

**ALBERTA GOVERNMENT SERVICES  
LAND TITLES OFFICE**

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**CAVEAT**

TO THE REGISTRAR OF THE ALBERTA LAND TITLES OFFICE

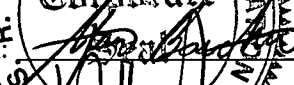

TAKE NOTICE that **S.R. HOMEOWNERS ASSOCIATION** of Edmonton, in the Province of Alberta, and **SUNSET PROPERTIES INC.**, of Edmonton, in the Province of Alberta (together the "Caveator"), each claim an interest under and by virtue of a Restrictive Covenant in writing, dated October 24, 2016, and made between **SUNSET PROPERTIES INC.**, as registered owner, and the Caveator whereby the said registered owner and the Caveator agreed, all in accordance with the terms of the said Restrictive Covenant, a true copy of which is attached to and forms part of this Caveat, in the lands described as follows:


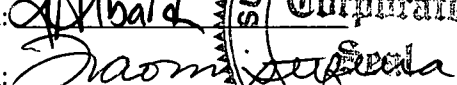
See Schedule "A" attached hereto.

standing in the register in the name of **SUNSET PROPERTIES INC.**, and the Caveator forbids the registration of any person as transferee or owner of, or of any instrument affecting the said estate or interest, unless the instrument or Certificate of Title, as the case may be, is expressed to be subject to the Caveator's claim.

THE CAVEATOR DESIGNATES 900, 10310 Jasper Avenue, Edmonton, AB, T5J 1Y8, as the place at which notices and proceedings relating hereto may be served.

Dated this 24th day of October, 2016.

**S.R. HOMEOWNERS ASSOCIATION**  
 Corporate  
 PER:   
 PER: 

**SUNSET PROPERTIES INC.**  
 Corporate  
 PER:   
 PER: 

**AFFIDAVIT IN SUPPORT OF CAVEAT**

I, **KAREN ALBARDA**, of the City of Edmonton, in the Province of Alberta, MAKE OATH AND SAY AS FOLLOWS:

1. That I am Agent for the Caveator.
2. I believe that the said Caveator has a good and valid claim upon the said land and I say that this Caveat is not being filed for the purpose of delaying or embarrassing any person interested in or proposing to deal therewith.

SWORN BEFORE ME Tanya Eklund )  
 at the City of Edmonton, in the )  
 Province of Alberta, this 24th )  
 Day of October, A.D. 2016 )

  
 \_\_\_\_\_  
 KAREN ALBARDA

  
 \_\_\_\_\_  
 A COMMISSIONER FOR OATHS IN AND  
 FOR THE PROVINCE OF ALBERTA

**TANYA L. EKLUND**  
 COMMISSION EXPIRES  
 MAY 24th, 20 17

**SCHEDULE "A"**

PLAN 161 2165  
BLOCK 28  
LOTS 54 - 95 INCLUSIVE  
EXCEPTING THEREOUT ALL MINES AND MINERALS

PLAN 161 2165  
BLOCK 37  
LOTS 9 - 15 INCLUSIVE  
EXCEPTING THEREOUT ALL MINES AND MINERALS

**THIS RESTRICTIVE COVENANT**

MADE AS OF THIS 24th day of October, 2016.

BETWEEN:

**SUNSET PROPERTIES INC.,**  
a body corporate incorporated under the laws of the Province of Alberta  
(hereinafter called the "Grantor/Grantee")

OF THE FIRST PART

- and -

**S. R. HOMEOWNERS ASSOCIATION,**  
a society incorporated under the *Societies Act* of Alberta  
with registered office at 900, 10310 Jasper Avenue  
in the City of Edmonton, in the Province of Alberta, T5J 1Y8  
(hereinafter called the "Grantee")

OF THE SECOND PART

**RESTRICTIVE COVENANT**

WHEREAS:

- a. The Grantor/Grantee is the registered owner of the Dominant Lands and the Servient Lands described in Schedule "A" hereto situate in the Town of Cochrane.
- b. The Grantor/Grantee intends to impose a scheme of mutually enforceable restrictions with respect to the use and improvements on the Lands in order to preserve the integrity of the Development.

NOW THEREFORE:

The Grantor/Grantee as registered owner of the Servient Lands described in Schedule "A" does grant and the Grantor does hereby declare, establish, impose and annex to the Servient Lands and each and every portion thereof for the benefit of the Dominant Lands, the following stipulations, restrictions, guidelines and provisions to run with the Lands and be binding upon the owners from time to time of the Lots:

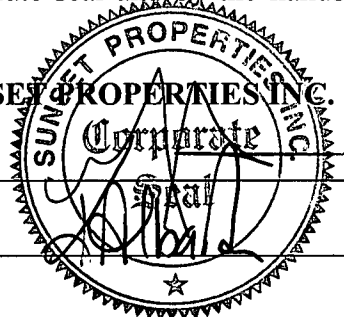
1. In this Restrictive Covenant, including the preamble, the following words and expressions shall have the meaning herein set forth:
  - a. "**Architectural Committee**" means a committee established by the Grantor/Grantee for so long as the Grantor/Grantee remains an Owner, and thereafter established by the Homeowners Association;
  - b. "**Development**" means the residential subdivision plan within which the Lots are located;
  - c. "**Dominant Lands**" means the leasehold and easement interests of the Homeowner's Association, granted to the Homeowner's Association the lands described in Schedule "A" hereto;

- d. **"Dwelling"** means any residential dwelling constructed on any of the Lots;
  - e. **"Guidelines"** means the Architectural and Construction Guidelines attached hereto as Schedule "B" and as amended from time to time by the Architectural Committee;
  - f. **"Homeowners Association"** means the S.R. Homeowners Association;
  - g. **"Lands"** means the lands described in Schedule 'A' hereto;
  - h. **"Lot"** means one of the lots described in Schedule 'A' hereto and any further subdivision of such lots;
  - i. **"Owner"** means a registered owner in fee simple of a Lot;
  - j. **"Restrictions"** means the provisions, restrictions and stipulations contained in Paragraph 2 of this Restrictive Covenant;
  - k. **"Restrictive Covenant"** means this agreement as the same may be amended from time to time and the expressions "herein", "hereof", "hereto", "above", "below", and similar expressions if used in any article, section or paragraph of this agreement refer to this agreement including the schedules hereto and do not refer solely to a particular article, section or paragraph unless specifically stated herein;
  - l. **"Servient Lands"** means the lands described as such in Schedule 'A' hereto.
2. For each of the Lots comprising the Servient Lands, for the benefit of the Dominant Lands, the following restrictions, stipulations and provisions are to run with the Lands, namely:
- a. No motor homes, recreational vehicles, trailers, boats or similar vehicles shall be stored for any period exceeding seven (7) days or for any period aggregating fourteen (14) days in a twelve month period on the front driveway, nor on the side yard, nor on any driveway of any building on any of the Lots, unless within an enclosure approved by the Architectural Committee, or as required by Municipal Bylaw as amended from time to time.
  - b. No satellite dishes shall be constructed, installed, placed, kept or maintained on any roof, front or side yard of any Dwelling, unless first approved by the Architectural Committee;
  - c. No radio or television aerials or antenna of any kind shall be erected, constructed or placed on any Dwelling or on any of the Lots, unless first approved by the Architectural Committee and unless the said aerial or antenna is a single unit incorporated into the structure of the Dwelling;
  - d. No construction of the Dwelling may commence unless the building plans have been approved by the Architectural Committee;
  - e. No dwelling may be constructed unless said Dwelling conforms with the Guidelines attached hereto as Schedule "B";


- f. The driveway width for all semi-detached dwellings with a front attached single garage will be limited to the width of the garage only.
  - g. Secondary/accessory suites are prohibited on all front drive semi-detached dwellings.
3. If any of the Restrictions herein or the application thereof to any part or any circumstances shall be held by any Court of competent jurisdiction to be invalid or unenforceable to any extent, then such Restriction shall be severed from the remainder of this Restrictive Covenant, and the remainder of this Restrictive Covenant or application of such Restriction to a party or circumstance other than those to which it is held invalid or unenforceable shall not be affected thereby and each of the remaining Restrictions of this Restrictive Covenant shall be valid and enforceable to the fullest extent permitted by the law.
  4. This Restrictive Covenant is in addition to the requirements of the municipal or other government authorities having jurisdiction in respect of the use of the Lands, and nothing contained herein shall be construed as permitting or authorizing anything which is prohibited, controlled or regulated by any statute, bylaw, regulation or like enactment having the force of law and having application to the lands.
  5. Nothing herein shall require or oblige the Grantee to enforce this Restrictive Covenant or render the Grantee liable for the failure of any of the Owners from time to time of the Lots to adhere to or conform with the Restrictions contained in this Restrictive Covenant, it being the intention to attach to each of the Lots and the Owners thereof the obligation for compliance with this Restrictive Covenant.
  6. The Restrictions contained in this Restrictive Covenant shall be binding upon and enure to the benefit of the Owner from time to time of each of the Lots and the Grantee and the restrictions herein shall run with the Lands and each of the Lots.

IN WITNESS WHEREOF these presents have been executed by each of the parties hereto the day and year first above written under its corporate seal and by the hands of its officers duly authorized in that behalf.

SUNSET PROPERTIES INC.  
Corporate  
Per: \_\_\_\_\_  
Per: \_\_\_\_\_ (seal)



S. R. HOMEOWNERS ASSOCIATION  
Per: \_\_\_\_\_  
Per: \_\_\_\_\_ (seal)



**SCHEDULE "A"**

**TO RESTRICTIVE COVENANT AGREEMENT**

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The Current Lots are legally described as follows, all being lots shown on the subdivision plan registered as Plan No. 161 2165, namely:

Block 28, Lots 54 to 95 inclusive

Block 37, Lots 9 to 15 inclusive

**SCHEDULE "B"**

**ARCHITECTURAL AND CONSTRUCTION GUIDELINES**

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# Sunset Ridge

— IN COCHRANE BY —

**MELCOR**  
DEVELOPMENTS LTD.

PHASE 20  
ARCHITECTURAL GUIDELINES



July 2015



## TABLE OF CONTENTS

1.	INTRODUCTION	1
1.1	Architectural Guidelines	2
1.2	Intent and Theme	2
2.	LAND USE ZONING	3
2.1	Land Use Bylaw	3
2.2	Zoning Regulations	3
2.3	Minimum Home Sizes	4
2.4	Driveways	4
2.5	Accessory Buildings	4
3.	SITING	5
3.1	House Placement	5
3.2	Maximum Side Yards	6
	3.2.1 Interior Lots	6
	3.2.2 Corner Lots	6
3.3	Lot Grading	7
4.	ARCHITECTURAL DESIGN	8
4.1	Proposed Housing Product	8
4.2	Repetition	8
4.3	Architectural Theme & Style	8
	4.3.1 Craftsman/Arts and Crafts	9
4.4	Building Form and Massing	10
	4.4.1 Roof Design and Pitch	11
	4.4.2 Corner Lots	11
	4.4.3 Front Porches	12
	4.4.4 Enhanced Porches	12
	4.4.5 Rear Elevations	13
	4.4.6 Exterior Decks and Patios	13
	4.4.7 Chimneys	13
	4.4.8 Retaining Walls	14
	4.4.9 Columns	14
	4.4.10 Gable Treatment	14
5.	BUILDING MATERIALS AND COLOURS	15
5.1	Primary Wall Materials	15
5.2	Exterior Colours	16
5.3	Masonry	16
5.4	Trim, Fascia, and Soffit	17





## TABLE OF CONTENTS

5.5	Windows	17
5.6	Roofing	18
5.7	Roof Hardware	18
5.8	Front Doors	18
5.9	Garage Doors	19
5.10	Railing	20
5.11	Driveways and Sidewalks	20
5.12	Front Steps	20
5.13	Lighting	20
6.	<b>ADDITIONAL REQUIREMENTS</b>	21
6.1	Recreation and Commercial Vehicles	21
6.2	Satellite Dishes	21
7.	<b>LANDSCAPING</b>	22
7.1	Fencing	22
7.2	Front Yard Landscaping	22
7.3	Fire Pits and Outdoor Fireplaces	22
8.	<b>APPROVAL PROCESS</b>	23
8.1	Preliminary Review	23
8.2	Formal Application Submission	23
8.3	Final Inspection	23
8.4	Schedule of Applicable Fees	23
9.	<b>CONSTRUCTION REGULATIONS</b>	24
9.1	Material and Equipment Storage	24
9.2	Use of Site	24
9.3	Vehicles and Parking	24
9.4	Other Notes	24
10.	<b>DISCRETION</b>	25
10.1	No Right to Enforce	25
10.2	Right to Amend	25
10.3	No Trespassing	25
11.	<b>CONTACTS</b>	26
	APPENDIX A: SIDING COLOURS	
	APPENDIX B: FENCING	
	APPENDIX C: LAND USE BYLAW	





# 1. INTRODUCTION

Sunset Ridge is a master planned residential community located in the Town of Cochrane, Alberta. Sunset Ridge is accessed from Highway 22 North and consists of a wide variety of housing options ranging from multifamily homes to starter single family homes to estate single family homes.

These Architectural Guidelines have been written for Phase 20 of Sunset Ridge which consists of single detached homes and semi detached homes. The lot sizes will vary. Each lot in Sunset Ridge will be unique and will offer exciting building opportunities.

Traditional inspired homes will be built using modern building materials and techniques. In order to recognize this inspiration, the home styles in Sunset Ridge will be derived by an interpretation of Craftsman and Arts and Crafts architecture.

To ensure that the built form remains true to the selected styles, the Architectural Committee has commissioned IBI Group to be the interim Architectural Coordinator for the community. IBI Group will review all home plans submitted by the builders for conformance of these guidelines. This responsibility will be assumed by the Architectural Committee once assigned by the Developer.

**It is recommended that all purchasers obtain a copy of all restrictive covenants prior to signing their home purchase agreements.**





## 1.1 Architectural Guidelines

Architectural Guidelines will be implemented in Sunset Ridge Phase 20 to ensure that all builders will design and build homes to meet standards that are envisioned by the Developer.

The Architectural Guidelines will enhance the integrity of the development and ensure that each home that gets built will add value to the community. The Architectural Guidelines have been prepared to promote a high level of architectural detail, ensure a pleasing building form, and promote an awareness of environmental sustainability.

## 1.2 Intent and Theme

The intent of these guidelines is to create a community of harmony and continuity while maintaining a number of traditional architectural styles to offer variety and flavour.

Architectural styles other than Craftsman and Arts and Crafts will be considered in Sunset Ridge Phase 20 and will be carefully reviewed by the Architectural Committee to ensure that the style will blend with all of the homes in the development.





## 2. LAND USE ZONING

The Architectural Committee will complete a review of all house plans to ensure compliance. An "Approved" stamp must be issued prior to the builder submitting a building permit application to the Town of Cochrane. All construction must comply with the current Town of Cochrane Land Use Bylaw and Alberta Building Code. Construction may only begin upon receipt of a building permit from the Town of Cochrane and a Grade Slip from the Architectural Committee. Conformity with the Guidelines does not supersede the required Town of Cochrane approval process.

### 2.1 Land Use Bylaw

Sunset Ridge Phase 20 is comprised of R-1 and R-2 lots. All homes will be subject to all land use rules established in the Town of Cochrane Land Use Bylaw. If the Land Use Bylaw is revised at any time, all lots will follow the Land use Rules of the revised Land Use Bylaw. The land use breakdown is as follow:

#### SINGLE DETACHED HOMES

R-1	Block 28	Lots 54-73	Double Front Garage
		Lots 96-111	Double Front Garage
	Block 35	Lots 14-51	Double Front Garage
	Block 37	Lots 1-15	Double Front Garage

#### SEMI DETACHED HOMES

R-2	Block 28	Lots 30-53	Laned
	Block 28	Lots 74-95	Single Front Garage
	Block 36	Lots 1-30	Single Front Garage

### 2.2 Zoning Regulations

All homes in Sunset Ridge Phase 20 will follow the regulations noted in the appropriate Land Use District in the Town of Cochrane Land Use Bylaw. For convenience the R-1 and R-2 sections of the Land Use Bylaw along with the General Regulations for Residential Districts can be found in Appendix C.



## 2.3 Minimum Homes Sizes

The Developer has established the following minimum homes sizes for Phase 20 of Sunset Ridge. The minimum floor area is for total floor area above grade and does not include attached garages or any basement floor area.

### R-1 Zoning - Double Front Garage

**Block 28 Lots 54-73 & 96-111, Block 35 14-51 and Block 37 Lots 1-15**

**Two Storey: 1,800 ft<sup>2</sup>**

**Bungalow and Split Level: 1,400 ft<sup>2</sup>**

### R-2 Zoning - Single Front Garage and Lanes

**Block 28, Lots 30-53, Block 28, Lots 74-95, and Block 36 Lots 1-30**

**Two Storey: 1,100 ft<sup>2</sup>**

**Bungalow and Split Level: 800 ft<sup>2</sup>**

The Split Level square footage calculation will include the entire footprint of the home excluding the garage. Split level homes must have the same footprint or larger than the minimum required for a bungalow.

## 2.4 Driveways

- Driveway length must be a minimum of 6.0 metres from the property line to the face of the garage wall.
- Desirable driveway slopes are between 3% and 7%.
- Maximum Driveway slope is to be 10%; minimum is to be 2%.
- A minimum of 1.2 metres is required between driveways and side property lines. This may be relaxed on pie shaped lots at the discretion of the Architectural Coordinator.
- The driveway width for front drive Semi-Detached homes will be limited to the width of garage only.

## 2.5 Accessory Buildings

Accessory buildings will be permitted and must follow the rules of the Town of Cochrane Land Use Bylaw and are to be designed to match the style and building materials of the principal residence.



### 3. SITING

#### 3.1 House Placement

Builders are required to choose proper home designs around the approved grading and site topography to take full advantage of views and to maximize lot space. Designers are to take into consideration the lot width, length and shape as houses should be conforming to these sizes. Builders and designers are required to review the Building Grade Plan and Marketing Plan prior to designing the home. Homes on pie shaped lots should be sited in a radiating pattern rather than parallel to an adjacent side property line.







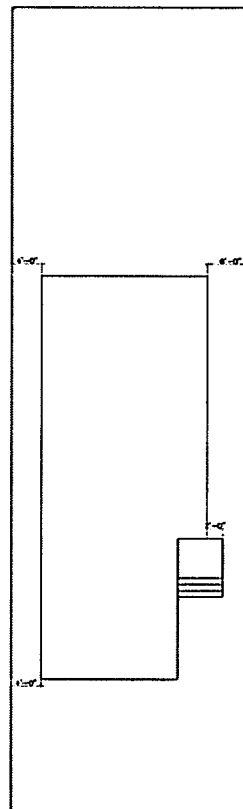
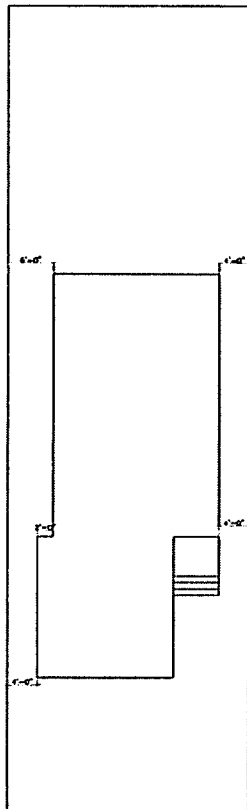
## 3.2 Maximum Side Yards

### 3.2.1 Interior Lots

- The preferred combined side yard for all interior lots in Sunset Ridge Phase 20 will be 8' (2.44m) (i.e. a 30' dwelling on a 38' lot). The distance will be measure from the side property line to the foundation wall on both the front and the rear of the dwelling.
- A maximum combined side yard of 10' (3.05m) (i.e. a 28' dwelling on a 38' lot) for all interior lots will be permitted providing that a minimum 2' (0.61m) garage offset is provided or a minimum 2' (0.61m) porch extension is provided.

### 3.2.2 Corner Lots

- A maximum combined side yard of 14' (4.27m) will be permitted on corner lots providing that the following conditions have been met;
  - The maximum dwelling width must be 10' (3.05m) less than the lot width noted on the Marketing Plan (i.e. a 28' dwelling on a 38' lot).
  - A minimum 3' (0.91m) wraparound porch width is provided.
  - Builder may choose to extend the rear deck to meet the 14' (4.27m) combined side yard on corner lots, where possible.





### 3.3 Lot Grading

Lot grading must be in compliance with the Town of Cochrane Surface Drainage Bylaw 13/2005. Builders should give due consideration to building grades when determining house types in order to assure that an appropriate house is located on each homesite. Lot slopes should be absorbed within the building massing as much as possible.

- Builders must pay close attention to drainage patterns created on the homesites in order to ensure surface water is channelled away from the house on all sides and into adjacent drainage swales and storm water systems.
- Builders are to ensure that all of the corner and intermediate elevations, as established by the development engineer, be maintained exactly as specified.
- Maximum permitted front, rear or side yard slope is 3:1, builders are encouraged to stay within 5% - 25% slope.
- The lot grades create a drainage pattern, as indicated on the "grade plan", and must be maintained.
- Site drainage must be established prior to commencing construction and maintained by the builder throughout the construction period.
- Individual lot grading (including drainage swales and retaining walls) must be completed within individual home site property lines.





## 4. ARCHITECTURAL DESIGN

### 4.1 Proposed Housing Product

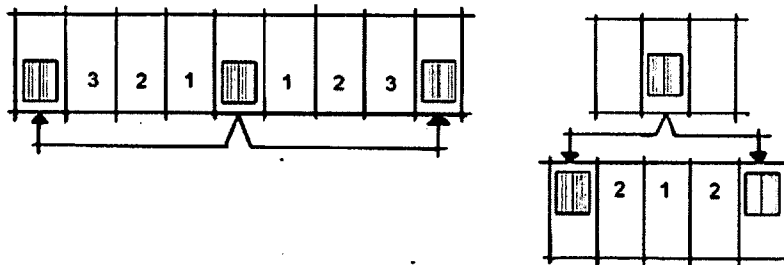
Single family homes and Semi Detached homes will be offered in Sunset Ridge Phase 20. Certain lots have been designed to accommodate front drive garages. To reduce the visual impact of the front attached garages builders will be asked to pay special attention to the form and finish of the garage so that it complements the character of the principle dwelling. Living space should be incorporated over the garages, and it is encouraged that the front entries of the homes be brought forward and shall be designed to emphasize the entrance as the focal point of the dwelling. Detailed carriage style garage doors will be required at minimum and real wood garage doors will be encouraged to create a distinctive streetscape.

### 4.2 Repetition

Single family home designs with near identical house elevations and colours may not be repeated more often than every fourth (4th) home on the same side of the street and every third (3rd) home on the opposite side of the street.

Semi detached home designs with near identical house elevations and colours may not be repeated more often than every third (3rd) building on the same side of the street and may not be repeated directly across the street.

To be different means that there is a significant change in features such as roof type, size and location of windows and doors, colours and finish materials. A change of materials alone and reversing the plan is not sufficient.



### 4.3 Architectural Theme & Style

Craftsman and Arts and Crafts will be the preferred architectural style for Sunset Ridge Phase 20; however other styles may be approved at the discretion of the Architectural Coordinator. Please refer to section 4.5 "Architectural Style" for a detailed description of these styles.

**Note:** The Developer and the Architectural Coordinator reserve the right to accept home designs which, in the opinion of the Architectural Coordinator, meet the intent of Architectural Guidelines set out herein in all respects.



### 4.3.1 Craftsman / Arts and Crafts

The preferred architectural styles for Phase 20 of Sunset Ridge will be Craftsman and Arts and Crafts. Other architectural styles may be permitted at the discretion of the Architectural Coordinator.

Craftsman homes generally have moderate pitched roofs, while Arts and Crafts are steeper in pitch. Both styles may include second storey dormers, covered front verandas, decorative beams or braces and the use of traditional building materials in deep rich colours. It is encouraged that the upper floor living space of two storey homes be built into the roof massing.

Siding and trim colours should be inspired by natural surroundings and should complement the natural materials used on the home.

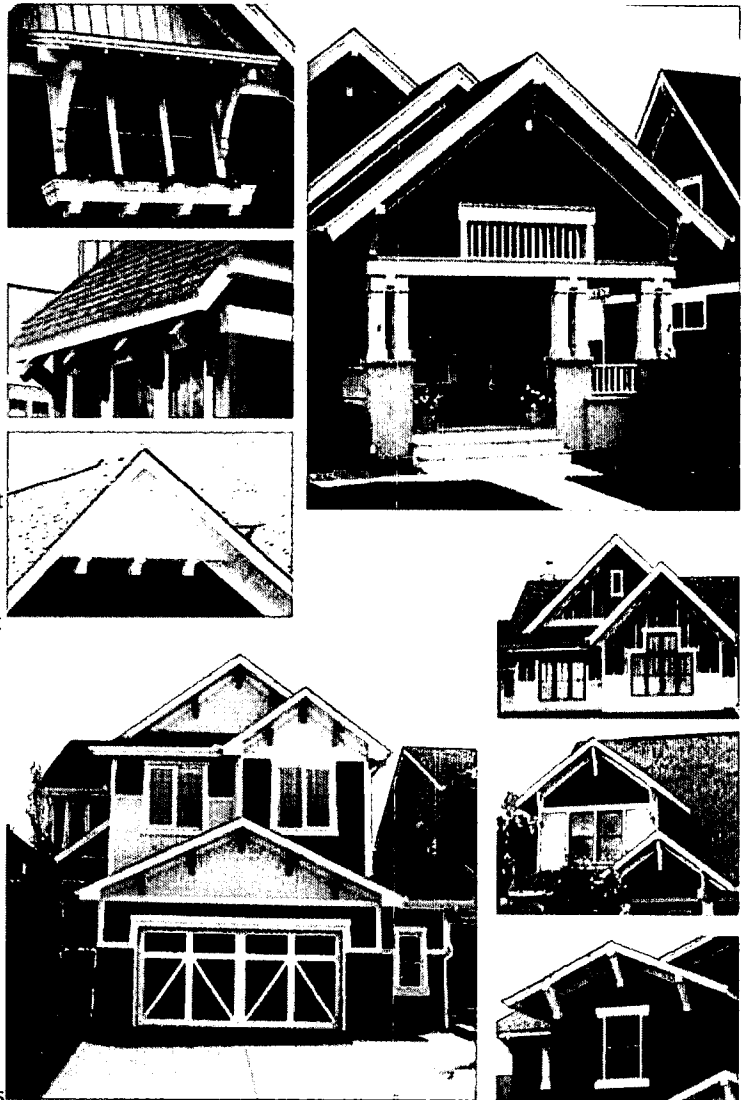
Masonry is essential for these styles and should only be used on the base to ground the home to add a presence of stability. Masonry heights may vary but the thickness should always be much greater than the pier. Elements like brackets, blocks, false trusses and exposed rafter tails are encouraged to give the presence of craftsmanship.

#### Craftsman Elements:

- Moderate roof pitch
- Use of stone or brick and natural materials
- A high level of architectural detailing on doors and windows
- Wood blocks and brackets

#### Arts and Crafts Elements:

- Steeper roof pitch
- Alternate materials used on upper floor
- Board and batten detailing in contrasting colours





## 4.4 Building Form and Massing

### R-1 Zoning (Front Attached Garages)

- A minimum of a double front attached garage will be required on these lots. The attached garage should reflect and complement the overall massing and proportion of the home and not dominate the streetscape. Triple car garages may be approved at the discretion of the architectural coordinator and must have at least one bay of the triple garage recessed or extended out 12" from the others.
- If the third bay of the garage is fully offset from the main body of the home, special attention must be paid to the roof design and massing in order to integrate the third garage bay into the overall appearance of the home. Attached triple car garages must be a natural extension of the design, massing and materials of the main dwelling.
- In order to reduce the visual impact of front drive garages, close attention will be paid to the architectural design of the front elevation and the design of the front entryways. One method in achieving this is bringing the front entryway of the home as far forward as possible, without adversely affecting the interior layout of the home. Deeper porches and roof lines that extend past the steps are highly encouraged to provide a better sense of enclosure over the entry.
- The garage location is noted on the building grade plan and the subdivision marketing plan. Builders are required to use the garage location as shown unless otherwise approved by the developer.
- Extra wide double car garages shall not be permitted unless otherwise approved at the discretion of the architectural coordinator.
- If a side drive garage configuration is chosen, the garage should stay in the same location as if it were a front drive garage.
- Garages will generally be paired with the neighbouring homes unless noted otherwise on the subdivision marketing plan.

### R-2 Zoning (Semi Detached Homes)

Entrances should be emphasized through roof articulation, front porches and other treatments. Overall massing on semi detached homes shall provide a resemblance to a larger single family home.

Some semi detached homes will have a front attached single width garage and others will have the option of a rear detached garage. Unenclosed parking pad will not be permitted. It is preferred that the garage from each unit be paired with the adjoining unit to create the look of a double car garage.



#### 4.4.1 Roof Design and Pitch

The roof design is important to achieving the desired look of the Craftsman / Arts and Crafts design. Rooflines should generally consist of gable roofs and a minimum of 6/12 roof pitch will be required on all homes. Roof vents and plumbing stacks must be located away from the street view of the house where possible.

- Overhangs on all roof configurations shall be a minimum of 18".

#### 4.4.2 Corner Lots

Corner lots that side onto a street or open space will require substantial additional treatment. The side elevation shall be well articulated with various architectural elements appropriate for the overall design of the house. Battens will be required on openings. Other elements may include box outs, rooflines or verandas that wrap around the exposed building face shall be the preferred treatment, chimneys and fully detailed windows, and shadow bands.

Lots that require this treatment:

- Block 28 - Lots 30, 53, 54, and 111      Block 36 - Lots 1, 16, 17, and 30  
Block 35 - Lots 14, 32, 33, and 51      Block 37 - Lots 1, 8, 9, and 15



