EAGLE CREEK COMMUNITY ASSOCIATION

Architectural Review Committee

Handbook

All changes to the exterior of properties in Eagle Creek require prior approval from the Architectural Review Committee (ARC) and compliance with the requirements of this Handbook. The community associations are encouraged to support the ARC and Handbook compliance.

Property Owners should also refer to the Community Association's Rules and Regulations.

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A. Introduction and Authority

1. Eagle Creek Community Association (ECCA) is a Florida Homeowners' Association and operates under Florida law and its own governing documents. These establish the breadth and restrictions of the Community Association's responsibilities and authority. Article 8, Architectural Control, of the Master Covenants describes ECCA's and ARC's authority.
2. This Handbook is a statement of the Community Association's current appearance standards and the process for securing approval of prospective exterior changes from the ARC, as well as the process for appealing ARC decisions.
3. This ARC Handbook and all revisions of it must be approved by the Community Association Board.
4. This ARC Handbook shall be posted on the Community Association website and be available to all community members.
5. Any provision of this Handbook that is contrary to Collier County Building Code or any requirements set by the State of Florida or the Federal Government shall be void and unenforceable.
6. Appendix A. is a further discussion of the statutory authority and reference to the Community Association's current Master Covenants on the authority of the Community Association and the ARC. Appendix B. is a copy of the form for property owners to request permission to make changes to their properties. Appendix C. is a set of rules for independent contractors working on properties within the communities and Appendix D. outlines the specifications upon which the entire community was approved by Collier County and must be maintained.

B. ARC Mission Statement

The mission of the ARC is to fairly and uniformly evaluate all requests from owners for changes to the exterior appearance of their properties. In responding to these requests and applying the directives of this Handbook the ARC's paramount considerations are the preservation of the character of the community, maintaining the value of owners' properties while also evaluating safety and maintenance costs and observing precedents.

C. General Guidelines for the Residential Communities of Eagle Creek

1. Introduction

Eagle Creek features gracefully designed, well maintained Condominiums, Estate Homes and Villas nestled in mature landscaping along the championship golf course. The physical scale of Eagle Creek is comprehensible and intimate, which creates a feeling of a welcoming, friendly community - a hallmark of Eagle Creek.

2. Light Structures in the Landscape

The architectural expression of the community is timeless, not trendy, because trends come and go. The aesthetic vision is "Light Structures in the Landscape". To that end, the bodies of the buildings shall be painted in light colors to offset them against the lush landscape. Complementary roof, garage doors and trim colors provide accents for the light structures.

3. Landscaping

Landscaping shall complement the buildings with elegant subtlety.

4. Amenities

Monument and directional signage, street lighting and other public amenities shall follow ECCA standards to maintain a unified appearance for the community and the Golf Club.

5. Art

Property Owners are encouraged to locate art, sculptures, and other unique objects purchased for private enjoyment out of public view to achieve an uncluttered look for the community.

6. Technologies

Eagle Creek embraces contemporary building technologies, such as solar panels, so long as they can be accommodated without negatively impacting the aesthetic quality of the community.

D. General Requirements

The following proposed changes should be submitted to the ARC and initiated only following approval by ARC or, in the case of an appeal, the Community Association Board:

1. Changes or additions to the exterior of any property, including roofing, gutters, storm shutters, screen doors, security bars, lanai enclosures (pool cages), exterior lighting or other exterior alterations.
2. Construction or modification of any building, garage, pool, decking, paving, fencing, retaining wall, patio, screened enclosure, exterior lighting, walkway or other structure.
3. Changes or additions to landscaping and grounds including trees.
4. Exterior painting of any structure in the Condominium, Estate Homes or Villa communities.
5. Any other modifications, maintenance or repair which changes the external appearance of a structure.

E. Guidelines & Standards

Decisions of the ARC shall be governed by the following guidelines and standards:

1. **Additions & Structural Changes:** Additions to structures must maintain the architectural elements of the original structure including number of stories, roof, windows, paint color, and lighting. The addition must not violate the requirements of the original Eagle Creek Planned Unit Development approved by Collier County and must not infringe on neighboring units. No external structural additions or alterations may be made without the approval of the ARC. Interior work done to the structure that is not visible from the exterior does not require ARC approval.
2. **Sheds**: No outbuildings, lean-tos, tents, shacks, garages, mobile homes, trailers, sheds, RVs or temporary buildings of any kind may be constructed or used as a residence.
3. **Fences:**
    a) Permanent Fences and other outdoor enclosures are not permitted, except at 105 Cypress View Drive and 115 Cypress View Drive and at pools without pool cages.
    b) Temporary Construction Fences must be erected and maintained by contractor during construction of building additions, new swimming pools and pool cages, pool and pool cage renovations, etc. to create a safety barrier around the construction area.
4. **Driveways**: Driveways must be maintained in either pavers or stamped colored concrete for the Estate Homes and in pavers for the Villas.

5. **Exterior Lighting, Holiday Lighting and Decorations and House Numbers**:

   a) All exterior lighting including landscape lighting shall be provided with white light sources (bulbs). Colored light sources are allowed for holiday lighting. The quantity and the brightness of the light fixtures shall be understated rather than over the top to avoid negative impact on neighboring properties. Lighting must be located within the boundaries of the parcel, must not impose on adjacent properties or properties located across from the installation and must not impair the vision of motorists or pedestrians.

   b) Exterior light fixtures must only use warm "color temperature" light bulbs (less than 3000K). All efforts should be made to keep the color temperature of exterior lighting compatible with surrounding lighting.

   c) Focused accent lighting is allowed provided that the beam is limited in both intensity and height.

   d) New installations of high intensity flood lights are only allowed in the back of properties. They are not allowed where they face other properties located across fairways or waterways such as along or across from golf course holes number 3, 16 and 17 and east of Creek Bed Drive.

   e) Holiday lighting and discreet holiday decorations ~~is~~ are permitted during the month of December and the first week of January. Audible and inflatable decorations are not allowed. Light displays mounted on top of roofs of buildings are not allowed.

   f) All properties should have permanent house numbers clearly visible from the street.

6. **Exterior Painting:** Exterior painting must be of a uniform nature in the original color or a color approved by the ARC or, in the case of appeal, by the Board. Door, window and trim colors must be complementary.

7. **Lawn Ornaments, Signs, Furniture and Personal Property, Flag Poles and Flowerpots:**

   a) Lawn ornaments and statues must be minimal, discreet, unobtrusive and artistic in nature. They must be in good repair and located in areas that are not mowed. They must not interfere with irrigation and grounds maintenance activities.

   b) Permitted signs placed on lawns may only state the property owner's name and street number. "No Trespassing" or political or ideological support signs are not permitted.

c) "For Sale" signs are not permitted at any time. However, "Open House" signs, provided by the ECCA, are permitted on days when the property is open to prospective buyers.

d) Monument, directional and other signs erected and maintained by the Condominium, Estate Homes and Villa associations shall follow ECCA standards to maintain a unified appearance for the community and the Golf Club. Changes to signage must be submitted for ARC review and approval.

e) Barbecue grills or other outdoor cooking equipment, patio or other furniture, bicycles, toys, or other personal property may not be kept outside of a screened enclosure (pool cage) - or outside a lanai pad if a residence does not have a pool cage or in the atrium areas of any Condominium building - unless approved by the ARC.

f) Permanently installed flag poles must be approved.

g) Ornamental flowerpots are permitted, provided that they blend into the landscape and are located in areas that do not interfere with lawn maintenance. The maximum number of such pots per property is six. Pots should be properly secured during windstorms as a safety precaution.

8. **Air Conditioning and Pool Equipment**: Air Conditioning equipment (condensing units, heat exchangers, etc.) and swimming pool equipment (heaters, filters, pumps, etc.) must be concealed from view from adjacent properties, the golf course and the street via shrubbery, plantings or minimum height structures that blend in with the surroundings.

9. **Lanai Screen Panels**: All lanai screen panels must be uniform in color and maintained in good condition with all panels securely in place without tears. Care should be taken when replacing individual panels to assure that screen panels remain uniform in color.

10. **Awnings and Shutters:**

    a) Exterior awnings and shutters must blend with the color scheme of the property.

    b) Removable storm shutters may be installed prior to imminent storm threats and shall be removed in a timely manner after the threats have passed during the Naples hurricane season between June 1 and November 30.

11. **Solar Panels**: Are permitted provided such installation shall be in accordance with the following:

    a) No panels or associated elements may be installed on the front (street side) of the home.

    b) Solar panels and their frames and piping must be of a single color.

c) Panels must be roof mounted, coplanar with the roof and as unobtrusive as possible.

d) All elements (including electrical panels and piping) shall blend with the existing structure as to color, location, and configuration. Electrical panels and piping shall be painted to match the walls of the home and – whenever possible - shall be screened from view from the street and neighboring properties with landscaping.

12. Roof Materials and Roof Replacements:

a) The only roof materials allowed for the residential structures at Eagle Creek are concrete (or clay) tile, stone-coated metal tile or architectural style asphalt shingles.

b) Property owners may replace their existing roofs with material of the same kind and quality as currently exists. It is not permissible to replace a concrete (or clay) tile roof or stone coated metal tile roof with asphalt shingles on any property. Properties that currently have asphalt shingle roofs may replace with architectural style asphalt shingles or some form of tile such as clay tile, concrete tile (such as manufactured by Boral Roofing, Westlake Royal Roofing or Eagle Roofing) and stone-coated metal tile (such as manufactured by Gerard, Decra and Tilcor), at the discretion of the property owner. The ARC must approve the final selection as to style and color.

While homes with asphalt shingles may be replaced with same, the Architectural Review Committee with the full backing of the Eagle Creek Community Association Board, strongly recommends that Owners continue to replace asphalt shingle roofs with some form of tile for their enhanced appearance and home value and to improve the aesthetic appeal of the community at large. (ECCA, June 2019).

c) 4-Week Construction Period Goal: In order to reduce the time that the roof underlayment (primary roofing membrane) is exposed to the elements and to minimize the visual impact and inconvenience on adjoining properties, property owners are strongly encouraged to ask roofing contractors to commit to completing roof replacement project in four (4) weeks from start of demolition to installation of final, new roof components and arrangement of final code required inspections.

d) If homeowners choose to install gutters on their homes, downspouts must be located/directed to avoid concentrated pooling of rainwater at neighbors' properties. French drains with drain lines terminating at the street may alleviate pooling of water.

13. Roof Repairs: Damaged roofs must be repaired in a timely fashion. Repairs must be accomplished in a manner that is virtually indistinguishable from the unrepaired portion of the roof. Complete roof replacement is required if repairs do not meet this criterion. Painting of roofs is not an acceptable method of repairing a roof.

14. **Window Treatments**: Installation or maintenance of aluminium foil or other reflective material on any window or glass is prohibited.

15. **Exterior Maintenance**:

    a) Property owners must keep and maintain their properties in good order, condition and repair and must perform promptly maintenance and repair work.

    b) Roofs, roof trim and fascia, gutters and downspouts, exterior walls and related exterior surfaces must be maintained free of mold and mildew.

    c) Driveways and walkways must be maintained free of mold and mildew and in good repair.

    d) Overgrown, damaged or dead landscaping plants and shrubs must be remedied.

    e) Sample of paint colors applied on the exterior walls, for the purpose of choosing a desired color, must not remain in place for more than one week without prior approval.

    Procedures for Compliance with Article D.15, Exterior Maintenance:

    1. Residents may (anonymously) advise the Property Manager, members of the ARC or members of the Community Associations of exterior maintenance items that are not in compliance.

    2. Members of the ARC and/or the Property Manager conduct periodic tours of the Community. If the Property Manager observes items of non-compliance without an ARC member present, the Property Manager shall review the item of non-compliance with the ARC.

    3. The Property Manager on behalf of the Community Association and the ARC issues letters to Property Owners stipulating a required date of correction of non-compliant items. The letters outline consequences of non-correction such as the Community Association engaging vendors to make corrections at the Property Owner's expense and/or assessing fines via the Community Association's Fining Committee.

    4. The Property Manager conducts follow-up inspections to verify that corrections are made within the stipulated time frames.

16. **Outdoor Equipment**: Communication antennas, dishes, lighting rods, weather stations, etc. must be located as unobtrusively as possible consistent with transmitter contact antennas.

17. **Security Cameras**: Property owners may install security cameras with prior ARC approval. The unit's exterior elements must be minimally observable and have a limited in field of view to assure the neighbors' right to privacy.

18. Landscaping:

a) The ARC must review and approve all new landscaping excluding courtyards not in public view. In-kind landscape replacement projects such as replacing damaged or dead bushes need not be submitted for ARC review and approval. The ARC will consult with the Landscape Committee to evaluate landscape projects when required.

b) Plantings must be located and maintained (including trimming and cutting back) so they do not touch or overhang structures on adjacent properties, interfere with adjacent property owners' ability to access utilities and maintain their homes or block access between homes for maintenance and safety operations.

c) Plantings that lose their ability to sustain healthy foliage during the summer months must be replaced at Owner's expense.

d) Bushes or hedge plants located adjacent to or parallel with the sides of pool cages must not be placed more than 30 inches away from the face of the pool cage to the center of the plant(s) measured orthogonally.

19. Tree and Other Plant Removal: The removal of any individual plant or group of similar plants with a ground level diameter of two inches or more requires prior approval of the ARC. In order to sustain the attractive vegetation that is unique to Eagle Creek, the Community Association's policy is to require that trees that are removed be replaced in kind unless special circumstances dictate a different approach. Property owners should specify in the Exterior Change Request (ECR) form the size and type of replacement for the removed item(s) and indicate if they take exception to replacing the items.

20. Acceptable Reasons for Tree and Plant Removal:

a) Trees, roots or other plants damaging or interfering with water, sewer, electrical or other utilities.

b) Trees or other plants presenting a safety hazard.

c) Trees that are diseased or substantially damaged based on assessment by a certified arborist.

d) Dead trees or other dead plants.

e) Note that the accumulation of pine needles, leaves or acorn debris is not an acceptable reason for replacement.

21. Mulch: Mulch is provided as part of a community-wide initiative. Single colored mulch is selected by the Community Association and is provided for all properties and common areas. Property owners may apply a reasonable amount of additional mulch; however, it should be of the same color as that supplied by the Community Association.

22. Propane Gas Tanks

a) Propane gas tanks used for barbecue grills are limited to 20 lb size.

b) New propane gas tanks used for emergency generators, stoves, cook tops fireplaces, etc. must be installed underground in conformance with code requirements.

23. Villa Requirements:

a) Each Villa grouping (Carriage Walk, The Keep and Cypress View Drive Villas) must maintain a common architectural appearance, including paint color, driveways, outdoor lighting, house numbers, garage doors and the color and design of roof tile, which must be concrete tile to match existing (no exceptions).

b) Conjoined Villa buildings (duplexes, triplexes and fourplexes) must appear unified to the street including consistency of exterior colors, doors, windows, and trim.

c) Sculptures and other decorative ground or wall ornaments may not be located so they are visible from the street.

d) Gutters and downspouts are not allowed on the front (street side) of the gable-roofed garages on Cypress View Drive.

e) Pool cage finishes and structures at conjoined villas must appear identical in shape, color and overall dimensions.

Although not a requirement, ideally property owners would replace their pool cages at the same time using the same pool cage design and utilizing the same contractor in order to present a unified look to the golf course.

f) Pool cages at conjoined villas sharing a common, stucco- or tile-clad masonry wall must share one common pool cage screen wall. It is the responsibility of the property owners on each side of a common wall to collaborate during the construction of new pool cages or replacement of existing pool cages by requiring that the pool cage contractor (or contractors in case the villa owners do not use the same company) design and engineer the structures with one common screen wall separating the two pool cages. Property owners who fail to adhere to this requirement are required to correct deviations at their (or their contractor's) expense.

24. Condominium Requirements:

a) Each of the seven (7) Condominium groupings must sustain a consistency of architecture, exterior paint color, roof material and roof color.

b) Property owners must adhere to the established exterior finish and building standards for each Condominium building.

c) Lanai customization projects such as addition of storm panels, storm shutters, screen doors and radon mitigation elements may be approved provided that such additions sustain the exterior appearance of the Unit and the balance of the condominium building and incorporate provisions to prevent water penetration into the concrete structure.

25. Criteria for Rebuilds or New Construction:

a) If an Estate Home needs to be rebuilt after a catastrophic event (such as a storm or fire) or if an owner decides to tear down an existing home to build a new one, the new home must fit in to the architectural and aesthetic context of Eagle Creek and the street where it is located. While it is acknowledged that the homes in Eagle Creek were designed and built in the 1980's and 1990's and styles have evolved since, the architecture of the new home must complement adjacent homes in terms of height, massing, materials, roof pitch, fenestration, etc. Introduction of unique new or old architectural styles such as Tuscany, Victorian, Modern, etc. is not allowed. A new home must not be taller than the tallest building on the street. Flat roofs are not allowed.

b) The exterior shape and features of Condo and Villa buildings must not deviate from the original design if a complete rebuild is required after a catastrophic event unless approved by the ARC.

F. Operating Procedures

1. **Initial Submission of an Exterior Change Request**: A property owner proposing an exterior change must complete and submit to the Property Manager an Exterior Change Request (ECR) form supplemented by additional information including plans and specifications of material and equipment to be installed. The ARC may request further information. If the property owner plans to use independent contractors to perform any portion or all of the proposed change, the contractors and the scope of their work must be identified. (See Appendix B. Exterior Change Request form and Appendix C. Notice to Contractors). The ECR can be submitted electronically by using the link at www.eaglecreek.today or by using the ECR form published in Appendix B of this Handbook also available at www.eaglecreek.today.

2. **Failure to Submit an Exterior Change Request**: Starting exterior changes without first submitting an Exterior Change Request (ECR) and receiving approval of the ECR results in a fine to be assessed by the Community Association's Fining Committee. The Community Association requires removal of work installed in non-compliance with the stipulations of the ARC Handbook. Costs associated with removal of non-compliant work and restoration to original condition are the responsibility of the property owner.

3. **ARC Decisions**: Exterior Change Requests (ECRs) submitted to the ARC that are fully compliant with the ARC Handbook requirements generally will be approved and the ARC or the Property Manager will promptly notify the property owner.

4. **Time Frame for ARC Decisions**: ARC decisions will be rendered within thirty (30) days of receipt by the ARC of the ECR and any additional information. The ARC may request additional plan information and delay approval pending the submission of additional information. Should the ARC not render an opinion within thirty (30) days of receipt of the ECR and all requested information the property owner's proposed change will be deemed to be approved.

5. **Appeal of ARC Decisions**: Property owners may appeal ARC decisions to the Community Association Board. The procedure for an appeal is as follows:

   a) Within ten (10) days of receipt of the written ECR decision the applicant should submit a written request for an appeal hearing to the Property Manager. The written request must include a copy of the Exterior Change Request form, the full response of the ARC, the applicant's basis for the appeal and the specific approval being sought.

   b) The Property Manager will notify the ARC of the appeal hearing request and will schedule a hearing at the next Community Association Board meeting that affords the ARC at least ten (10) calendar days to prepare their briefing material.

c) The ARC shall initiate the appeal hearing by presenting the reason(s) for their decision in both a verbal and written form.

d) The applicant will then have the opportunity to present the reasons for their appeal as well as the specific approval they seek.

e) Upon hearing both sides of the question, the Community Association Board shall proceed to vote to either sustain the ARC position, grant the property owner's request, or approve an alternative for consideration. If the Community Association Board fails to reach a decision within thirty (30) days of the date of the hearing, the decision of the ARC shall govern.

f) The Exterior Change Request (ECR) form will be amended to document the Community Association Board's decision and the property owner will be obliged to act in accordance with the final ruling.

6. **Open Meeting Requirements**: Florida statutes require ARC meetings be open to the community membership. The ARC conducts meetings at maximum 28-day intervals to review, discuss and decide on Exterior Change Requests and other matters. The ARC is not required to conduct meetings if there are no Exterior Change Requests to be reviewed.

7. **Monitoring of Approved Projects**: Approved projects may be monitored for conformity with the ARC or Community Association approved plan and compliance with the requirements on activities of independent contractors as indicated in this Handbook. Any unauthorized variations must be corrected. Failure to do so may result in a "stop work" directive from the Community Association Board and other legal remedies as may be prescribed by the Community Association Governing Documents.

8. **Permits**: Property owners and their contractors are responsible for obtaining governmental permits where applicable.

9. **Timely Completion of Projects:** Projects must be completed in a timely fashion as provided on the ECR form. The ARC reserves the right to reject requests that, in its judgement, are excessive in duration or, in cases involving damage repair, are not initiated in a timely fashion. With the approval of the Community Association, special exceptions may be granted for time extensions to make repairs necessitated by unusual conditions such as severe weather events.

APPENDIX A: Authority of the Community Association and the ARC

1. Eagle Creek Community Association, Inc. is a Florida Homeowners' Association authorized by Florida State Chapter 720, The Homeowners Associations Act. Paragraph 720.3035 of the Act (adopted in 2007) permits an association or a committee of the association to "review and approve plans and specifications for the location, size, type, or appearance of any structure or other improvement on a parcel, or enforce standards for the external appearance of any structure or improvement located on a parcel" only to the extent that authority is "specifically stated or reasonably inferred as to location, size, type, or appearance in the covenants or other published guidelines and standards authorized by the declaration of covenants."

2. The Community Association's Master Covenants provide at Section 8. Architectural Control that the Community Association shall have the authority as permitted by statute to establish rules and regulations as to the qualification of contractors. In the event of conflict between this Handbook and the Master Covenants, the provisions of the Master Covenants shall govern.

3. The Community Association's Master Covenants authorize the Board to appoint an Architectural Review Committee (ARC). Article 8.1 of the Master Covenants states that the ARC shall have at least three members. When practical, the ARC shall have an equal number of representatives from the Condominium, Estate Home and Villa communities plus a chairperson.

4. This Handbook establishes the Community Association's guidelines and standards, the ARC enforcement and approval process and property owner's right to a review by the Board of the Community Association (Board) of ARC decisions.

5. The Master Covenants provide that no exterior improvement to a property of any kind, including dwellings, windows, painting, shutters, doors, pools, fences walls and paving may be altered or modified unless prior to the commencement of any work that the property owner submit to the ARC information regarding the change sufficient to allow the ARC to evaluate the change with respect to our guidelines and standards. The authority of the ARC includes the power to approve and disapprove the colors and resurfacing of exterior structures and other improvements to the property.

6. Section 8.3 of the Master Covenants provides that decisions of the ARC are to be based upon "aesthetics, harmony, balance and compatibility of the proposed improvements with the then existing structures within the Community." Further, the Section provides that such approval will be based upon whether the "improvements will be aesthetically pleasing, consistent with the architecture of the buildings in the Association and similar to other improvements previously allowed."

7. The ARC shall also consider safety and maintenance costs in its decisions.

APPENDIX B: Exterior Change Request Form

EAGLE CREEK COMMUNITY ASSOCIATION

EXTERIOR CHANGE REQUEST (ECR)

This ECR form is to be completed by the property owner for any exterior changes, alterations, or construction. The ECR can be submitted electronically via the link at www.eaglecreek.today. The Master Covenants for Eagle Creek state that approval by the Association, acting through the ARC, must be obtained before any work can begin. Examples of projects requiring pre-approval are construction dumpsters, pool cages, swimming pools, spas, awnings, shutters, new construction, alterations, changes of exterior color, roof replacement, driveway coatings, house numbers, exterior lighting, tree removal, new landscaping or any other change in the exterior of your property. Please see the ARC Handbook for full requirements.

LOCATION OF PROPOSED PROJECT

Name_____email:_____

Address_____

Phone_____Date_____

DESCRIPTION OF PROPOSED PROJECT

_____

Commencement Date_____ Completion date_____

TO ACCOMPANY THIS FORM:

A. Blueprints for new construction and/or additions
B. Plot plan of lot showing location of proposed addition
C. If screen enclosure is proposed the height and color should be noted on the plan.
D. If re-roofing, include material and color sample.
E. If re-painting, provide sample colors with overall and trim colors indicated.

RETURN COMPLETED FORM TO:

Eagle Creek Property Management
746 Eagle Creek Drive #103
Naples, FL 34113
Or email to PMassistant@eaglecreekcc.org

ARC DECISION: Approve_____ Deny_____

Comments_____

ARC CHAIR_____Date_____

This section reserved for Owner appeal of ARC decision only

BOARD OF DIRECTORS APPEAL DECISION Approve _____ Deny_____ Date_____

APPENDIX C: NOTICE TO CONTRACTORS

1. Work is permitted within the Eagle Creek Community as follows:

Monday through Saturday: **7:00 AM to 6:00 PM**

Sunday and Holidays: **No Work**

Exceptions may be granted for unusual circumstances or emergencies with the approval of the Property Manager who will notify Access Control.

2. Parking of contractor vehicles must be on one side of the road only and in such a manner as to not obstruct normal traffic as well as emergency vehicles.

3. Contractors must not place signs before, during or after construction activities.

4. Loud noise, voice or audio equipment, is not permitted at any time.

5. Contractors must not use the community's garbage dumpsters for disposal of construction waste. Contractors who violate this policy and the owners for whom they work will be fined.

6. Dumpsters and construction equipment must be located entirely on the owner's property. Placement of dumpsters must be approved in advance via submittal of an Exterior Change Request (ECR). Dumpsters must be removed within 2 weeks after being placed. (Contractors may install a new dumpster for a 2-week duration more than once during a project). Construction equipment must be removed promptly when no longer required to perform work on site.

7. All work sites and affected streets must be left neat, orderly and clean at the end of each day. Demolished materials must be removed by the contractor or placed in contractor-provided dumpsters each day. All leftover food and food packaging must be removed each day.

8. Contractors must restore any damage caused by contractor's activities to the conditions that existed prior to starting work (e.g., damaged turf, landscaping, concrete curb and gutter, etc.) by restoring to match adjacent, undamaged conditions.

9. All chemicals must be stored in a secure location.

10. All work must be in compliance with county, state and federal regulations and permits must be obtained where required.

11. Work, once started, must continue with sufficient manpower so as to conclude within the time period approved via the "Exterior Change Request" form approved by the ARC for the project. Any exceptions require prior ARC approval. Work shall not begin until all necessary materials are available for use (e.g., removing existing roof before replacement tiles are available).

12. The maximum speed limit in Eagle Creek is 25 miles per hour (25 MPH).

APPENDIX D: Authorization to Build

1. Authorization to build the Eagle Creek community was originally granted by Collier County as a Planned Unit Development, or PUD. The PUD filing with the County contains descriptions of and standards for the entire community including street layouts, golf course, clubhouse, fitness center, maintenance facility, utilities, waste management facilities, gate house, perimeter fence and residence structures. We are required to maintain the elements of this approved PUD filing.
2. Approved residential units include 1) single family dwellings (Estate Homes), 2) cluster homes and townhouses (Villas, The Keep and The Carriage Walk) and 3) low-rise multi-dwelling units (Condominiums).
3. Categories 1) and 2) are to have a minimum lot size of 6,000 square feet at least 55 feet in width, a minimum floor area of 1,000 square feet, and minimum clearances of twenty feet in the front and rear, and 10 feet on one side and zero feet on the other.
4. The third category, condominiums, was originally permitted to have only three stories of residential units, but a subsequent variance permits four residential stories. Detached garages are permitted only for this classification.

APPENDIX E: History of Eagle Creek Golf & Country Club, Eagle Creek Community Association and ARC

The Club (ECG&CC)

The development of the 300-acre property began in 1980 with the initial phase of construction of the championship golf course, initially called Shamrock Golf Club, with plans to eventually build 740 dwellings. Two years later, a Chicago based group purchased the development and brought in the Packard Design Group led by Larry Packard to complete the design of the golf course. The project name was changed to Eagle Creek Golf & Tennis Club.

In May of 1984, the Maxxam company purchased the complex and renamed it Eagle Creek Country Club. They created a new company, Eagle Creek Properties, to handle the development of the property and reduced the number of anticipated dwellings to less than 400 (222 Condos, 144 Estate Homes and 92 Villas, a total of 458 dwellings were built). The Club House was opened in November of 1985 creating momentum for development of the residential properties.

In November of 1987, a group of Swiss investors purchased Eagle Creek Country Club from Maxxam, and ultimately, on November 1, 1997, the membership bought the facilities from the Developer and created a private, member-owned, equity club named Eagle Creek Golf & Country Club.

The Community Association (ECCA)

The Swiss development group retained control of the development of the residential communities of Eagle Creek until 2008. The original Master Covenants for Eagle Creek were dated January 18, 1986. The first Articles of Incorporation, By-Laws and Master Covenants of Eagle Creek Community Association - without reference to the Developer - were written in 2008.

The Architectural Review Committee (ARC)

The ECCA established the ARC in 2008. The first ARC Handbook was issued on November 24, 2008, with significant updates in 2011, 2017 and 2019. The handbook is edited annually.

(Paragraph 720.3035 of Florida State Chapter 720, The Homeowners Association Act, addressing ARCs was adopted by the Legislature in 2007. Refer to Appendix A: Authority of the Community Association and the ARC).

APPENDIX F: Hurricane Protection Specifications

1. General Requirements

New exterior building components and systems must be fabricated and installed to meet the requirements of the Florida Building Code and Collier County stipulations. Miami-Dade testing criteria must be met where they apply. These requirements and stipulations include minimum criteria for wind, water and impact resistance, uplift criteria, permeability, etc. Components and systems must integrate with and complement the exterior finishes of the property where they are installed.

These specifications are intended to be comprehensive, however, to the extent that these specifications or the ARC Handbook do not specifically define standards for the location, size, type, or appearance of hurricane protection, such standards shall be deemed to be those that currently exist in Eagle Creek. The purpose of this provision is to maintain the existing harmony of architectural design in Eagle Creek and to establish the community standards for external appearance as those standards that currently exist in the community. Except as otherwise expressly provided in the Association's governing documents or the ARC Handbook, no other hurricane protection is permissible unless it already properly exists elsewhere in Eagle Creek and is approved in writing.

2. Roof Systems

The allowed roof materials for the residential structures at Eagle Creek are concrete (or clay) tile, stone-coated metal tile or architectural style asphalt shingles. Refer to E.12 for approved products.

3. Storm Shutters

Roll-down metal storm shutters and accordion shutters meeting code and testing criteria as supplied by Guardian Hurricane Protection, Storm Smart, Sun & Storm Systems, Inc. or similar suppliers.

4. Storm Screens

Roll-down (and manually fastened) fabric storm shutters meeting code and testing criteria as supplied by Guardian Hurricane Protection, Storm Smart, Sun & Storm Systems, Inc. or similar suppliers.

5. Lexan and Polycarbonate Panel Opening Protection Systems

Corrugated or flat, clear Lexan and Polycarbonate panels and associated mounting systems meeting code and testing criteria.

6. Impact Resistant Windows, Skylights and Doors

Impact resistant window, skylight and door assemblies meeting code and testing requirements as supplied by Guardian Hurricane Protection and Storm Smart or similar suppliers.

7. Garage Doors

Impact resistant garage door assemblies meeting code requirements and testing criteria such as manufactured by Clopay or Haas or approved equal.

8. Emergency Generators and Fuel Storage Tanks

Code approved emergency generators such as manufactured by Generac or approved equal and associated code approved fuel tanks.

END OF APPENDIX F