

**SPEARFISH CANYON OWNERS ASSOCIATION
ARCHITECTURAL REVIEW COMMITTEE RULES
JULY, 2008**

Authority:

The Architectural Review Committee (ARC) is established by authority of the Declaration of Covenants by the original seller, Homestake Mining Company of California.

Purpose:

The Architectural Review Committee is charged with the responsibility of general supervision with respect to maintenance, care and utilization of all lots (land use regulation) within the Association, to the end that the natural habitat will be the least disturbed, and the harmony with nature will be best maintained.

Applications:

Anyone contemplating a new building and/or remodeling project involving structural or appearance changes must request a building application from the Spearfish Canyon Owners Association (SCOA), and obtain copies of the Architectural Review Committee Rules and the Design Guidelines. Owner/Applicant must complete and sign the application and submit the same together with the other required documents to the Architectural Review Committee who will then meet the Owner/Applicant or his/her agent at the site for review before approval.

Owner/Applicant can request an application from:

Architectural Review Committee
Spearfish Canyon Owners Association
PO Box 480
Lead, SD 57754

Fee: Each application shall be accompanied by a fee of \$50 for construction projects of less than \$30,000 and a fee of \$100 for projects of \$30,000 or more.

Required Documents:

1. Two (2) copies of the site plan showing the location of the proposed new building or structure or addition in relation to existing buildings, structures, roads, utilities and property lines.
2. Two (2) copies of the floor plans of every level of building or addition or other change drawn to scale with all dimensions shown. Drawing(s) may be on 8 ½ x 11 paper or multiples thereof.
3. Two (2) copies of the floor exterior elevations drawn to scale with vertical dimensions and exterior finish materials and colors shown.

4. Two (2) copies of the building application signed by the Owner/Applicant and the contractor.
5. Owner/Applicant is to provide written documentation of State and Lawrence County approval of all wells and sewer systems.
6. At the time of the on-site meeting, the Owner/Applicant shall provide temporary stakes to show the size and location of the improvement on the ground.

Approval:

The Owner/Applicant will not commence construction until written approval by the ARC has been granted.

Subsequent Changes:

Additional construction or other improvements and/or any plan changes must be submitted to the ARC for approval prior to making any such changes or additions and before submission to Lawrence County for a revised building permit.

Inspections:

The ARC may inspect all work in progress and give notice of noncompliance. Absence of such inspection and notification during the construction period does not constitute either approval of the ARC or compliance with the Design Guidelines.

Nature of Completion:

Upon completion of any construction project, the Owner/Applicant will give written notice to the ARC of completion. The notice will include a statement that the construction conforms to the plans submitted to the ARC and that all requirements have been complied with. Following the ARC's receipt of the notice of completion, the final improvements shall be deemed to be in accordance with the final plan if in compliance after the final inspection. No changes or deviations from the plans and specifications once approved by the ARC shall be made without written approval by the ARC and revised building permits granted by Lawrence County.

Right to Waiver:

In writing the ARC reserves the right to waive any of the procedures or standards set forth herein at its discretion, for good cause shown. Such a waiver shall not be deemed to constitute a waiver of any right to withhold approval as to any other similar plan, drawing, specifications or matter of any other site, whenever subsequently submitted for approval.

Enforcement:

Any Owner who fails to comply with these ARC Rules and the Canyon Design Guidelines will be assessed a penalty of \$50 per day by the SCOA Board while out of compliance. The penalty shall begin 30 days, or as otherwise agreed upon in writing,


after the Board has notified the Owner of lack of compliance by certified mail/return receipt.

Appeals:

Appealing ARC decisions: See Article IV, Section 2 of the Declaration of Covenants. These rules are established under the authority of the Declaration of Covenants, but do not supercede the Covenants.


Adopted this 12th day of July, 2008.

ATTEST:



RICHARD A. PLUIMER, Secretary

SCOA



JAMES NELSON, President

(Seal)