectural Review Board.

3. **GRADING AND DRAINAGE:** Plan so as to minimize disturbance to existing trees, keeping in mind that a tree trunk can not have dirt piles against it in excess of one (1) inch, and that a tree's most important feeder roots grow around the outer circumference of its canopy's dripline. Design grading and drainage to ensure that no storm water or gutter and roof water out-fall run-off is directed toward an adjacent lot. Construct retaining walls or tree wells around specimen trees to preserve root systems.

4. **LANDSCAPE:** Landscaping is defined as adding any plant materials (trees, shrubs and/or ground covers), mulches or lawn; as rearranging an existing landscape; or as transplanting any plant materials. Since sites differ significantly, the degree and type of landscape treatment is wholly site specific.

- A. Avoid use of:
  - 1) Desert landscapes
  - 2) Alpine landscapes
- B. Limit the use of non-living ground covers such as the following:
  - 1) Feather rock
  - 2) White stone
  - 3) River rock (large or small pebbles)
- C. Sod will be floratam and be carried to road frontage.

5. **DESIGN REQUIREMENTS:**

- A. The home design may not be similar to other houses within six (6) lots in either direction on both sides of the street and must be different in exterior appearance as to roof design, front elevation, exterior materials and color.
- B. Minimum 3000 square feet of (interior) air-conditioned living space excluding garages.
- C. Two (2) car garage minimum.
- D. Exterior height not to exceed thirty-five (35) feet inclusive of second story.
- E. No geodesic houses, or cabins or extremely shaped homes.

6. **ROOF:**

- A. **PITCH:** Extremes in roof pitches for segments for a total roof can give a desired architectural effect. However, the best architectural effect may be achieved when most of the total roof area is pitches t or between 4 feet in 12 feet and 10 feet in 12 feet. There shall be a maximum of ten per (10%) flat roof surface area (zero slope) for any structure excluding enclosed patios, porches and/or balconies. A flat roof is a roof with a pitch of less than (3) inches for every twelve (12) inches of distance.

- B. **MATERIALS:** Roofing materials to be of cement shingle, hand split cedar shakes, slate, spanish tile only.
  - C. **ATTACHMENTS:** Roof windows, skylights, etc. may be used if coordinated with the overall design and architectural expression of the roof and total home. Roof mounted mechanical equipment is not permitted unless waived by the Architectural Review Board. No window air conditioning units shall be permitted.
  - D. **PENETRATIONS:** Paint vents, exhausts, etc. to blend with the color of the roof. Provide diversion devices and drainage structures sufficient to eliminate roof run-off from crossing any property line.
  - E. **CHIMNEYS:** Spark arresters must be enclosed.
  - F. **SLOAR PANELS:** Solar heating panels shall be reviewed on an individual basis and if approved by the Architectural Review Board, must be placed in the least visible location to surrounding residences.
7. **WINDOW TREATMENTS:** No foil or other reflective material shall be used for sun screens, blinds, shades or other purposes.
8. **FOUNDATION REQUIREMENTS:** Minimum finished floor elevation is 20.0' NGVD or higher as required, based on approved septic tank design by Martin County Building Department.
9. **UTILITIES and UTILITY EASEMENTS:** All services to the home shall be underground, including fuel storage tanks. Electric services are provided by Florida Power and Light Company. Florida Power and Light provides special lower rates for homes which have incorporated certain energy saving features in their construction. Contact Florida Power and Light and inquire about its "Residential Rate Program". Natural gas is not available in Old Trail.
10. **PONDS:** No ponds or lakes are permitted on residential lots.
11. **SWIMMING POOLS:** No above ground swimming pools shall be permitted.
12. **FENCES AND GATES:** No cyclone, chainlink, splitrail, and/or wiremesh-fences are permitted. Fences and gates are allowed in the rear yard of the property only, 30' to 72' in height, must be heavily landscaped, and be part of the construction submittal package. No fences are allowed on vacant lots. All exterior improvements, including fences, must be submitted for approval to the ARB.
13. **GARAGES:** A two car or more garage is required for every single-family homesite. It must be attached to main structure of the house. Doors must operate electrically and include adequate egress/ingress allowance. Size in accordance with the minimum requirements table. Any golf cart storage space must be enclosed and attached to the structure. No dog houses, playhouses, pole-barns carports, dog runs, kennels, tree houses, tool sheds, clotheslines, metal structures or structures of a similar kind and nature shall be constructed on any part of the lot.
14. **EASEMENTS:** Improvements other than landscaping areas are not permitted within an easement.
16. **SERVICE COURTS:** Required for conventional homesites. Heat pumps, air conditioning compressors, irrigation controllers, wells, fuel storage tanks and any item stored outside except firewood or logs are to be kept within a court yard. Maintain height between 4-6 feet above grade. Court yards are to be constructed of the same exterior materials and colors as the home. Landscaping cannot be used in lieu of the foregoing.
17. **DECKS;** It is recommended that pressure treated wood be used for ground contact. Scale, dimension and detail must be compatible with residence.

18. **LIGHTING:** All proposed exterior lighting shall be detailed. No excessively harsh floodlight or spotlights shall extend onto adjacent property. No sodium vapor lights, neon lights, pulsating or flashing lights or lighted tennis courts shall be permitted.
19. **DRIVEWAYS:** All driveways shall be constructed of cement, brick pavers or a comparable material. No shellrock, gravel, asphalt, dirt, mulch, pine needle or unfinished driveway is permitted. Driveways adjacent to one another shall allow for generous landscaping. Distance between adjacent driveways shall be approved by the Architectural Review Board.
20. **SIGNS:** Only one (1) sign is permitted on a job site other than the owner's name and address and that shall be the contractor. The maximum size allowed is 18" x 24". The sign must be removed upon completion and/or occupancy. No signs of trades or sub-contractors are permitted. After completion and/or occupancy, FOR SALE signs are permitted by real estate agents and owner. Approved signs shall be shield shaped with white background and black lettering and shall not be larger than 18" x 18".
21. **ANTENNAS AND SATELLITE DISHES:** Antennas or satellite signal reception dishes are permitted subject to certain height restrictions and the approval of the Architectural Review Board. Antennas must be in the back or side of property and not be visible from street or golf course. Antennas shall not extend above the eave-line of the home in excess of ten (10) feet.

#### SECTION IV – CONSTRUCTION PROCEDURES

##### **APPEALS AND SPECIAL EXEMPTIONS:**

Appeals on any decision of the Architectural Review Board should first be presented to the Architectural Review Board in a written request for reconsideration. The reasons for reconsideration should be stated in the written request. The next level for appeal is to the Board of Directors.

##### **BEFORE CONSTRUCTION**

Commencement of construction shall commence no later than five (5) months following the final approval and shall be prosecuted diligently to completion. Completion to include irrigation system and landscaping. Completion shall not exceed one (1) year from date of approval of the Martin County Building permit and/or clearing permit. If construction does not commence within five (5) months, the plans must be reviewed again by the Architectural Review Board.

1. **CONTRACTORS AND SUB-CONTRACTORS:** A current list of all contractors and sub-contractors with telephone numbers must be on file with the Architectural Review Board at all times during construction.
2. **UTILITIES:** Construction sites must be provided with electrical current and water supply prior to and during construction, independent of neighboring homes.
3. **POSTING OF PERMITS:** Post the Martin County Building Permit on the backside of the temporary construction home site identification sign. Weatherproof both permits and maintain for duration of project. Place emergency phone numbers and names of at least two (2) construction company supervisory personnel and lot owner within the waterproof covers.

4. **ENFORCING CONSTRUCTION REQUIREMENTS:** Property owners are responsible for enforcing all regulations contained herein. Advise all contractors of these requirements. It is recommended that a copy of this Construction Requirement Section be given to them. Any builder or contractor and/or sub-contractor found guilty of violations of the Architectural Review Board or the approved plans shall be considered not in good standing with the Architectural Review Board and all future plans for residences submitted to the Architectural Review Board by said builder/contractor shall be disapproved.

5. **COMPLIANCE WITH APPROVED PLANS AND SPECIFICATONS:**  
Per Article IX of the Declaration of Covenants and Restrictions, representatives or agents of the Architectural Review Board may have the right, but not the obligation, to enter upon and inspect any construction under way, during reasonable hours, to determine whether or not the plans and specifications being followed were consistent with the approval. Non-compliance with approved plans and specifications may require the owner to take the necessary steps to correct.

Prior to occupancy of any dwelling constructed or erected on any lot, the lot owner thereof shall obtain a letter from the Architectural Review Board certifying that the construction thereof has been completed in accordance with the approvals of the Architectural Review Board. Changes proposed during construction must receive Architectural Review Board approval prior to implementation. Also, should removal of additional native trees become necessary, field review and approval by

**WORKING HOURS:** Monday through Friday . . . 7:00 AM – 6:00 PM  
Saturdays . . . . . 7:00 AM – 6:00 PM  
\*Sunday . . . . . 12:00 NOON – 6:00PM

\*PLEASE NOTE: SUNDAYS ARE FOR “QUIET” WORK ONLY, I.E., INTERIOR PAINTING, WIRING, ETC.

Non-Work Days: The following days are non-work days, and no construction is permitted in Old Trail during those days *without exception*:

1. New Year’s Day
2. Memorial Day
3. Fourth of July
4. Labor Day
5. Thanksgiving Day
6. Christmas Day

**NOISE CONTROL:** Do not start/run equipment or initiate other activities which will produce noise outside of normal working house. Shut off construction equipment not in use. No construction noise is permitted on Sundays or other non-work days. Equip motor-driven equipment with proper mufflers. No loud music or radios shall be permitted.

**DUST CONTROL:** Insure construction operations do not generate noticeable increases in dust from the project site. Spray operations with water to minimize same.

**EROSION CONTROL:** Take precautions to virtually eliminate potential for erosion, and maintain effort throughout duration of the project.

Place straw bales in flow-line where sediment flow is evidenced leaving the site. Clean all streets, pipes, storm drains, common property and private property of sediment originating from site.

## **FIRE REGULATION:**

1. **FIRES:** No fires, burning of debris or burning is permitted unless permitted by Martin and Palm Beach Counties Fire Departments in accordance with the inter-local agreement. All debris must be hauled off site. Construction personnel allowing fires or burying of debris without the above permits will be permanently barred from access to Old Trail.
2. **FLAMMABLE MATERIALS:** Keep at an absolute minimum and insure such materials are properly handled. Do not store flammable materials on site.
3. **STRUCTURE FIRES:** Structures that have burned shall be totally secured from a safety standpoint within three (3) ^ working days from date of fire. Completely remove same as soon as legally permitted.

## **JOB SITE:**

1. **STORAGE OF MATERIALS:** Keep stored materials within the construction lot property lines in a neatly stacked, clean and organized fashion.
2. **RELICT EQUIPMENT:** Immediately remove broken down, derelict or non-functioning equipment from the development.
3. **TEMPORARY STRUCTURES, OFFICES, SHEDS AND CONSTRUCTION TRAILERS:** Optional, not to exceed eight (8) feet by sixteen (16) feet. Remove when no longer needed or prior to Certificate of Occupancy. If used, they are required to be locked, vandal-proof, of neat appearance, painted in earth tones, and screened from site of adjacent residences.
4. **DUMPING AND TRASH REMOVAL:** Untidy job sites create negative impressions on visitors and property owners. As a result, trash thrown about the site or in open piles is strictly prohibited. Remove crates, cartons, trash and other flammable waste from work areas at the end of each work day. ~~Trash from workers food and beverages shall be placed in closed containers.~~

Dumping sites are not available within the development. A construction metal dumpster must be placed on the work site. All discarded materials, refuse and debris must be placed in a construction dumpster on a daily basis. Work materials must be neatly stacked in order to maintain a neat and orderly site. Dumpsters must be in place by the time of pouring the slab.

Neighboring lots may not be used for the dumping of construction debris, dirt, trash or other similar items.

5. **CONCRETE:** Concrete trucks shall clean their chutes so that water and concrete debris is totally with the confines of the permitted lot or is totally outside the Old Trail development.
6. **TOILETS:** A portable toilet must be placed on the work site at the same time construction begins. It should be situated midway between the front and rear boundary lines and the door shall not face the golf course or street.

**PROTECTION OF PROPERTY:**

1. **RESIDENT SAFETY:** Cover openings, provide barricades, lights, signs, posts, fences, enclosures, etc. to warn of dangerous conditions, while the project is unattended. This in accordance with Federal, State and Local regulations.
2. **ADJACENT PROPERTY:** Protect other's private property from damage of any kind. Construction personnel are responsible for damage caused by construction activities and must promptly repair and re-grass to the original condition. Unsightly weeds are to be routinely cut back.
3. **DAMAGE TO COMMON PROPERTY:** Damage to curbs, streets, cart paths and other common property will be restored to a condition equal to that before the damage and charged to the property owner.
4. **ROADWAYS:** Take care that debris is not allowed to fall out and litter the streets or roads.
5. **HURRICANE PROCEDURES:** Upon notification of the establishment of a "Hurricane Watch" condition for Martin or Palm Beach County by the National Weather Service, the contractor shall stack all lumber and other building materials, tie them together and stake them down, or move them inside. All scrap and other loose material not tied down shall be cleaned up and removed from the site. All openings in buildings under construction shall be boarded up or closed in a substantial manner. All porches or open covered area not completed shall be braced and strengthened. This storm preparedness will be inspected by the Old Trail Homeowner's Association to insure compliance with this section. Any deficiencies noted shall be corrected immediately.

Upon notification of the establishment of a "Hurricane Warning" condition by the National Weather Service, the contractor shall complete the above work and move all of his major equipment off the site, or locate it on high ground as designated by the Old Trail Homeowner's Association. He shall then remove all personnel from the site until the "all clear" is given by the National Weather Service.

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Contractors shall exercise all diligent efforts to secure any and all materials and/or equipment associated with the performance of his scope of work from movement due to hurricane forces. Security shall be accomplished by appropriate tie-down or removal from site. It is hereby understood and agreed that any damage resulting from contractor's lack of attention shall be the sole liability of the contractor and/or lot owner, whether or not it has been inspected by the Homeowner's Association. The Homeowner's Association shall be held harmless.

**CONSTRUCTION PERSONNEL CONDUCT:** Use of golf course cart paths by construction traffic is prohibited regardless of site access problems.

1. **JOB SITE:** Insure the use of socially accepted language among workers while within the development. Wear proper dress including shirts and shoes at all times.
2. **USE OF OLD TRAIL FACILITIES:** Old Trail golf club facilities and property are not to be used by construction personnel.
3. **SPEED LIMITS:** Construction personnel are to adhere to the posted speed limits. Violators will not be permitted access to the development.

4. **PARKING:** Park construction vehicles and vehicles of construction personnel within the limits of the permitted property. Insure ground level vegetation is not destroyed by such actions.

#### **AFTER CONSTRUCTION**

**FINAL FIELD REVIEW:** It is the responsibility of the builder/contractor or owner to notify the Architectural Review Board prior to the time of completion of construction, in writing, so that a final inspection can be made to ascertain that the exterior of the house is constructed and landscaped in the same in every detail as approved by the Architectural Review Board. Upon final inspection, should the residence be found not to be built in accordance with the approved plans, the owner shall be required to show cause to the Architectural Review Board for failure to comply with approved plans and shall be subject to a reasonable fine in accordance with the Architectural Review Board Guidelines and Regulations. In addition, all building and landscape debris from the site and surrounding area, temporary toilet, temporary power poles and construction signs must be removed.

## LOT CLEARANCE GUIDELINES OLD TRAIL ON-SITE FORM

This is to confirm that I have been advised of and agree to abide by the following clearance guidelines:

- 1) No clear-cutting of the lot is permitted.
  - 2) I will make my general contractor and clearance sub-contractors aware of these conditions.
  - 3) There will be no large equipment clearing in the setback areas all around the lot, except for driveway and drainfield.
  - 4) All trees of 4 inches in diameter and above will be preserved in the setback areas.
  - 5) Silver palmettos, palmettos, and wax myrtles will be preserved in the setbacks and incorporated into the landscaping.
  - 6) A special effort will be made to preserve trees and species mentioned in #5, as a buffer to the street at the front of the lot.
  - 7) I understand that some clearing by hand or small equipment will be necessary.
  - 8) Contact Bristol Management at (561) 575 - 3551 to advise of the clearance date.
- 
- 9) I and/or my general contractor will be at the lot site at day of clearance.

Signature of Lot Owner / Lot # / Date

\_\_\_\_\_  
Date

RE: Old Trail New Construction Requirements

Dear Old Trail Property Owner,

In an effort to help facilitate the construction of your new home, the Old Trail Homeowners Association and the Architectural Review Board would like you to read all of the Old Trail Requirements and Guidelines enclosed, PRIOR TO BUILDING YOUR NEW HOME.

Your signature at the bottom of this form represents the intent that you will conform to all of these Requirements and Guidelines. It also affirms that you have received this package in its entirety.

**The undersigned acknowledges receipt and understanding of these Requirements and Guidelines. Undersigned agrees to abide by all Covenants of the Old Trail Homeowners Association.**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Lot No.

\_\_\_\_\_  
Address

\_\_\_\_\_  
Phone