TENTH AMENDMENT

to

DECLARATIONS COVENANTS, RESTRICTIONS AND EASEMENTS

of

STILLINGS' GRANT

NOW COMES the Stillings' Grant Association, Inc., a New Hampshire nonprofit organization, pursuant to Article X.II.14 of the Declaration of Covenants, Restrictions, and Easements of Stillings' Grant, the-same being recorded at the Carroll County Registry of Deeds at Book 1399, Page 960, et seq., and amended, declares the following amendment to Appendix C, Stillings' Grant Design Review Process and Design Guidelines:

1. Appendix C is stricken in its entirety and the following is adopted in its place:

APPENDIX C

STILLINGS' GRANT

DESIGN REVIEW PROCESS AND DESIGN GUIDELINES

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I. PURPOSE OF THE DESIGN REVIEW PROCESS AND DESIGN GUIDELINES

The Stillings' Grant Design Review Process is designed to be beneficial to all lot owners at Stillings' Grant.

The Design and Review Process establishes the basis for systematic and uniform review of proposed residential construction throughout Stillings' Grant. It will encourage harmonious architectural design and siting within the natural landforms and native vegetation which make Stilling's Grant special. It should also enhance the quality of life within the area as well as protect property values.

The Stillings' Grant Design Guidelines have been compiled to aid property owners, architects and builders in following the Design Review Process. The Design Guidelines describe the activities requiring design approval and explain the standards and criteria for Design Review approval. They also provide some helpful tips for building design and construction at Stillings' Grant.

Design Review has been established to allow the Association to review and approve all plans for future construction at Stillings' Grant. Therefore, plans for construction on all land shall be submitted to the Association to review and approve all plans for future construction at Stillings' Grant. Therefore, plans for construction on all land shall be submitted to the Association for approval.

In addition to the Stillings' Grant Design Review process, there are mandatory regulations and codes at local and state levels which also must be complied with. The ultimate responsibility for compliance with these regulations rests with the property owners.

II. DECISION CRITERIA OF THE ASSOCIATION

The Association will make all decisions based on the Declaration of Covenants, Restrictions and Easements and on the Design Guidelines contained' herein or otherwise made available to the applicant.

Legal Basis for Design Review

The Declaration of Covenants, Restrictions and Easements for Stillings' Grant provides the legal basis for reviewing and accepting new building proposals. The Covenants and Restrictions are intended to be mutually advantageous to all members of the Stillings' Grant. These Covenants were established because the concept of architectural design review has a long and successful history of assisting in the preservation of value, character and amenities of residential and recreational communities.

Further decision criteria of the Association:

1. The Association encourages sensitive site planning and diverse architectural styles which conform to these Design Guidelines. Applicants should strive to preserve the integrity of the natural environment, to remove a minimum amount of the native vegetation, to preserve trees, and to promote minimal disturbance of the natural site features and views and vistas to and from the site.

2. As problems arise with the implementation of the guidelines, policies, and procedures of the Declaration, every effort will be made by the Association to address them and adopt solutions to avoid recurrence in the future. The policies and guidelines will be subject to review and revision by the Association as necessary to keep them current and manageable.

3. The Association will continuously evaluate the building styles and techniques to determine those that successfully fulfill development objectives. A feature or an entire design which is determined to fall short of development objectives will not be construed as a precedent for repetition.

4. It is not in the interest of the Stillings' Grant community to permit lesser quality development in response to cost considerations.

5. A building should be designed for the specific site and for the particular needs of its users. Therefore, buildings shall be reviewed on a site-by-site basis according to the criteria established. Approval of a design for one site even within the same area, will not necessarily mean the same design will be approved for another site.

6. Homes of similar or identical design of high architectural quality from stock plans are permitted provided that the design fits the site and that near duplication shall be limited to sites out-of-sight of the closest comparable house.

7. All electrical and telephone service lines shall be placed underground and no outside electrical lines shall be placed overhead, unless written permission to do so is first obtained from the Directors.

8. Tanks for the storage of fuel maintained on any lot shall be buried.

III. PLANNING CONSTRUCTION

It is strongly recommended that property owners consult an architect or contractor to aid them in complying with the development standards at Stillings Grant and with the applicable local and state codes and regulations.

It is essential that the plans approved by the Association be constructed exactly as indicated on the approved plans. deviations from plans which could occur during construction will be subject to the penalties addressed hereafter unless such deviations are approved in writing by the Association prior to construction.

In the Design Review Process, reference is made to construction limit lines; this area shall not exceed 20% of the total single family lot area (not including driveways and subsurface disposal systems).

IV. DESIGN REVIEW PROCESS

Plans for all new construction, subsequent alterations. or additions must be reviewed and approved in writing by the Association prior to the initiation of construction and for any reason, construction is started prior to the receipt of written approval by the Association, the property owner shall be deemed in violation and shall be subject to penalties and corrective measures specified in the Declaration.

Further, construction within Stillings' Grant requires compliance with all applicable codes and regulations of the Town of Bartlett

DESIGN REVIEW AND APPROVAL SEQUENCE

A. Owner	Meets informally with the Design and Review committee to discuss Plans. (Optional)
B. Owner	Submits Application electronically to the Design and Review committee.
C. Association	If the Application is not complete, the application is to be returned to the owner. If the application is complete, the design and review committee, within a three week period, and submit recommendation of approval or denial to the Board of Directors. The Board of Directors will notify the owner of its findings. Upon approval the Design and Review committee will issue a Design Certificate.
D. Owner	Obtains all required Building Permits and associated requirements from the Town of Bartlett.

A. PRE-APPLICATION CONFERENCE

We encourage you and your architect and/or contractor to come and discuss your plans. The Pre-Application Conference provides you "With the opportunity to talk over your preliminary sketch ideas, to discuss the Stillings' Grant development philosophy, and to ask any questions you might have.

The Design Review and Approval Process is intended to be a helpful and beneficial process. The Association is eager to assist in expediting applications and approvals through the process. In order to do so, early cooperation and coordination are necessary.

The Pre-Application Conference is optional, we would encourage you to take advantage of this opportunity, but you are not required to do so.

B. APPLICATION

The applicant shall complete a stakeout and submit an application. This review is intended to resolve possible design problems and ensure that the Design Guidelines are being followed during the design development stage prior to construction. The applicant can avoid many of the problems which might create delays in the design approval process by discussion early in the process with the Design and Review Committee .

The Application Shall Consist Of:

1. A check or cash payment of One Hundred Dollars ($100.00). No additional fee shall be required for re-submission of applications revised in response to comments made by the Design and Review committee. Applications for review of subsequent alterations or additions to existing buildings shall be subject to the same approval process as new construction.

2. The Following items in a electronic file:

    a. Site Analysis and Site Plan: Scale: 1” = 20’

    The applicant's Individual Septic System Construction Plan as submitted or to be submitted to the Department of Environmental Protection with the following modifications sketched or otherwise included thereon:

    1. Show the general location of existing or proposed neighboring buildings and indicate possible impacts on proposed construction. Photos would be helpful.

    2. Indicate property boundaries, set back lines, location of access street right of way and all easements.

    3. Superimpose the building plan, including dimensions of all buildings, and areas of the site to be disturbed.

    4. Show location of all utilities, including telephone, electrical, septic tank, leach field and water.

    5. Indicate the proposed site development including elements such as: driveway, parking areas, patios, decks, fencing and retaining walls.

    6. Show proposed landscaping. Indicate general location of plant materials and intended species.

b. Drawings

1. Floor Plans: Minimum scale l/8"' = 1'-0"
   Preferred scale l/4" = 1'-0"

   a) Show all changes in floor level and relationship to exterior grades.

   b) Show all exterior dimensions.

   c) Include door and window symbols and schedules.

   d) Show all attached decks, fences and other appurtenances. Indicate materials and. if appropriate, show sections and elevations.

2. Elevation Drawings: Minimum scale 1/8" = 1'
   Preferred scale 1/4" = l'

   a) Show all exterior views of the principal structure including those which will be partially blocked from view by elements such as garages or fences. Show all exterior views of accessory structures.

   b) Indicate building materials. window types, and door types.

   c) Show finished floor elevations and existing and proposed grade lines.

3. Roof Plan: Minimum scale 1/8" = 1'-0"
   Preferred scale 1/4" = 1'-0"

   a) Indicate all materials and colors.

3. Exterior Materials, Colors, Specificationss

Except when the Board specifically elects to waive this requirement, or where the colors or materials are already known to the Board,the names of proposed exterior materials shall be included for all buildings, garages, and accessory structures. A final application will not be considered complete without this information.

Please include the following: The name, grade, description and a link to the roofing material to be used; the name. grade and link to the siding material being used with chosen color noted; specifications and manufacturers for all windows and doors; and, any other exterior materials of significance to the design.

4. Construction Schedule

The applicant shall provide a detailed construction schedule indicating the schedule commencement and completion of the following phases of construction activities:

Site Clearing and Foundation Work

Exterior Construction: Framing
Roofing
Siding

Tie-in to Utilities: Power
Water
Sewer, if applicable

Septic System Construction

Driveway: When applicable, indicate expected timing on culvert installation.

Landscaping

This schedule will serve as the basis for the Association monitoring your construction activities and it will assist in the overall coordination and management of all construction activities at Stillings' Grant.

Because Stillings' Grant is an active residential development, the Association believes construction activities should be scheduled sensitively to minimize the impact on the residents of the community.

5. Stakeout

The applicant shall clearly identify the location of all property lines, where applicable. and proposed construction including decks, patios, garages, service yards, driveways, parking areas, retaining walls, major grade modifications and all utility lines.

Clearly identify the construction limit lines and place appropriate barriers so that vegetation outside the limit line is protected. Flag with red tape all trees to be saved within the construction limit line and place appropriate barriers so that; in judgment of the Association, the trees will be adequately protected during construction. If selective clearing is proposed outside the construction limit line, it must be clearly identified.

C. ASSOCIATION ACTION

Within fourteen (21) days of receipt of the application, the Association will determine whether or not the application is complete and:

1. Approve the design as submitted;

2. Approve the design with conditions; or,

3. Deny the approval and state the principal reason(s) for denial.

The Association may offer specific suggestions to assist in resolving problems which arise during the review process. The Association can, however, reject an application based on the judgment of its principles. Reasons for rejection include, among others:

1. Insufficient information to adequately evaluate the design or design intent.

2. Poor overall design quality.

3. Incompatible design elements.

4. Inappropriate design treatment.

5. A design found to have an adverse effect on the character of Stillings' Grant or its residents.

If no action is taken by the Association within the fourteen (21) day period, the application shall be considered approved.

C. TOWN OF BARTLETT BUILDING PERMIT

Approval by the Association and the issuance of the Stillings' Grant Design Certification does not preclude the necessity of obtaining a Building Permit from the Town of Bartlett. If the applicant has not already done so, a Building Permit must be obtained from the Town. Once the Town of Bartlett Building Permit is obtained, the applicant should post both on the construction site. The applicant may then begin site clearance and construction.

V. DESIGN GUIDELINES

A. Site Planning

1. Grading

When you build at Stillings' Grant, you may want to use grading to create visual interest, to provide privacy, or to improve climate control It is important, however, that disruption of the natural condition be kept to a minimum and that all grading be softened to avoid abrupt changes in the natural terrain

Conventional excavating equipment can be used for most excavations. It is recommended that site planning and building design accommodate any natural bedrock conditions. Blasting is discouraged and requires a special permit from the Association. If permitted, blasting must be carefully controlled.

Earth cuts and fill must be revegetated, terraced or controlled by retaining walls to protect against erosion and sedimentation.

2. Drainage

Careful consideration should be given to the impact your site development will have on the overall drainage patterns of your development area.

When building on sloped terrain, the drainage system for your site should distribute the runoff from the storms or irrigation over large areas of land to slow runoff velocity and increase absorption. Natural overland drainage is recommended when possible. Open lined channels are recommended only in difficult conditions and culverts are recommended only in extreme instances.

You should also be aware that sparse vegetative cover, fine grained soils, and steep slopes create conditions that can result in erosion and sedimentation. Where large changes in grade require extensive cut and fill and the resulting slope is greater than 3:1, retaining walls, terracing and/or a combination of jute mesh to retain soil and grasses which are both fast growing and erosion resistant are recommended. Where resulting slopes are in excess of 2:1, retaining walls may be required.

3. Siting

You will want to site your house to take advantage of any views, but there are some further siting considerations you should keep in mind.

Building should fit into the landscape. Buildings on a sidehill should be set into the slope, not on it. They should be sited parallel to the contours and avoid intrusions above ridge lines. Significant outcroppings should be preserved intact.

Minimal disturbance of natural landscape is a key requirement for virtually all site work at Stillings' Grant There should be as little disruption of existing vegetation as possible. To ensure that maximum effort is made to preserve existing trees, the Association must approve all tree removal before, during and after construction.No trees of greater than four inches in diameter at a point four feet above ground level shall be cut or removed without written approval of the Board of Directors.

4. Driveways

Driveways must be at least twelve (12) feet wide but not over twenty (20) feet wide. They must provide for safe access onto Stillings' Grant roads. Intersections should be designed to provide for maximum visibility and should be close to perpendicular.

Driveways should be designed to provide reasonable grades, not to exceed 10% unless approved by the Association.

Driveways on sloping ground should not run perpendicular to land contours unless prior approval is given by the association.. All cut and fill should be softened and revegetated to prevent erosion. Interference with natural drainage flows should be avoided as should interception of surface drainage from roadways.

5. Utilities

All utility lines must be buried underground (unless waived by the Association). They should be located immediately adjacent to driveways whenever possible unless approved by the Board of Directors. Transformer pads, air conditioners and similar mechanical equipment must be screened from view. All electrical and telephone service lines shall be placed underground and no outside electrical lines shall be placed overhead, unless written permission to do so is first obtained from the Directors.

B. Architecture

1. Foundations

A great deal of consideration at Stillings' Grant should be used if a foundation is needed on a side hill location. Foundations are more visible and therefore require special attention. Exposed concrete must be avoided wherever possible. All building walls shall extend to within 24" of the proposed grade unless an alternative is approved by the Association. The closure between the grade and the wall shall appear solid if not a foundation wall

2. Exterior Walls

Exterior walls should reflect the quality of permanence. The use of clear grained wood siding is encouraged. The wood siding should be treated with natural preserving stains. The stain color should be compatible with the earth tones characteristic of the soil, rock, vegetation, and other natural elements of the site. Traditional New England colors are also encouraged. Vinyl siding and fiber cement siding also will be allowed if siding colors are compatible with above guidelines.

3. Roofs

Rooftops access stairways, radio or TV antennae, etc., shall not protrude from the roof Skylights should be set back from the eve line, placed as close to the roof surface as is functional, and located parallel to the roof plane. Exposed metal chimneys are not permitted. Preferred roofing materials are: architectural asphalt shingles, non-glare metal, or fire treated shakes or shingles. In general, the roof color should be darker than the wall color.

4. Porches and Decks

Protected porches and decks are desirable. Screened porches will add to summer enjoyment but must be an integral part of the building design.

5. Fencing and Walls

Choice of fencing or wall type and materials will depend on the architectural design of the related buildings, or the specific use or purpose of the fence.

For aesthetic and environmental reasons, solid fencing shall be attached to the building or used within fifteen (15) feet thereof and shall not exceed seven (7) feet in height. The finished side should always face the exterior of the property. .

In order to decrease visual impact, fencing further than fifteen (15) feet from the building(s) shall be open and shall not exceed four (4) feet in height.-For example, the Association encourages the use of low stone walls or split rail fences to enhance landscaping detail.

In general, fences will be most attractive when they are similar to buildings in color, texture, material and pattern. Metal chain link fencing will not be permitted. All fences must be approved by the Association.

C. LANDSCAPE ARCHITECTURE

The natural landscape at Stillings' Grant is a significant factor in the community's aesthetic and recreational character. Because the natural environment is such an integral part of the Stillings' Grant community, all landscaping activities at Stillings' Grant should complement the native plant communities. The ultimate goal is to maintain an integrated and harmonious community between man and nature.

Tastefully designed ornamental and decorative landscaping may be planted and grass lawns are permitted.

1. Open Space Zone

All land not otherwise designated falls within the open space zone. If not on individually owned property, the Association will maintain it. Good forest management practices are encouraged. Removal of blow downs, dead or diseased trees and undesirable second growth such as alders is recommended. Selective thinning and planting is permitted subject to Association approval. ~~D~~Retention pond repairs will be done by the Association.

2. Recommended Design Philosophy and Plant Material

Because the North Country environment at Stillings' Grant has relatively harsh climatic conditions, plant materials must be chosen with care. The use of native plant species is highly recommended. They tend to be the most adaptable and most self-sufficient.

Through the use of adaptable or native plant species, one can eliminate most of the maintenance costs associated with contemporary suburban landscaping activities. Once established, these plants will require no more nutrients than those provided by nature. Plants selected for their ornamental value should be examined for their adaptability to the environment at Stillings' Grant as well

The Association encourages naturalistic plantings arranged in dense, informal patterns which characterize the surrounding indigenous landscape. A properly designed natural landscape planting is one that forms a complete natural community or plant association.

In areas where the native vegetation is being retained, sound forest management practices should be implemented. When necessary, and with approval of the Association, trees greater than four (4) inches DBH can be removed, underbrush removed and selective thinning accomplished.

3. Ground Cover

The use of ground cover on disturbed terrain at Stillings' Grant is strongly recommended. By consolidating the disturbed surfaces of the fine-grained soils, ground cover

plays an important role in the prevention of erosion and sedimentation. Ground cover also provides a form of natural cooling as it absorbs radiation from the sun.

Irrigated turf or lawns are considered acceptable in high-use areas near buildings within the Residential Landscape Zone. It is recommended that lawn areas be kept to a minimum for aesthetic and maintenance reasons.

4. Retaining Walls

Steep or unusual terrain will present an opportunity to use retaining walls or planters to resolve an otherwise difficult relationship between grades. Generally, slopes over 3:1 should be mitigated with retaining walls and slopes over 2:1 must be controlled with retaining walls.

Stone and concrete are the preferred materials. although carefully designed construction with pressure treated timbers is also acceptable. The use of concrete blocks and stucco is not permitted.

D. PERMITTED BUILDING TYPES

Traditional or contemporary versions of Capes, Saltboxes, Gambrels, Splits and Colonials are permitted.

Examples of types of buildings not permitted are metal homes, earth homes, A Frames, log cabins, geo-sphere homes or any such home that stands out and is deemed peculiar in design. Foundation sizes for homes in the development should be at least 24’ x 30’ with designed room for expansion up or out and 24’ x 42’ for all others.

VI. CONSTRUCTION AT STILLINGS’ GRANT

A. PRE-CONSTRUCTION ACTIVITIES

1. No lot is to be cleared or construction otherwise started without approval of the Association, even if a Building Permit has been obtained from the Town. By purchasing a lot and undertaking construction in Stillings’ Grant, the applicant agrees to pay for any damages to the street. ditches, common areas, trees to be saved, or adjoining lots or sites which might occur during site clearing, landscaping or home construction.

2. The Association Board or its designated representative will inspect the building under construction for compliance with approved plans and may report its findings to the Town of Bartlett.

3. Presently there is no dumping area available at Stillings' Grant nor is there a pit for obtaining earth fill but the Association may be able to provide those services in the future. However, since provisions for these services are not presently available, they should be obtained from other sources.

B. CONSTRUCTION ACTIVITIES

Stillings' Grant is a residential community which attracts people who seek the unique residential opportunities and scenic environmental amenities it has to offer. While visitors and residents all understand the need for construction activity, they will enjoy their time here more if construction activities take place in an orderly and timely manner. Therefore, we ask your cooperation with the following procedural requirements:

1. In order to minimize the damage to the natural terrain, ingress and egress to the lot shall be made through only one place on the site as indicated on the final application. Damage to streets, common areas, common open spaces, association lands and trees as a result of construction will be assessed by the Association and charged to Owners.

2. Only those trees indicated to be removed on the approved site plan shall be removed. Care should be exercised to protect all other trees from equipment damage and/or filling.

3. Care should be taken during construction to avoid cutting. placing any fill or storage of equipment or materials under the tree drip line. The procedure shall be established as part of the final application.

4. Materials must be stored in an inconspicuous area of the site within the established limits of construction as specified in the final application. No vehicles or materials will be permitted -Outside the construction limit line. The use of adjoining properties for access to the site or for the storage of materials is forbidden unless written permission is obtained from the owners.

5. Cleanliness will be practiced and contractors are required to make frequent cleanups of surplus materials, trash. coffee cups, wrappers, etc. Cleanups shall be made at least once a week on Fridays so that the community will be clean for weekend visitors. Unsightly building sites constitute nuisances to the community and will be handled according to the Covenants mid Restrictions.

6. One sign identifying the contractor, architect and landscape architect may be displayed on the Lot This sign must not exceed 19’ by 16”. When the job is completed, the sign must be removed immediately. No other signs will be displayed at any time, including those of subcontractors sign advertising goods or services.

7. Because sewer and water service to the buildings is underground, care shall be taken to ensure these lines have been installed in the utility ways shown on the final application and that all water and sewer connections have been made prior to paving drives, walks, etc. Any questions about the location of underground lines should be directed to the Association.

8. Construction should proceed in a timely manner taking into account the potential adverse effects of seasonal variations in the weather. It is recognized that landscape planting periods are limited; however, building construction is not considered complete until all site work is finished.

C. POST-CONSTRUCTION ACTIVITIES

Upon the completion of construction, the property owner and the contractor are responsible for:

1. Removing all remaining building debris from the site and surrounding areas.

2. Removing contractor's signs.

D. GENERAL INFORMATION FOR BUILDERS

The working hours for construction personnel at Stillings’ Grant will be from 7:00 AM to 8:00 PM, Monday through Friday and 8:00 AM: to 5:00 PM on Saturday.

VII. FINES AND PENALTIES

In keeping with the basic intern of the Design Review Process and the underlying Declaration of Covenants, Restrictions and Easements, it would be inappropriate to establish these procedures and regulations if there is no means of enforcement or intent to require compliance. Therefore, notwithstanding, the equitable remedies reserved in the Declaration, legal remedies may be sought as well for negligent as well as intentional violations of this process, in the amount of One Hundred Dollars ($100.00) per day for any such violation that remains unabated after written notice provided by the Association. Any such fine will constitute a lien on the property as provided 'in Article VI of the Declaration, with the same payable to the Association,

as well limited interest and costs of collection as provided therein and including but not reasonable attorneys' fees and costs.

This amendment to the Declaration of Covenants, Restrictions and Easements of Stillings Grant is made effective this ***DATE*** by a vote of two-thirds (2/3rds) majority of the Board of Directors of the Stillings Grant Association present.

Witness its hand and seal this _____ day of _____, _____

STILLINGS GRANT ASSOCIATION

_____

By:

STATE OF NEW HAMPSHIRE

CARROLL, ss.