

INDIAN SPRINGS RANCH Eureka, Montana Construction Regulations

To ensure that the natural landscape is not damaged during any construction activities, the following regulations shall be enforced during the construction period. These regulations shall be made a part of the construction contract document specifications for each Residence or other Improvements on a Lot, and all Builders, Owners, and other persons shall be bound by these regulations. Any violation by a Builder shall be deemed to be a violation by the Owner of the Lot.

Enforcement

DRC members and Indian Springs Ranch/DRC representatives, acting as roving inspectors, may, at any time, inspect a Lot or Improvement. Upon discovering a violation of the Design Guidelines or these Construction Regulations, the DRC will provide a written notice of noncompliance to the Owner and the Builder involved, including a reasonable time limit within which to correct the violation. If any Owner and/or Builder fail to comply within this time period, the DRC or its authorized agents may enter the Lot and correct the violation at the expense of the Owner of the Lot.

In the event of any violation of these Design Guidelines, the DRC may, at its sole discretion and in addition to restoration expenses, impose fines on the Owner and/or Builder, commensurate with the severity of the violation. The fines may be on a one-time basis or on a per diem basis until the violation is remedied. Any such fines do not constitute a remedy of the violation; the physical violation must be corrected to constitute a remedy. The DRC may retain the Builder's deposit to repair any damages and/or recover unpaid fines. The Developer, DRC and ISRA reserve the right to attach a lien on Owner's property if infractions are not remedied within the requisite period of time. Temporary Restraining Orders may also be implemented if infractions persist. The Developer, DRC and ISRA also reserve the right to any other remedy available to them under law and/or equity including attorneys' fees.

Continued violation of these policies and procedures may result in the Builder and/or subcontractor being denied access to Indian Springs Ranch.

Pre-Construction Conference

Prior to commencing construction, the Builder must meet with a representative of the DRC to review construction procedures and coordinate his activities in Indian Springs Ranch. At the pre-construction conference, the Builder must provide the following:

- (1) Builder's Deposit, deposited with the DRC representative; insurance certificates including Workers Compensation Insurance
- (2) Construction Envelope plan.
- (3) Construction Envelope trash containment plan.
- (4) Construction Schedule, indicating approximate start and completion dates of construction, utility hook-up, completion of landscaping work, and anticipated occupancy date. Any significant delays or interruptions to the

construction schedule must be submitted to the DRC as early as possible.

- (5) Drawing of the proposed construction sign, if any.
- (6) Any other items as may be requested by the DRC.

Occupational Safety and Health Act Compliance (OSHA)

Any Owner, Builder or other representatives, while within the property of Indian Springs Ranch, must strictly observe all applicable OSHA regulations and those outlined in these Design Guidelines. All Builders' contracts must contain a clause to indemnify Indian Springs Ranch for any fines imposed by OSHA for work practices by the Builders' crews or any sub-contractors for the builder. Builders and all sub-contractors must carry appropriate Workers Compensation Insurance and may be required to present a current certificate of such before or during work on the property.

Construction Trailers, Portable Field Offices, Etc.

Any Owner or Builder who desires to bring a construction trailer, field office, or the like to Indian Springs Ranch shall first obtain written approval from the DRC at the pre-construction conference. The DRC will work with the Owner or Builder to determine the best location. Such temporary Structures shall be located only in a location approved by the DRC and shall be removed within fifteen (15) days after completion of construction and sign off by the DRC.

Debris and Trash Removal

Owner and Builders shall clean up all trash and debris on the construction site at the end of each day. The principle is "Every trade cleans up, every day." Trash and debris shall be removed from each construction site at least once a week to a dumping site located outside of Indian Springs Ranch. Lightweight material, packaging, and other items, shall be placed in a closed container, covered or weighted down to prevent wind from blowing such materials off the construction site. Owners and Builders are prohibited from dumping, burying or burning trash anywhere on the Lot or in Indian Springs Ranch, except in the areas, if any, expressly designated by the DRC. Disposal within Indian Springs Ranch of any type of chemical, cleaner, fuels, oils or any toxic or environmentally harmful materials is absolutely prohibited.

During the construction period, each container site shall be kept neat and properly monitored to prevent it from becoming a public eyesore, or affecting other Lots or Open Space. Any clean-up cost incurred by the DRC or ISRA in enforcing these requirements will be billed to the Owner. Dirt, mud, or debris resulting from activity of each construction site shall be promptly removed from private roads, Open Spaces, driveways, or other portions of Indian Springs Ranch.

The Builder must designate a wash-out area within the Construction Envelope on each site for contractors and suppliers to clean their equipment. The cleaning of equipment must occur, and cleaning effluent must remain, within that specified area.

Sanitary Facilities

Each Owner and Builder shall be responsible for providing adequate sanitary facilities for their construction workers. Portable toilets or similar temporary toilet facilities shall be located only on the site itself or in areas approved by the DRC. Facilities shall be emptied as necessary and contents removed from site.

Vehicle and Parking Areas

Construction crews will not park on, or otherwise use, other Lots or any Open Space. Private and construction vehicles and machinery shall be parked only in areas designated by the DRC. All vehicles will be parked so as not to inhibit traffic, and within the area designated by the DRC to avoid damage to the natural landscape.

Conservation of Landscaping Materials and Trees

Owners and Builders are advised that the Lots and Open Spaces contain valuable native plants and other natural landscaping materials that should be protected during construction, including topsoil, rock outcroppings, boulders, and plant materials.

Lots with existing trees must indicate in pre-construction DRC submissions, which trees will be removed and which ones retained. In addition to the sanctions for violations as described above, if trees on the Lot being built or nearby property are removed or damaged without approval, the Owner will be required to restore or replace the trees.

Materials that will remain and be saved should be marked and protected by flagging, fencing, or barriers. The DRC shall have the right to flag major terrain features or plants, which are to be preserved and fenced off for protection. Any trees or branches removed during construction must be promptly cleaned up and removed from the construction site.

Building plans should address cut and fill requirements to net out without major import of fill or excess material generated. Imported material must be free of weeds, seeds, and other contaminants. If there is excess material, the Builder should consult with the DRC to determine if the material can be used or stored elsewhere on site. If not possible, excess materials, including excavated materials, must be removed from Indian Springs Ranch.

Blasting

If blasting is required, the DRC must be informed in advance to ensure that the applicant has obtained the advice of an expert consultant, who must advise the DRC in writing that the proposed blasting may be accomplished safely. No blasting or impact digging causing seismic vibrations may be undertaken without DRC approval based on advice from a qualified consultant. Applicable governmental regulations should also be reviewed and observed prior to any blasting activities. The DRC's only responsibility is to require evidence of such a consultant's expertise and assurances; the DRC shall have no liability for blasting or impact digging.

Restoration or Repair of Other Lot Damages

Damage and scarring to any Lot outside the Construction Envelope, including but not limited to, Open Space, natural vegetation, other Lots, roads, driveways and/or other Improvements will not be permitted. If any such damage occurs, the Lot Owner will be obligated to ensure that it is repaired and/or restored promptly at the expense of the person causing the damage or the Owner of the Lot within 60 days. Upon completion of construction, each Owner and Builder shall clean his construction site and repair all of the damaged Lot, including but not limited to restoring grades, planting shrubs and trees as approved or required by the DRC, and repair of streets, concrete curbs and gutters, driveways, pathways, drains, culverts, ditches, signs, lighting and fencing.

Miscellaneous and General Practices

The Lot Owner will be absolutely responsible for the conduct and behavior of all individuals and entities involved with the construction of improvements on such Owner's Lot including, but not limited to, the Owner's agents, representatives, Builders, contractors and subcontractors in Indian Springs Ranch. The following practices by such individuals and/or entities are prohibited at Indian Springs Ranch, and will be considered a violation of these Design Guidelines:

- (a) Changing oil on any vehicle or equipment anywhere within Indian Springs Ranch other than at a location designed for that purpose by the DRC.
- (b) Allowing concrete suppliers and contractors to clean their equipment on the site itself other than at the locations designated for that purpose by the DRC.
- (c) Removing or damaging any rock, plant material, topsoil, or similar items from any Lot of within Indian Springs Ranch, including construction sites, unless from the site under construction and only then with prior approval from the DRC.
- (d) Carrying any type of firearms within Indian Springs Ranch.
- (e) Using disposal methods or units other than those approved by the DRC.
- (f) Careless disposition of cigarettes, other flammable materials or contaminated materials. At least one 10-pound ABC-rated dry chemical fire extinguisher shall be present and available in a conspicuous place on each construction site at all time.
- (g) Careless treatment or removal of any plant materials not previously approved by the DRC.
- (h) Unauthorized consumption of alcoholic beverage within Indian Springs Ranch.
- (i) Vehicular or equipment traffic over common property outside the building Lot.
- (j) Allowing pets of builders to roam at will inside Indian Springs Ranch. In the event of any violation hereof, the DRC, the ISRA, or Developer shall have the right to contact applicable authorities to impound pets, or to refuse to permit such Builder or Subcontractor to continue work within Indian Springs Ranch, or to take such other actions as may be permitted by law, the Design Guidelines, or the Declaration.
- (k) Catering trucks may not use their horns to signal their arrival. Trash generated by the purchase of items from these trucks and from construction practices must be contained and disposed of properly in trash receptacles. Repeated problems with these requirements could result in the trucks being denied admittance to Indian Springs.

Construction Envelope Plan

Before starting any construction activity on a Lot, the Owner and Builder must provide a detailed plan on the location of the Construction Envelope (around the agreed Building Envelope), to which all construction activity will be confined, and how the natural terrain will be protected. This plan must include size and location for construction material storage, limits of excavation, drive areas, parking, chemical toilet location, temporary structures, if any, dumpsters, storage of debris, fire extinguisher, utility trenching, and construction sign. The plan should also identify methods of protection, such as fencing, flagging, rope, barricades, or other means, to be set up before starting construction.

Construction Access

The only approved construction access during the time a Residence or other Improvements are being built will be over the approved driveway for the Lot and within the Construction Envelope fence unless the DRC approves an alternative access point.

Dust and Noise

The contractor shall be responsible for controlling dust and noise from the construction site in compliance with applicable government regulations and Indian Springs Ranch standards. At no time should the dust and/or noise level be such as to disturb or become a nuisance to nearby properties.

Signage

Temporary construction signs shall be limited to one sign per site not to exceed eight (8) square feet of total surface area. The sign shall be free standing and the design and location of such a sign shall first be approved by the DRC, to meet the following criteria:

- (a) Signs shall be single-faced panel type. No additional sign may be attached to any construction sign either by fastening directly to the main sign or by suspension below it.
- (b) Information such as "For Sale", "Available" or similar language, or description phrases such a "3-bedroom" may not appear on any construction sign.
- (c) Colors of sign background should be muted earth tones, harmonizing with the natural colors rather than contrasting with them. Such signs may not be lighted, therefore, letter colors should harmonize with the background colors while providing contrast to enable the sign to be read from approximately twenty feet away.
- (d) Construction signs must be removed at the time the house is substantially complete, or when the DRC reasonably directs the sign to be removed.

Site Preparation

Site grading should conform to the existing topography to preserve the natural character of the area and to maintain the delicate system of natural drainage patterns and wetlands. Additional on-site grading should maintain the natural existing form of the terrain and produce graceful contours as opposed to sharp angles. As previously stated, building plans submissions should include cut and fill operations, which should normally net out to minimize import and export of material.

Finish Grading

Water must be applied as necessary during site grading to provide optimum moisture content to the soil. Planting areas are not to be graded when their moisture content is so great that excessive compacting occurs, or so little that dust is formed and dirt clods do not break up.

Final grading of planting areas shall include light rolling, raking and hand work to achieve the desired contours, flow line patterns and evenly finished surfaces with proper drainage.

Surface Drainage

The use of underground storm drains should be minimized. Drainage of individual properties must work with the existing topography and be directed toward the natural open space or drainage swale systems developed in conjunction with the roads.

Community landscape areas and amenities must be protected during all construction operations. Adequate provisions must be made to prevent any surface waters from damaging public or private property during and after construction.

Erosion Control

Temporary and permanent erosion control measures are intended to prevent the erosion of soil. The placement of barriers such as erosion fabric fences, straw bales, or curb-like diversions around the perimeter of construction areas are considered temporary measures.

Run-off from construction areas must be directed away from any sensitive natural areas. Permanent measures include using plant material and proper grading of the site. Natural drainage systems should be used wherever possible using pervious surfaces.

Builder and Contractor Approval

Upon completion of the DRC Application for Review, the Builder and/or contractor will be notified as to their approval or denial to proceed. The Developer and the DRC reserve the right to deny any Builder and/or contractor permissions to work in Indian Springs Ranch.

Daily Operations and Access

Contractor access will be through the designated construction access only during posted construction hours.

Until a residence is occupied in the immediate vicinity (within approximately 300' in any direction of the Lot under construction), the posted construction hours are as follows:

Monday-Friday	6:30 am – 6:00 pm (Oct. 1-April 30)
	6:00 am – 6:00 pm (May 1-Sept. 30)
Saturday	8:00 am – 6:00 pm

After a residence in the vicinity is occupied, the following hours will apply:

Monday-Friday	7:30 am – 6:00 pm (Oct. 1-April 30)
	6:30 am – 6:00 pm (May 1-Sept. 30)
Saturday	8:00 am – 6:00 pm

Construction hours for Sundays and designated holidays will be by DRC approval only.