

**ARCHITECTURAL CONTROLS
AND
PROTECTIVE COVENANTS (ACPC)

FOR

RESIDENTIAL DEVELOPMENT AT LAKE PLACID RESORT**

APRIL 26, 1999

PROJECT SPONSOR:
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Conveyance of property within the residential development at the Lake Placid Resort is subject to the following protective covenants, architectural controls, conditions and restrictions which shall forever run with the land and be binding upon the parties hereto, their respective transferees, heirs, successors and assigns, to wit:

I. Architectural and Lot Development Guidelines

A. Introduction

The following guidelines are intended to assist lot owners and their architects in maintaining existing cottages and in designing new buildings on proposed building lots within the area of the Lake Placid Resort. These guidelines have been developed to insure architectural compatibility with existing buildings, the natural landscape and the historic traditions of the regions Adirondack architecture. These guidelines are intended to permit a degree of owner self expression while simultaneously insuring a continuity in building style, building materials, and building colors, all directed at a compatibility with the natural beauty of the region. In order to insure conformance with the goals and guidelines described in this document, an Architectural Review Committee (ARC) shall be established to review design documentation submitted for new construction and/or renovation projects.

B. General Guidelines

The preferred overall architectural style of buildings shall be the Adirondack style developed in this region and throughout the Lake Placid Club in the late 19th and early 20th century. This style is well documented in the book Great Camps of the Adirondacks by Harvey H. Kaiser (Godine Publishing, 1982). Literal and abstract interpretations of this style predominantly feature natural and indigenous building materials particular to this region. These materials are usually durable and long lasting and are often left in their natural state. In form the Club's buildings are traditionally varied with multi-pitched roofs, shed dormers and extensive use of screened porches with roofs lowered to meld the building forms convincingly with the natural terrain. Existing cottages shall retain their phonetic names and spellings to retain the Dewey Decimal history. New building construction shall choose from the list of the remaining names dating back to the turn of the 19th century.

The siting of new buildings is important in truly expressing the tradition of Adirondack building. Trees, topography and natural features are respected when restoring a cottage or siting a building. The random subtlety of the building style is adaptive to significant trees, rock outcropping and the predominant lay of the land. Adirondack houses appear to "hug" the landscape and in fact derive their natural quality from this gentle adaptation. Existing club cottages shall retain the privilege of their original scenic vistas while at the same time their landowner shall be prohibited from blanketed clearing of trees and vegetation.

All proposed structures, renovations and related site work shall conform with applicable state and local codes, rules and regulations. Attention should be given to final approved Adirondack Park Agency permit documents and final approved plans by the Village of Lake Placid and the Town of North Elba recorded with the Essex County Clerk's Office.

Reference: Appendix A

C. Building Siting and Lot Development Guidelines

The underlying objective is to site each building and other related improvements in such a way that upon completion the natural beauty of each site and that of surrounding areas is maintained and enhanced. Appendix B in this document combines complete lot development guidelines applicable to this project.

D. Building Design Considerations

1. Building Forms

Adirondack building forms are usually varied and adaptive to the natural landscape. Responsive randomness of form is generally a predominant theme in the building style throughout the Lake Placid Club, and shall remain. Pitched roofs of greater than 6/12 should be utilized. Roofs can be of varied type... gambrel, straight gable end, hipped and shed roofs. Dormers generally should be of the shed type although an occasional peaked dormer is sometimes characteristic. Roof materials should be either wood shingle or asphalt, although colored metal can be considered. Roofs should make use of extensive overhangs with soffit and bracket detailing on the exterior.

2. Exterior Building Materials and Colors

Acceptable materials are wood shingles, logs or log veneer, horizontal dropped wood siding, bark covered vertical or horizontal boards, vertical board or batten wood and natural stone. Exposed soffits, brackets and porch railings and details can feature stick, branch, log and rough cut lumber. Colors when used shall be natural tone stains and paints such as deep greens, browns, gray and rust red. Chimneys shall be of natural stone, deep toned brick or sto.

3. Windows

Windows should be arranged as distinct openings in the wall rather than in rows of vertical or horizontal glass.

E. Architectural Review Process

1. Objectives

The objective of this review process is to carry out the conditions of the approved plans together with the design guidelines established in this document and apply it to each individual lot development application within this residential project. The objective of the Project Sponsor is to achieve a high quality residential development.

2. Architectural Review Committee (ARC)

To achieve Project Sponsor's objectives and to assure compliance with all governmental conditions of approval, the Project Sponsor will administer these Architectural Controls and Protective Covenants with regard to approving or disapproving those matters which are expressed herein. The ARC will consist of a representative of the Applicant, a private person appointed by the Town of North Elba Town Supervisor and one member appointed by the Applicant.

3. Matters Requiring Approval

Prior written approval shall be obtained from the ARC with respect to all matters stated in this document. In addition thereto, no building, fence, wall or other structure shall be commenced, erected or maintained, nor shall any exterior addition to or change or alteration therein be made, nor shall any clearing of trees or change of property grade be made until the plans and specifications showing the nature, kind, shape, elevations, heights, materials and color, location and grade, proposed landscaping, design and proposed location of building and all other improvement is submitted to and approved in writing by the ARC.

4. Procedure

Whenever approval is required of the ARC, appropriate plans and specifications shall be submitted to the ARC. The ARC shall either approve or disapprove such design within thirty days after said plans and specifications have been submitted to it; except that; if plans and specifications are disapproved in any respect, the applicant shall be notified wherein such plans and specifications are deficient. The ARC may withhold approval for any reason deemed by it to be appropriate, including aesthetic reasons, except that approval will not be withheld for capricious or unreasonable reasons. If such plans and specifications are not approved or disapproved within thirty days after submission, approval will not be required and article will be deemed fully complied with. At the discretion of the ARC a reasonable filing fee established by the ARC shall accompany the submission of such plans to defray expenses except that so long as the ARC is under Project Sponsor's control such fees shall not exceed \$50.00. No additional

fee shall be required for submission of plans revised in accordance with recommendations made upon disapproval. A copy of each approved set of plans and specifications shall be kept on file with the ARC.

The Town of North Elba and the Village of Lake Placid code enforcement officer will have the authority to withhold the Certificate of Occupancy (CO) until such time when all conditions and/or requirements of the ARC are met.

II. Protective Covenants and Restrictions

1. No commercial use of the property shall be made except that residences may be rented to private families for private use.
2. Upon approval of building plans all structures shall be completed on the exterior within twelve (12) months from the start of the construction subject, however, to abnormal delays beyond any one person's control.
3. No house trailer, mobile home, camping trailer, boat trailer, or construction trailer shall be permitted on said land except that camping or boating trailers may be stored in garage.
4. No tent shall be placed or maintained on the land except that tenting by children shall be permitted after a dwelling has been constructed on the land.
5. No animals, livestock or the equivalent of any kind shall be raised, bred or kept on any lot, except that dogs, cats or other normal household pets may be kept provided that they are not kept, bred or maintained for any commercial purpose.
6. No clothesline, trash storage or bottled gas containers shall be placed on the site unless screened from other lots and roads.
7. No sign of any kind shall be displayed to public view on any lot and no advertising of any kind shall be placed upon any lot or structure except signs designating the occupants of no more than one (1) "For Sale" sign.
8. All disturbed areas on the property must be landscaped or established with vegetation within one (1) year after start of construction.
9. The location of proposed principle buildings and accessory buildings are to be located within the lot development areas as established on the final subdivision plans filed in the Essex County Clerk's Office.
10. All exterior colors for any structures on the property shall be earth tones or white.
11. All accessory structures on the property shall be of the same materials and color scheme as the principle building.
12. All construction on any lot is subject to the Village of Lake Placid and/or the Town of North Elba Code Enforcement Officer.
13. The property shall be maintained in good condition and kept neat in appearance; no noxious, obnoxious, noisy, unsightly, or otherwise offensive objects or activities including but not limited to vehicle repairs, dumping trash or junk cars

shall be permitted, nor shall anything be permitted that may be an unreasonable annoyance or nuisance to adjoining properties.

14. All electrical service, telephone, and cable TV shall be installed underground from the main underground service at the Property Owner's expense.
15. All exterior lighting shall consist of incandescent fixtures. Trespass of light on adjacent property shall be prohibited.
16. If any building upon the premises is totally or partially destroyed by a catastrophe, then in such event, such building or buildings shall be repaired or razed within twelve (12) months of said occurrence.
17. Reasonable attorneys' fees will be paid by the owner of a lot(s) who violates any of these covenants, conditions and restrictions as set forth herein, and who is unsuccessful in a legal action commenced against him/her for such violations by any other record title owner.
18. All the above restrictions shall run with the property hereby conveyed.

APPENDIX A
RELEVANT DOCUMENTS

Appendix A

In addition to the conditions and restrictions established in these Architectural Controls and Protective Covenants, the other following documents are applicable to this project.

1. Adirondack Park Agency Permit No. 98-307
2. Conditions of Town of North Elba and/or Village of Lake Placid approval
3. Final development plans entitled:
Engineering Plans, Proposed Residential Development, Lands of Placid Gold, LLC
Map No. 98-10-LR, with last revision date of March 5, 1999, Sheets 1-24

APPENDIX B
LOT DEVELOPMENT GUIDELINES

A. Introduction

In order to establish clear intent and control on how lots will be developed within this Project, each lot will be divided into specific development components which will consist of Lot Development Area, Private Open Space and View Angle Area. The final limits of these components shall be established during the ARC review phase of each approved lot.

B. Description of Development Components

1. Lot Development Area

Lot Development Area is intended for building of a new house or renovation of existing location of driveways, walks, patios, decks, retaining walls, open lawn space, and utility hookups. All lot grading will be conducted in this area.

2. Private Open Space Area

2.1 Private Open Space Areas will be established for the purpose of the preservation of the natural character of this residential project.

2.2 Each lot owner shall be responsible for the following:

- Protection of designated Private Open Space on each lot.
- Prior to construction, the designated Private Open Space shall be clearly identified in the field and protected by means acceptable to the ARC.
- Private Open Space shall not be used for stockpiling of excess excavated material, construction material, parking of cars or be subject to any activity which would damage and/or degrade its character.
- Any portion of Private Open Space disturbed during construction by activity approved by the ARC shall be landscaped by the lot owner to the satisfaction of the ARC.
- Any portion of the Private Open Space disturbed by unapproved actions by the lot owner or his agents shall be restored by the lot owner based upon the requirements established by the ARC.

3. View Angle Area

3.1 View Angle Areas (if applicable) shall be established for the purpose of identifying that portion of the lot which will be selectively cleared to allow view in a designated direction based on final house design plans.

3.2 Each lot owner shall be responsible for the following:

- Prior to construction, the designated View Angle Area shall be clearly identified in the field.

- View Angle Area shall not be used for stockpiling of excess excavated material, construction material, parking of cars or be subject to any activity which would damage and/or degrade its character.
- Any unapproved action within the View Angle Area shall be subject to restoration plan based on requirements established by the ARC.

Reference: Drawing ARC 1

C. Guidelines and Conditions for Clearing of Vegetation

1. All designated specimen trees identified on the approved project plans as “to remain” shall be protected by a method satisfactory to the ARC.
2. ARC approval in writing shall be required for the following:
 - Clearing of vegetation for construction of house, driveway access, and utilities connections.
 - Clearing of vegetation for the purpose of creating views.
 - Vegetation to remain in the private open space.
3. The following special conditions apply to the lots listed below:

Lots 13, 14, and 15

- 3.1 Development objective on these lots is to create views towards the High Peaks region.
- 3.2 Since these lots are bordering a golf course open space and are visible from the Route 86 travel corridor, the following special vegetation clearing guidelines are applicable:
 - the width of the area to be selectively cleared for view shall not exceed 60’;
 - no more than 50% of trees 6” DBA or larger shall be allowed to be removed;
 - Removal of tree branches on remaining trees located within designated View Angle Area is permitted provided that the spacing of remaining branches is not more than six (6) feet;
 - Low level natural vegetation shall be maintained along the edge of existing wooded area and golf course;
 - A member of the ARC shall be present on the lot when performing selective clearing operations in the View Angle Area.

Reference: Drawing ARC 2, ARC 3

Lot 18

- Selective clearing for view shall be performed in the designated View Angle Area only;
- Layout of the clearing area shall be performed in the presence of an ARC member;
- A member of the ARC shall be present on the lot when performing selective clearing in the View Angle Area.

Reference: Drawing ARC 4

Lots 73 and 74

- Designated trees to remain as shown on the approved plans shall be protected during construction by a method approved by ARC;
- removal of trees for view shall be approved by the ARC.

Reference: Drawing E-4, Map No. 98-10-LR

D. Submittal Requirements

The following items shall be provided by a respective lot owner prior to the beginning of construction:

1. A site plan for each lot shall be submitted to the ARC for approval. Siting of all proposed development components shall be identified.

The following general information shall be included on the plan:

- House Location
- Driveway and Parking Areas
- Walks, Retaining Walls, and Decks
- Clearing Limits
- Site Grading
- Landscaping
- Limit of Private Open Space
- Limit of View Angle Area

2. Building plans for each proposed house shall be submitted to the ARC for approval.

3. Based on the approved plan the respective lot owner shall be responsible to provide a stakeout of the following to the satisfaction of the ARC.

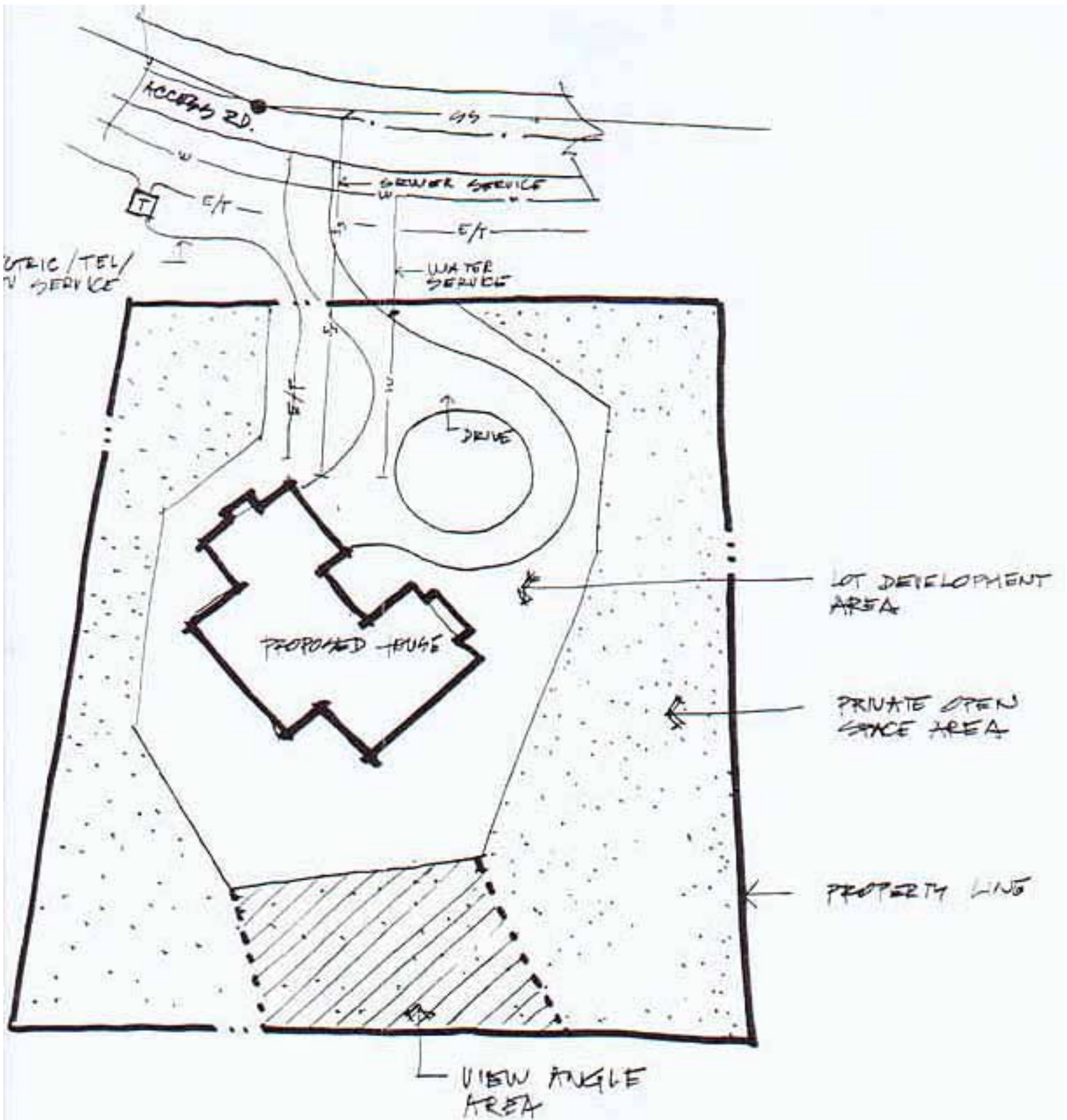
- Proposed house location (corners delineated)
- Centerline of proposed drive
- Proposed clearing limits
- Limit of Private Open Space

- Limit of View Angle Area

The location of these components shall be field verified and approved in writing by the ARC.

NOTES:

- Individual utility service lines (sanitary, water, electric, telephone, CATV) shall be installed within the lot development area unless otherwise approved by the ARC.
- Removal of any trees within the Private Open Space and View Angle Area shall require prior approval by the ARC.

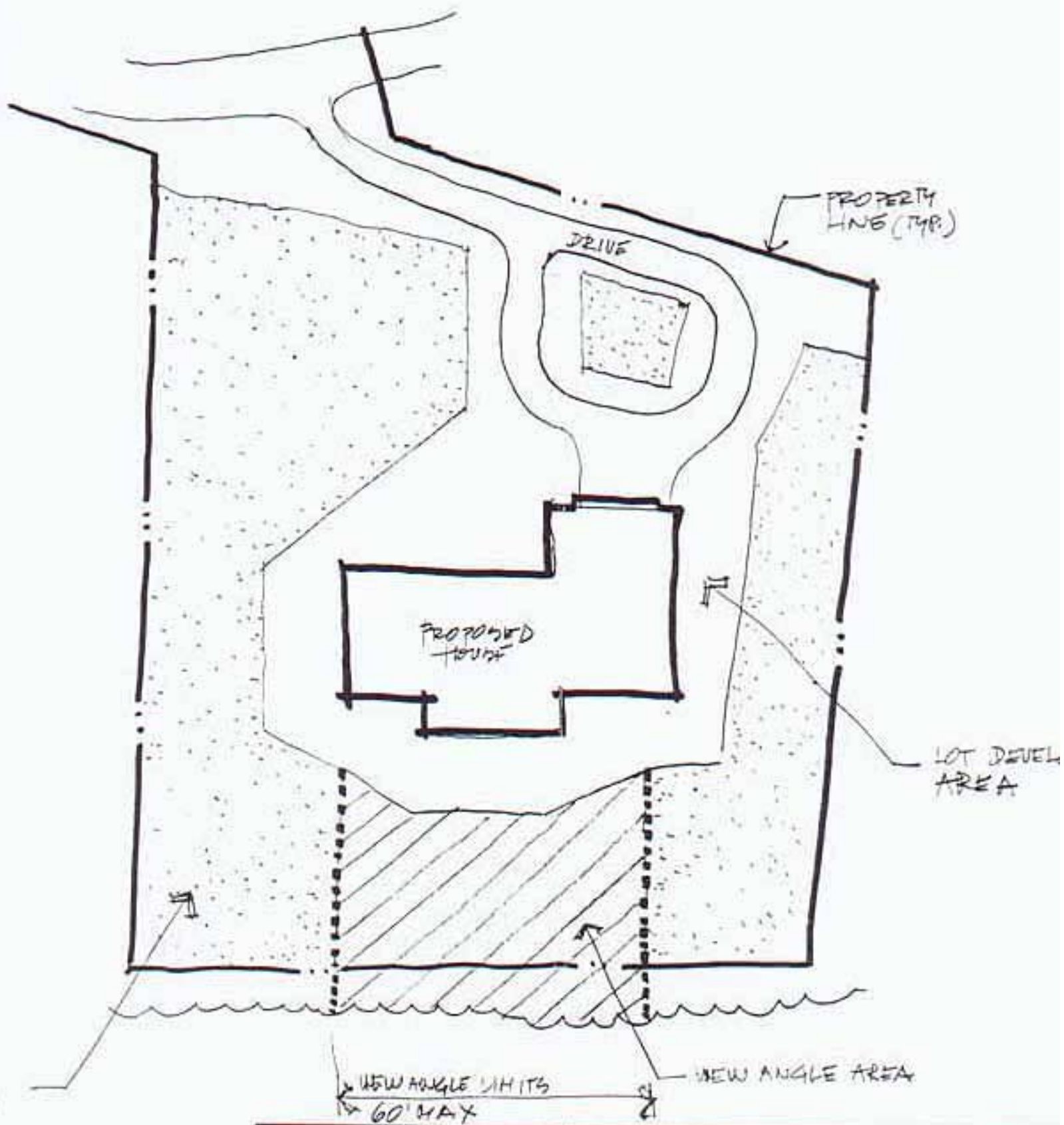


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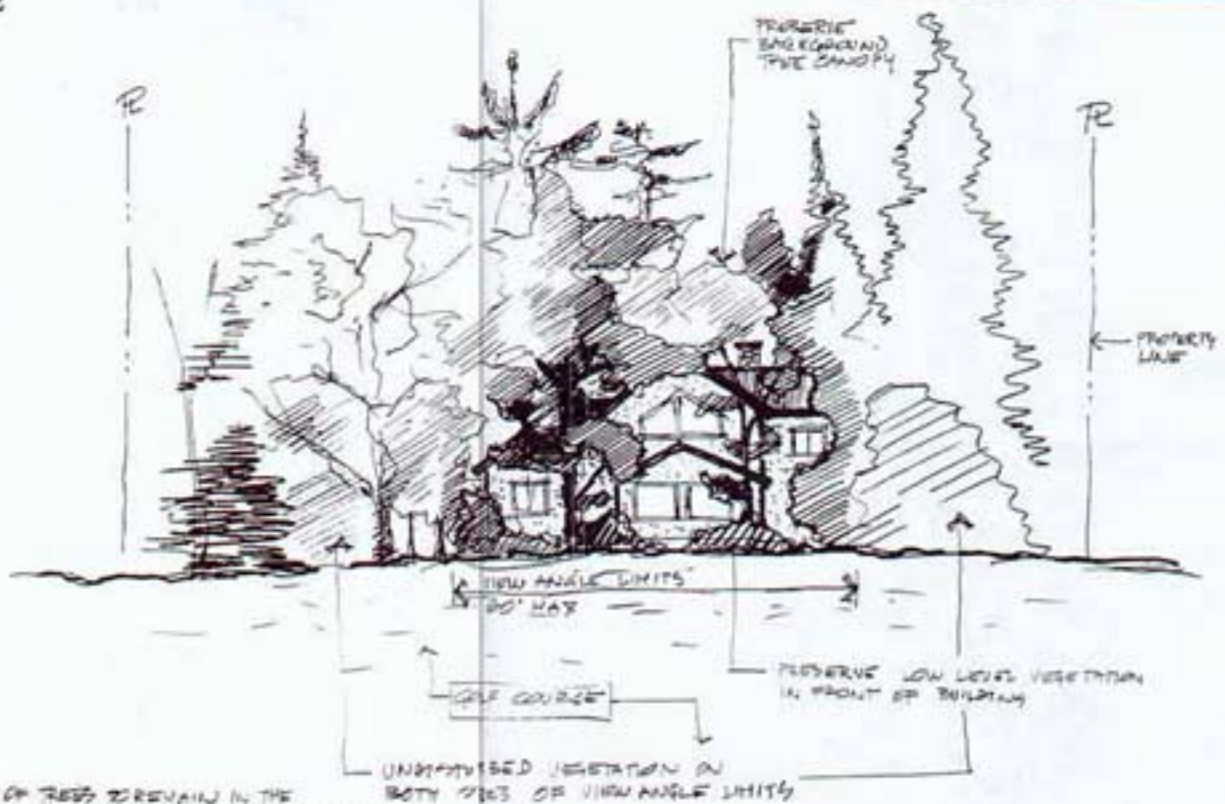
TYPICAL LOT DEVELOPMENT
 PLAN

VILLAGE OF LANCELOT/ TOWN OF LAWRENCE
 DATE: MARCH 1999 SCALE: N.T.S. SHEET: 1

NOT SCALE
 UNLESS NOTED



<p>IVAN ZDRAHAL ASSOCIATES, PLLC ENGINEERING AND PLANNING 959 ROUTE 146 CLIFTON PARK, NEW YORK 12065 PHONE (518)363-0789 FAX (518)371-4306 email Zdrahal@aol.com</p>	<p>IVAN ZDRAHAL ASSOCIATES, PLLC ENGINEERING AND PLANNING 959 ROUTE 146 CLIFTON PARK, NEW YORK 12065 PHONE (518)363-0789 FAX (518)371-4306 email Zdrahal@aol.com</p>	<p>TYPICAL FOR LOTS DRAWN BY: [Signature] DATE: MARCH 1991</p>
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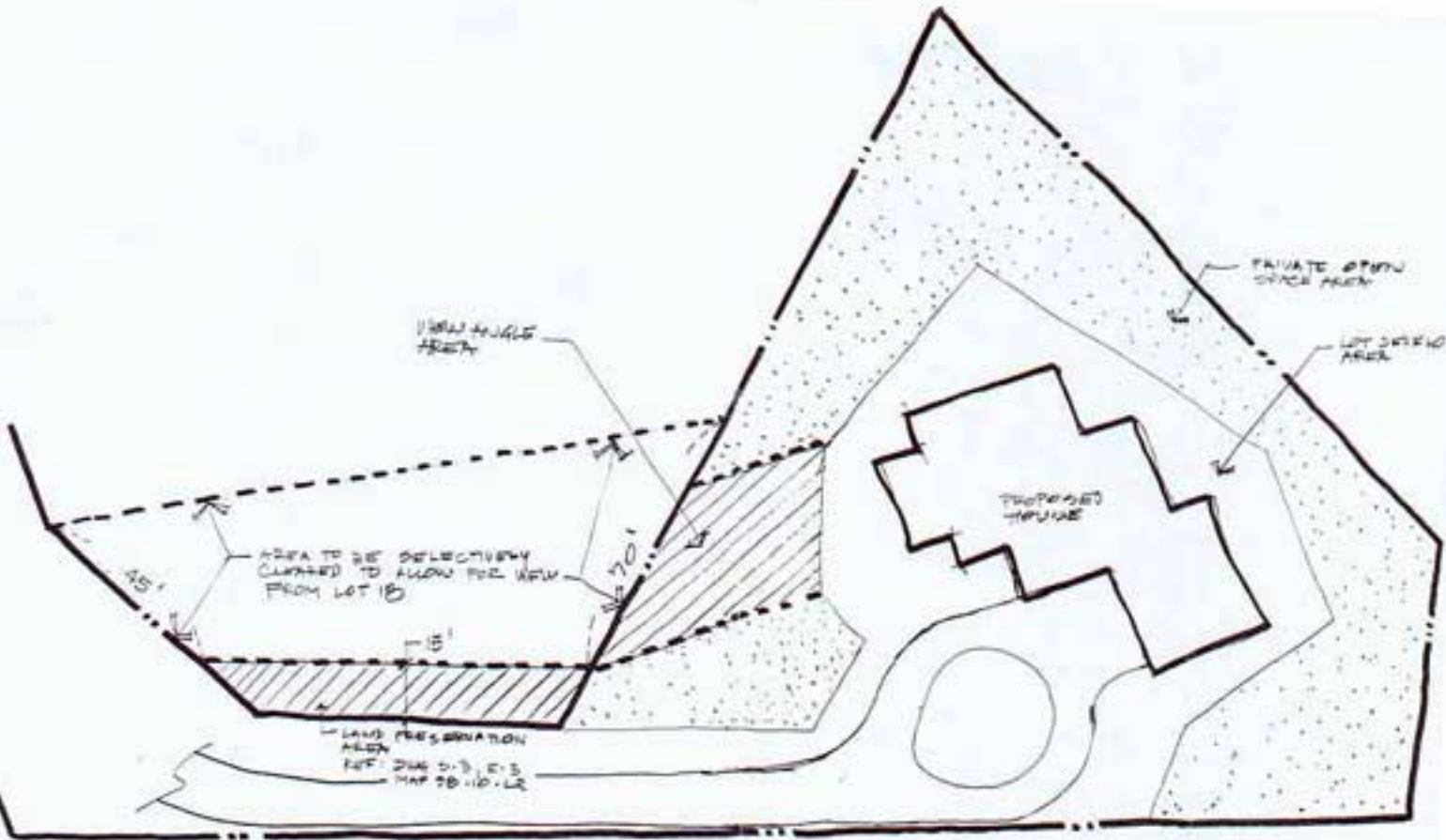


NOTES:

- 1. TREES AND BRANCHES OF TREES TO REMAIN IN THE VIEW ANGLE AREA SHALL BE REMOVED IN ORDER AS TO PRESERVE MAXIMALLY UNINTERRUPTED TREE LINE IN THE FRONT OF THE PROPOSED BUILDING WHILE SATISFYING THE OBJECTIVE OF DESIRED VIEW

<p>DATE: 10/20/2016</p>	<p>IVAN ZDRAHAL ASSOCIATES, PLLC ENGINEERING AND PLANNING 959 ROUTE 146 CLYTON PARK, NEW YORK 12065 PHONE: 518-686-0700 FAX: 518-686-0701 www.zdrahal.com</p>	<p>ILLUSTRATIVE DETAIL VEGETATIVE CLEARING FOR VIEW IN LOTS 13, 14, 15</p> <p>DATE OF NEXT PLAN: 10/20/2016 DATE PREPARED BY: IVAN ZDRAHAL, 10/20/2016</p>
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<p>DATE: 11/11/11</p>	<p> IVAN ZDRAHAL ASSOCIATES, PLLC ENGINEERING AND PLANNING 959 ROUTE 146 CLIFTON PARK, NEW YORK 12065 PHONE: (518) 353-0700 FAX: (518) 353-0704 email: IZ@ivanzdrahal.com </p>	<p> TYPICAL LOT DEVELOPMENT PLAN TBC LOT 18 </p> <p> <small> PREPARED BY: IZ DATE: 11/11/11 SCALE: AS SHOWN </small> </p>
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