

## ATTACHMENT "A"

### EXHIBIT "C"

#### **Windstone Community Minimum Standards & Architectural Control**

**Section 1.** The Design Review Committee shall evaluate architectural submissions by the Unit Owner and/or the Unit Owner's contractor based on:

- a. Architectural integrity and consistency. The various elements of the home should be compatible and have significant appeal.
- b. The proposed improvement shall be harmonious with existing and previously approved improvements in the vicinity of the Unit.
- c. The proposed improvement shall not be a duplicate of an existing home or a previously approved home in Windstone Subdivision. Home styles and elevations may be repeated with changes in architectural elements, materials and/or colors (the satisfaction of this requirement to be determined by the Design Review Committee).
- d. The architectural style, the detailing of the exterior trim and appointments and the building materials shall combine to create a distinctive character to the improvement. The overall appearance of the improvement shall be one of professional quality.

**Section 2.** The purpose of architectural controls is to secure an attractive, harmonious residential development having continuing appeal. No building or other improvement shall be commenced or maintained, including any addition or alteration (except interior changes), until the construction plans and specifications and the site plan have been submitted to and approved in writing by the Design Review Committee.

The construction plans and specifications shall include detailing of the exterior building materials and the exterior color scheme.

In the event that the Design Review Committee rejects construction plans, specifications and/or the site plan due to the fact that the Design Review Committee determines that said plans and or specifications are inadequate, not suitable or not desirable for aesthetic or other reasons, the Design Review Committee shall reply to the Unit Owner and/or contractor with the following:

- a. a request for more complete plans or more detailed specifications,
- b. an acceptable change(s) to the plans and specifications, and/or
- c. a request for alternative plans for one or more specific elements of the plan.

**Section 3.** The Design Review Committee shall reply to the Unit Owner and/or contractor within 10 business days of receipt of submission. The lack of a reply shall be followed up with a registered or certified letter to the Design Review Committee from the Unit Owner requesting a reply. In the event the Unit Owner does not receive a reply within 10 business days of the delivery of the registered or certified letter, the Unit Owner may commence construction of the improvement in accordance with the plans, specifications and site plan submitted to the Design Review Committee.

**Section 4.** The building plans, specifications and site plan shall be submitted to the Design Review Committee and their approval received by the Unit Owner prior to application for building permit and prior to the clearing of the Unit.

**Section 5.** A decision of the Design Review Committee can be reversed by a Unit Owner through the Unit Owner's compliance with the following procedure: The Unit Owner shall petition the other Unit Owners in Windstone and shall obtain the affirmative signature of the Owners of fifty one percent (51%) of the Units in Windstone to reverse a decision of the Design Review Committee. Said petition shall clearly state the Unit Owner's request and the Design Review Committee's objection(s). The plans, specifications, site plan, all correspondence and all other pertinent documents shall be attached to the petition, referenced therein and made a part thereof. The Unit Owner shall then record the petition and all exhibits with the Kane County Recorder and may commence construction of the improvement in accordance with the plans, specifications and site plan contained in the recorded document.

**Section 6.** Any approval or procedure adopted by the Design Review Committee for one Unit shall not restrict the Design Review Committee's right to grant a different approval or procedure for another Unit.

**Section 7.** The following Windstone Community Minimum Standards are hereby established and published by the Design Review Committee as a guideline for the individual unit owners and builders to use in the preparation of architectural plans. The Design Review Committee reserves the right to amend these criteria from time-to-time and retains the right to grant specific approval of building plans and specifications upon the formal submission of the same to the Committee by the unit owner.

## Windstone Community Minimum Standards

- Minimum Square Footage of Living Area:**
- 2200 Square feet for two-story homes
  - 1800 Square feet for ranch homes
- Exterior Materials:**
- Brick, stone, cedar or Dryvit exteriors are the standard
  - For individuals who want a low maintenance exterior, high quality aluminum siding with 6" corner boards is permitted on a maximum of 70% of the exterior surface.
- Roof Pitch:**
- 7/12 Minimum
- Roofing Material:**
- Dimensional shingles or wood shakes are recommended
  - Standard fiberglass or asphalt roofing is acceptable
- Windows:**
- Minimum height for front elevation:  
First Floor: 60'  
Second Floor: 48"
- Chimneys:**
- Masonry, stone or Dryvit is required for chimneys on exterior walls
  - Well executed cedar chimneys are permitted on contemporary homes with the specific approval of the Design Review Committee.
- Skylights and Roof Windows:**
- Not permitted on front elevations of traditional homes
- Garage Doors:**
- Raised or recessed panels - wood or aluminum
- Antennas:**
- Roof antennas are not permitted
  - Satellite dishes require screening and the specific approval of the Design Review Committee
- Fencing:**
- Privacy fencing (i.e. stockade style fencing) is not permitted
  - Chain link fencing is not permitted
  - Dog-runs are to be attached to the home and improved with landscape screening. The design, location and materials are to be approved by the Design Review Committee.
  - Decorative fencing (i.e. split rail or picket) are permitted with the design, location and materials to be approved by the Design Review Committee
- Swimming Pools and Spas:**
- Swimming pools require proper decking, screening, landscaping and protective fencing. The design and location are to be approved by the Design Review Committee.  
Free Standing, above ground pools are not permitted.
- Driveways:**
- Concrete, asphalt or brick paving are permitted.
- Public Sidewalks:**
- Tinted sidewalks are not permitted
- Storage Sheds:**
- Storage sheds are not permitted
- Playhouses and Recreation Equipment:**
- The equipment and location are to be approved by the Design Review Committee
- Mailbox Posts:**
- The Design Review Committee may establish design standards

Windstone Community Association II, Inc.  
(aka "Windstone II")  
Architectural Requirements for Black Walnut Trails Units 6,7& 8

(Retyped- removing references to Oliver-Hoffmann Corporation replacing them with "Windstone II")

- A. Two-story and split-level dwelling units shall:
  - a. Contain not less than 2,600 square feet of livable space not including walk-out or look-out basements, patio or garage; and
  - b. Have an all masonry front.
- B. One-story dwelling units shall:
  - a. Contain not less than 2,000 square feet of livable space not including walk-out or look-out basements, patio or garage and
  - b. Have an all masonry front.
- C. At the sole discretion of Windstone II all cedar-sided dwelling units and all dwelling units using an exterior insulating system (i.e., Dryvit) may be permitted notwithstanding anything contained herein to the contrary. No aluminum or Masonite siding will be permitted.
- D. All fireplaces chimneys on exterior walls shall be constructed of masonry. At the sole discretion of Windstone II in the case of a dwelling unit utilizing an exterior insulation system (i.e., Dryvit) a dryvit chimney may be permitted.
- E. All dwelling units must have:
  - a. Attached garages for no less than two (2) automobiles.
  - b. At least front and side yard sodded with grass including the parkway. Said sod shall be laid within two (2) weeks of the homes being occupied, subject to adverse weather conditions and the Village of Sugar Grove regulations:
  - c. We recommend roofing material of three dimensional architectural style asphalt or fiberglass shingles with a minimum weight of 250 pounds per 100 square feet.
  - d. All transmitting and receiving antennae shall be installed with the structures. However television satellite dishes not larger than 18" in diameter may be installed in the rear yard if properly screened by landscaping or attached to the home if not visible from the street side. In all cases Windstone II retains sole discretion with regard to approvals.

\* Attachment "A" Exhibit "C" attached hereto contains specific information about the approval process used by the DMRC that applies to the Association as a whole. It also includes the minimum standards for the section of Windstone II known as Windstone. At the sole discretion of the DMRC, applicable standards from one or both of the architectural and minimum standards

may be applied when approving new construction or modifications to a unit as long as the standards are harmonious with the existing and previously approved improvements in the vicinity of the Unit.

Contact Windstone II Design Modification Review Committee at [dmrc@windstonehoa.com](mailto:dmrc@windstonehoa.com) for further restrictions, questions and information.

**BUILDING SETBACK**

ALL LOTS SHALL HAVE A BUILDING SETBACK OF A MINIMUM OF 27 FEET FROM THE FRONT LOT LINE. ALL CORNER LOTS SHALL ALSO HAVE A BUILDING SETBACK OF A MINIMUM OF 27 FEET FROM THE SIDE YARD WHICH FACES THE STREET.

**BUILDING SETBACK SIDE YARD**

THE SIDE YARD SETBACK FOR LOTS SHALL BE A MINIMUM OF 10 FEET, EXCEPT CORNER LOTS, WHICH SHALL ALSO HAVE A MINIMUM SIDE YARD SETBACK OF 27 FEET FROM THE SIDE YARD WHICH FACES THE STREET.

**BUILDING SETBACK REAR YARD**

THE REAR YARD SETBACK FOR LOTS SHALL BE A MINIMUM OF 30 FEET.

**EASEMENT DESCRIPTION AND LOCATION**

10 FOOT WIDE DRAINAGE AND UTILITY EASEMENTS (D.& U.E.) ARE HEREBY GRANTED ON THE SIDE LOT LINES AND REAR LOT LINES OF EVERY LOT, UNLESS OTHERWISE NOTED. 15 FOOT WIDE DRAINAGE AND UTILITY EASEMENTS (D.& U.E.) ARE HEREBY GRANTED ON THE FRONT LOT LINE OF EVERY LOT, UNLESS OTHERWISE NOTED. ALL CORNER LOTS SHALL HAVE A 15 FOOT WIDE DRAINAGE AND UTILITY EASEMENT (D.& U.E.) ON THE FRONT LOT LINE AND A 15 FOOT WIDE DRAINAGE AND UTILITY EASEMENT (D.& U.E.) ON THE SIDE LOT LINE WHICH FACES THE STREET, UNLESS OTHERWISE NOTED.



**LEONARD DREAS  
& Associates**

LAND SURVEYORS & CIVIL ENGINEERS

888 South Edgelawn Drive, Suite 1725  
Aurora, Illinois 60506 (630) 897-4105

**TITLE**

BLACK WALNUT TRAILS UNIT NO. 7  
A RESUBDIVISION OF LOT 171 OF BLACK WALNUT TRAILS UNIT NO. 6

**DATE**

09/16/2000

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PREPARED BY, RECORD & RETURN TO:  
 Peregrine, Stime, Newman,  
 Ritzman & Bruckner, LTD  
 221 East Illinois Street  
 P.O. Box 564  
 Wheaton IL 60189

2012K024596  
 SANDY WEGMAN  
 RECORDER - KANE COUNTY, IL

RECORDED: 4/18/2012 8:34 AM  
 REC FEE: 32.00 RHSPS FEE: 10.00  
 PAGES: 3

**ASSIGNMENT**

This Assignment is made effective this 23<sup>rd</sup> day of March 2012, by and between the OLIVER-HOFFMANN CORPORATION, an Illinois Corporation ("Assignor"), having an address of 7 S 251 Olesen Lane, Naperville Illinois 60540 and WINDSTONE COMMUNITY ASSOCIATION II, INC. ("Assignee"), with an address of PO Box 860, Sugar Grove Illinois, 60554.

WHEREAS, on June 29, 1999, St. Paul Financial Development Corporation assigned to Assignor whatever assignable rights it had, if any, to exercise architectural approval for the Property in Black Walnut Trails and Windstone Subdivisions, Sugar Grove Illinois, as more specifically set out in Exhibit "A", limited by the various Declarations of Covenants, Conditions and Restrictions, plats of subdivision for the Property, and consistent with prior improvements of the Subdivisions.

WHEREAS, in June 2005, a Mutual Settlement Agreement and Release was entered into between the Assignor and Assignee, whereby the Assignor and Assignee agreed that Assignor had final and exclusive design review authority for the lots identified in Exhibit "A", subject to the Declaration of Covenants, Conditions and Restrictions for Windstone Community Association, recorded September 22, 1989 as Document No. 1998326, the First Amendment to the Declaration, recorded October 20, 1994, as Document No. 94K078827, and the Second Amendment to the Declaration, recorded August 14, 1996, as Document No. 96K058152.

WHEREAS, Assignor has sold and transferred title to all lots identified in Exhibit "A", but has not assigned, granted or transferred architectural approval or exclusive design review authority for said lots.

NOW, THEREFORE, for and in consideration of Ten and no/100 dollars and other good and valuable consideration granted by Assignee to Assignor, receipt of which is hereby acknowledged, Assignor hereby assigns to Assignee whatever assignable rights it has, if any, to exercise architectural approval and exclusive design review authority for the lots identified in Exhibit "A", subject to the Declaration of Covenants, Conditions and Restrictions for Windstone Community Association, recorded September 22, 1989 as Document No. 1998326, the First Amendment to the Declaration, recorded October 20, 1994, as Document No. 94K078827, and the Second Amendment to the Declaration, recorded August 14, 1996, as Document No. 96K058152.

This Assignment shall inure to the benefit of the successors and assigns of the Assignor and Assignee, and be binding upon the successors and assigns of Assignor and Assignee.

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IN WITNESS THEREOF, Assignor has executed this Assignment to Assignee as of March 23  
2012.

OLIVER-HOFFMANN CORPORATION

By: Camille O. Hoffman

Camille O. Hoffman, President

WINDSTONE COMMUNITY  
ASSOCIATION II, INC.

By: Vivian E. Porretto

Vivian E. Porretto, President

Unofficial



EXHIBIT "A"

**LEGAL DESCRIPTION:**

**PARCEL 1:**

LOTS 95, 100, 102, 119, 120, 161 AND 163 IN BLACK WALNUT TRAILS UNIT NO. 2, BEING A SUBDIVISION OF PART OF THE SOUTHEAST 1/4 OF SECTION 3 AND PART OF THE NORTHEAST 1/4 OF SECTION 10, TOWNSHIP 38 NORTH, RANGE 7, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN THE VILLAGE OF SUGAR GROVE, IN KANE COUNTY, ILLINOIS.

**PARCEL 2:**

LOTS 123, 140, 141, 146, 148, 149 AND 153 IN BLACK WALNUT TRAILS UNIT NO. 3, BEING A SUBDIVISION OF PART OF THE SOUTHEAST 1/4 OF SECTION 3, AND PART OF THE NORTHEAST 1/4 OF SECTION 10, TOWNSHIP 38 NORTH, RANGE 7, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN THE VILLAGE OF SUGAR GROVE, IN KANE COUNTY, ILLINOIS.

**PARCEL 3:**

LOTS 191, 193, 205, 206, 207, 208, 209, 210, 211 AND 212 IN BLACK WALNUT TRAILS UNIT NO. 6, A RESUBDIVISION OF PART OF WINDSTONE SUBDIVISION UNIT 1, IN THE VILLAGE OF SUGAR GROVE, IN KANE COUNTY, ILLINOIS.

**PARCEL 4:**

LOTS 95, 96, 97, 99, 132, 156, 157, 158, 168, 169, 177, 179, 182, 185, 188, 189, 194 AND 206 IN WINDSTONE SUBDIVISION UNIT NO. 1, BEING A SUBDIVISION OF PART OF SECTIONS 3 AND 10, TOWNSHIP 38 NORTH, RANGE 7, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN THE TOWNSHIP OF SUGAR GROVE, IN KANE COUNTY, ILLINOIS.

**PARCEL 5:**

LOTS 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335 AND A UNNUMBERED OUTLOT IN BLACK WALNUT TRAIL UNIT NO. 7, A RESUBDIVISION OF LOT 171 OF BLACK WALNUT TRAILS UNIT NO. 6, OF PART OF SECTION 3, TOWNSHIP 38 NORTH, RANGE 7, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN THE VILLAGE OF SUGAR GROVE, IN KANE COUNTY, ILLINOIS.

**PARCEL 6:**

LOTS 334, 335, 336, AND 337, IN BLACK WALNUT TRAILS UNIT NO. 8, BEING A SUBDIVISION OF PART OF SECTION 10 AND A RESUBDIVISION OF PART OF WALNUT TRAILS UNIT NO. 7, IN TOWNSHIP 38 NORTH, RANGE 7, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN THE VILLAGE OF SUGAR GROVE, IN KANE COUNTY, ILLINOIS.