



DESIGN GUIDELINES SEAWARD

These Design Guidelines have been prepared to help you with the process of building your home in Seaward. These guidelines also intend to ensure the preservation of the natural beauty of the site and the maintenance throughout the community of the high level of quality. The Developer has created a Design Review Committee (“DRC”) to oversee the review and enforcement process. Until all of the Lots have been sold by Developer, Developer shall appoint the member(s) of the DRC. Read these Design Guidelines thoroughly before you start the design process in order to understand the overall design goals and the process that should be followed for design review.

MISSION STATEMENT

Seaward is a private island retreat where you can build your dream home. With 35 acres and only 21 home sites, Seaward is designed to provide owners with quiet privacy, and plenty of island opportunities. Owners will be encouraged to design their homes to accommodate their requirements but with an understanding of other Owners so that they do not interfere with the enjoyment of Owners of neighboring homes. Lots within Seaward are large and will accommodate greater options relative to other island lots, but Seaward’s design guidelines will not permit homes which exceed the reasonable parameters of the Lots. Furthermore, Seaward is not pursuing investors or people electing to lease their homes. Instead, Seaward will be a community which will provide its homeowners with the options they seek in island living, including solitude, if they choose; opportunities to explore the ocean front and deep water off shore; the settlement of West End; the plentiful golf; the wonderful restaurants and other activities; and, the casinos and various tourist activities. However, Seaward will seek to protect your privacy and enjoyment from the impact neighbors. Your twilight will be impacted only by the brightness of the stars and moon. Seaward will not ever attempt to restrict your fun and enjoyment, unless it affects your neighbors. Owners will be asked to be careful to ensure that their activities do not spoil the pleasure of their neighbors. Lighting will be limited to protect the beauty of the night. However, technology will be available to provide security and “smart” home construction.

DESIGN APPROVAL PROCESS

The following pages give the various design guidelines and restrictions for building your home in Seaward. The purpose of this process is to ensure that you and your neighbors create and maintain superior quality homes, enhancing each individual's investment in this unique community. Seaward encourages owners to meet with the DRC to review these restrictions during a pre-design conference. Thereafter, a preliminary design review is required prior to the development of construction and site plan drawings. A final review of the construction drawings and landscaping design is required and approval must be obtained in order to commence construction. "As-built" surveys may be required before and after construction to ensure compliance with these guidelines. Construction will be required to be consistent with final approval of the drawings and any changes will require approval of the DRC.

You should also be familiar with the Declaration of Covenants, Conditions and Restrictions which is the governing document for Seaward. While efforts have been taken to ensure consistency between these Design Guidelines and the Declaration, in the event of conflicting language or ambiguity, the Declaration shall prevail. However, notwithstanding anything to the contrary in either the Declaration or this Document, the decision of the DRC is final and there shall be no construction in contradiction of the DRC.

1. Environmental Considerations.

Seaward encourages homeowners to design their homes giving due consideration to environmental concerns and the development of "green" standards for construction. "Green" has become the shorthand term for the concept of sustainable development and is clearly of interest to anyone planning to live in The Bahamas. Green homes are intended to be environmentally and economically responsible and sustainable. Seaward will encourage the use of both passive and active plans for residences. For example, although potable (and very good) water is available from Freeport Water, owners may wish to consider installing cisterns to collect rain and "gray" water for use in irrigating yards. Given the amount of fill placed on the lots, ample room is available to install underground cisterns. Owners may wish to design their homes for the development of future solar and wind power options. The DRC will of course review plans for design and esthetics.

2. Minimum and Maximum Size.

There are no minimum or maximum finished floor areas for the residences. Instead, the DRC shall review the plans, mindful of the setbacks and other requirements, but permitting utilization of each lot as best suits the owners. However, the DRC will also not permit construction of homes that diminish the value of the lots and other homes within the community. In that regard, the DRC may not approve homes which so completely underutilize a Lot that it could diminish values within the community. To the contrary, the DRC may not approve a home which so overutilizes the property that it is an unreasonable use and impact on other homes and Lots.

3. Building Height.

Building height will be controlled by the DRC in order to maximize views from your lot and adjacent lots. Therefore, a maximum height may be established by the DRC.

4. Site Preparation

Owners are encouraged to maintain the quality, natural landscaping of the properties for privacy and continuity in the development. However, Seaward will require the removal and elimination of plants which are not deemed natural and beneficial to the site.

5. Grading and Drainage / Fill and Cut

The DRC will consider fill and excavation on any lot.

A specific grading plan showing existing and proposed grades or spot elevations at one foot (1) contour intervals must be submitted to the DRC for approval before any earth movement can take place. This plan should identify areas where cut and fill are anticipated.

Drainage swales or washes interrupted by site improvements, or additional drainage structures created by such improvements shall be constructed and properly placed for positive operation of the drainage system. Structures which are artificial in appearance, such as exposed drainage pipe, must be avoided. Erosion is to be controlled in all circumstances.

Each Owner will make adequate provisions for drainage over his lot, and shall not in any way interfere with the established drainage pattern over his lot, or obstruct or divert drainage flow from his lot to adjacent or adjoining lots. If necessary, each lot owner shall permit owners of adjacent or adjoining lots free access for the maintenance or permanent stabilization of slopes or drainage ways located on the adjacent lot in order to protect property on adjacent or adjoining lots.

6. Access Drives

Homes should be oriented so that access is indirect, and garage openings do not directly face the road. Long straight driveway runs should be avoided in order to maintain a natural appearance. Owners may share a driveway entrance off the internal Seaward road in which event there will be shared costs between the owners. Driveways will be reviewed as the home and other landscaping features are reviewed. No modifications of these driveways will be permitted without the approval of the DRC.

Driveway and parking area materials may be natural or maybe surfaced with a hard-wearing material, subject to approval by the DRC. Acceptable materials include: interlocking pavers, exposed aggregate concrete, cobblestone, textured or stamped concrete. Pre-cast pavers are preferred over stamped concrete. Driveway and parking area materials close to the home may vary as they relate to individual architecture, but should always maintain a finished quality.

Drainage across or under driveways, where required, should be integrated into the design of the drive or apron.

7. Garages

Each residence must have an enclosed garage for at least one car, but additional garages are encouraged for storage purposes. If a golf cart is to be kept on the lot, it must be parked under cover as well. Garage doors shall be concealed from direct view from the road; side entry garages are required. Garage walls and roof materials shall be of the same surfaces and be treated with the same exterior finishes as those approved for the main building. Garages must be located within the building envelope of the lot.

8. On-Site Parking

Parking of trailers, and boats or other recreational equipment on any site overnight should be within the owner's property and not visible from the road or adjacent lots. Such boats or equipment when not docked in the boat basin should be parked within an enclosed garage.

9. Fences and Walls

Fences and walls on properties adjacent to the sea will be restricted in order to protect the ocean views. You are encouraged whenever possible to use landscaping in place of walls. We understand, however, that the Owner may desire walls or fences to define entrances, courtyards or property perimeters for the purpose of privacy.

Structural retaining walls, privacy fences, or walls defining perimeters of the site must not exceed an above grade height of six feet, and may not encroach within five (5) feet of a road right-of-way. Walls will not be permitted on the seaward side.

10. Swimming Pools and Spas

No pre-fabricated swimming pools will be allowed. Pools shall be built on site and be part of an integrated landscape scheme. Pool and equipment enclosures must be architecturally related to the house and other structures through the use of walls or courtyards so that they appear to be a visual extension of the home or pool house. Proper landscaping and decking will be critical to approval.

11. Tennis and Game Courts

No tennis or game courts will be allowed.

12. Exterior Lighting

Outdoor lighting will be carefully reviewed to assure the neighboring properties are protected from the view of bright light sources. Illumination necessary for evening activities must be

directed downward and only be bright enough to provide for the safe traverse of steps and paths.

13. Outdoor Storage

Open storage of waste and refuse is prohibited. Outdoor areas housing trash containers, maintenance or service equipment such as lawnmowers or overflow storage shall be screened from adjacent properties by a wall or fence conforming with Section 9 above.

The Association may require that a standardized garbage receptacle be purchased and utilized.

14. Antennae and Satellite Dishes

Exterior antennas, aerials, satellite dishes, or other apparatus for the transmission of television, radio, or other signals of may be placed, allowed, or maintained upon a Residence, subject to approval by the DRC. Such apparatuses shall be limited in profile and visibility, and shall be integral to the Residence. The Association may, but shall not be required to, negotiate a cable television agreement and other electronic media to provide cable television, internet and/or other media services.

15. Mechanical Equipment

All equipment, including but not limited to, air conditioning, heating, water treatment and equipment, must be ground-mounted adjacent to the residence and hidden from view. Equipment shall be enclosed by structures compatible with the design of the building or buffered with suitable landscaping. No window-mounted or through air conditioners shall be permitted.

Utility services are all stubbed to a property line of each site. The extension from these stub locations to the residence shall be the responsibility of each Owner. All utility extensions must be underground.

16. Homesite Identification and Signage

Individual Home site names and numerical address identification may be established in Seaward. Each Owner will have the option to identify their residence by utilizing the street and number or by naming their residence, or both.

17. Porches, Verandas, Terraces, Patios and Decks

Outdoor living will be one of the great pleasures of having a home in Seaward. All exterior living areas shall be designed to integrate architecturally with the main building. They must be constructed of materials consistent with the overall design and conform to the other sections of these guidelines.

18. Building Envelope

The building envelope is the part of each site within which all structures, including buildings,

rooflines, decks, driveways, and walks must be located. The specific building envelope for each site will be mutually determined by the Owner and the DRC in order to protect and preserve the natural features of the site, and as much as possible, to maximize views for neighboring properties. The building envelope may not encroach on any required minimum setback, except for irrigation facilities and a driveway access no wider than 12 feet crossing the front setback. Limited marina structures may be permitted subject to approval by the DRC.

19. Setbacks and Building Requirements

One single family complex shall be constructed on each lot.

A. Minimum building setback restrictions for ocean front lots shall be:

- One Hundred feet (100') from the front of the lot
- Fifty feet (50') from the road (except for areas between the road and the harbour where boat house and other structures may be permitted).
- Fifteen feet (15') from the sides.

B. Minimum building setback restrictions for the marina front lots shall be:

- Fifty feet (50') from the front of the lot
- Fifty feet (50') from the road.
- Fifteen feet (15') from the sides.

Setbacks are measured to the outer edge of the exterior walls of the buildings.

20. Ancillary Structures

Ancillary structures include: a swimming pool, pool cabanas, garage, trellis structures, gazebos, storage sheds, or other similar non-habitable structures not connected to the main building. The materials, colors and treatments of all such structures shall be architecturally consistent with adjacent building(s), and consistent with other building standards and criteria of the DRC. The DRC shall approve the design and location of all ancillary structures.

21. Roofs

A roof plan must be submitted for review with the house plans. All roof penetrations, slopes and materials must be shown. The predominant roof forms should be hip or gable, with a minimum pitch of 3 in 12 and a maximum pitch of 9 in 12. Roof overhangs are encouraged. Small areas of flat roof may be allowed with Design Review approval.

22. Foundations

Foundations may be slab, post and beam, post tension or any other foundation that is structurally capable of supporting the structure. In all cases the exposed area of the foundation wall shall be finished to match or complement the exterior wall of the building. In the event any crawl space is provided, the ventilation openings are to be covered with grating, wood louvers or lattice and painted to conform to the color scheme of the building.

23. Exterior Wall Finishes

The objective should be to create an exterior that is not in competition with natural surroundings. The principal exterior wall finish shall be hardiplank, limestone, coral stone, coral plaster, stucco or a combination thereof.

All exterior colors shall be submitted to the DRC for approvals. The submission shall include color samples identifying the finish and intended application for all exterior surfaces, including trim and doors.

24. Fascias and Soffits

Fascias for pitched roofs must be of painted or stained wood, plaster or masonry as appropriate to the eave design.

25. Doors

Exterior doors shall be wood, or a divided light combination of wood and glass (except “snap-on grids”), or painted wood substitutes, metal and glass. Garage and service doors shall be of high quality and finished to match or complement the surrounding structure. All doors shall meet Miami-Dade, Florida hurricane code requirements.

26. Shutters and Hoods

Only operable, high-quality shutters shall be permitted. All colors and details shall be subject to DRC approval. Shutters may either swing in pairs from the sides of the window unit (one leaf per side), or from the window head as a single leaf in the traditional Bahamian fashion. Shutters may be of either solid or louvered construction. In addition, pre-approved metal or plastic rolling shutters, with all operating mechanisms fully concealed above the window head may also be used.

27. Awnings

The Homeowner must supply drawings depicting the size and shape of any awnings. Samples of the colors and fabrics to be used must be supplied for approval. All fabric awnings must be supported on wood or painted metal tube frame structures.

28. Chimneys

Chimneys are to be faced with materials and textures used on the home to ensure a consistency in character and style. Wood or stucco, or white painted brick facings are allowed. Pre-fabricated chimney caps must be screened from view. Spark arrestors are required. Exposed metal chimneys are not allowed.

29. Docks and Moorings

Docks must be approved by the DRC. In order to keep the waterways as open as possible, no dock may project out over the water more than three (3) feet from the seaward edge of the bulkhead. No mooring piles will be allowed within a setback of fifteen (15) feet on each side of the lot. Any special exceptions would be subject to Design Review Approval.

Dock boxes must be white in color and of a height not to exceed 2.5 feet. An aluminum or stainless steel ladder may be attached to the dock.

For vessels longer than seventy (70) feet, bollards may be set in concrete behind the bulkhead near the property line. Vessels will be docked to minimize obstruction of ocean views.

Lighting on private docks shall be low level and low wattage. Shielded and downward facing lighting will be required.

No bilge, sewage or other waste matter whatever shall be discharged or permitted to fall at any time into the channels, waterways, and yacht harbor from any vessel or from the Owner's lot.

30. Beaches

No Owner shall remove beach sand from any place at Seaward for any purpose whatsoever. However, Owners may shift the sand and add sand to accommodate their landscape features.

31. Landscape Standards and Criteria

The Association considers landscape planting and design to be critical elements in Seaward. Not only should landscape design be integrated into the overall design of the property, but it is also a significant factor in designing the home itself. Therefore, the Owner will be required to submit a specific plan for approval by the DRC for landscaping and the underground sprinkler system before any installation of landscaping or sprinkler system begins.

In lot areas where planting might impede the views from neighboring lots, landscape design should be sensitive to view optimization for the overall community. To this end, use of canopy trees in yard areas where the dense foliage and height at maturity of such trees would obscure these views from neighboring lots is discouraged.

The planting scheme must take into consideration the unique existing conditions of each individual lot. Salt-tolerant vegetation is encouraged. Plant compositions should employ simple

plant massing and a select palette of plant materials in order to build unity and cohesiveness in the design.

32. Homeowner's Responsibilities

Each Homeowner shall be required to maintain their lot in accordance with the community-wide standards established by the Association. The minimum requirements of maintenance include fertilizing, watering, pruning, trimming, weeding, and other normal maintenance procedures on a regular basis, so as to have a healthy, well kept, and orderly appearance. All dead, diseased, or dying plants shall be treated and/or removed within sixty (60) days. All irrigation systems are to be kept in proper working condition; adjustment, repair and cleaning shall be done on a regular basis. All landscaping work must be completed within 90 days of completion of the residence.

33. Design Review Procedures

Pre-design Conference (Optional): Prior to preparing preliminary plans for any proposed improvement, the Owner and/or the Owner's architect should meet with a representative of the DRC to discuss proposed plans and to resolve any questions regarding building requirements on Seaward. The purpose of this informal review is to obtain guidance from the Committee concerning the possibilities and sensitivities of the site prior to initiating preliminary design. These meetings should occur on site whenever possible.

Design Submittal (Mandatory): When the preliminary design is complete, plan submittals must include all of the following and must be presented in two formats. First, five regular sets of blueprint size plans in 24" x 36" format or larger and at a scale appropriate to such size presentation. These sets will be returned to the Applicant once the plans have received final design approval. Second, to facilitate handling and storage, a second set of the plans reduced to 11" x 17" paper should also be submitted. The DRC will retain this set. No review will commence until the submittal is complete.

After preliminary plan approval is obtained from the DRC, the following documents are to be submitted for final review in both size formats outlined for the preliminary design review process. No review will commence until the submittal is complete, with three sets of the items (a) — (f):

a. Site plan, showing the entire property; the location of the building envelope; the residence and all buildings, the driveway, parking areas; existing and proposed topography; finished floor elevations; all protected trees, plants, or special terrain features to be preserved; those to be removed; all utility sources and connections, and all site walls, fences, or similar structures.

b. Floor plans showing finished floor elevations.

c. Roof plan showing all roof pitches.

d. Building section, indicating existing and proposed grade lines.

e. All exterior elevations showing both existing and proposed grade lines, plate heights, roof pitch and an indication of exterior materials and colors.

f. Complete landscape plan showing location, size, and type of all existing and proposed plants, irrigation system facilities, decorative materials, paving or other impervious surfaces, walls, steps, fences, borders, and lighting. Refer to attached Appendix A for list of approved trees and shrubs.

g. Samples, paint chips and photographs or illustrations depicting or describing all exterior materials, finishes, and colors. Samples and color chips shall be of adequate size to fully judge the colors and the interaction. As an example, paint colors shall be displayed in a size greater than 2 square foot.

h. On-site staking of all building corners and other improvements. Any trees to be removed shall also be clearly identified.

34. Deferral of Material or Color Selection

An Applicant may wish to delay the confirmation of landscaping plans and final color or stonework selections until some point in time after the start of construction in order to better visualize landscape considerations, or to test an assortment of potential colors with actual materials intended for use. The DRC will cooperate with the applicant in this regard, provided that no landscape work may be started, nor color or material applied, until such time as the Committee has had the opportunity to review and consent to the final selections. The re-submittal must occur before the placement of any orders for materials in order to avoid potential restocking costs in the event of denial of the submitted item(s). Any Final Design Approval shall be conditional on the Owner obtaining DRC approval of any materials or colors on which approval was deferred at the time of the Final Design Submittal. Application of any material, coating or finish without the requisite re-submittal to the DRC shall have the effect of voiding the Final Design Approval in its entirety.

35. Re-submittal of Plans

In the event of any disapproval by the DRC of either a preliminary or a final submittal, a re-submission of plans should follow the same procedures as an original submittal.

36. Pre-construction Conference

Prior to commencing construction, the builder must meet with a representative of the DRC to review construction procedures and coordinate his activities at Seaward.

37. Bahamian Building Code

The Design Review Guidelines do not supercede building code and other requirements of the Bahamas. Owners shall comply with and use all reasonable due diligence to obtain all such

permitting requirements and secure appropriate approvals. Owners shall provide the DRC with copies of all final, approved plans and permits from Bahamian authorities.

38. Commencement of Construction

The Owner shall satisfy all conditions and commence the construction or any work pursuant to the approved plans within one year from the date of the letter of DRC approval or Bahamian approval. If the Owner fails to begin construction within this time period, any approval given shall be deemed revoked.

The Owner shall, in any event, complete the construction of any improvement on his lot within eighteen (18) months after commencing construction thereof, except and for so long as such completion is rendered impossible or would result in great hardship to the Owner due to labor strikes, fires, national emergencies or natural calamities. Once commenced, construction shall be done on a continuous basis, to minimize disruption to the neighborhood.

If the Owner fails to comply with this schedule, the DRC shall either have the exterior of the improvement completed in accordance with the approved plans or remove the improvement, with all expenses incurred to be reimbursed to the DRC by the Owner.

39. Inspections of Work In Progress

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

40. Subsequent Changes

Additional construction or other improvements to a residence or lot, or changes during construction or after completion of an approved structure, including material landscaping and color modification, must be submitted to the DRC for approval prior to making such changes or additions.

41. Non-Waiver

The approval by the DRC of any plans, drawings, or specifications for any work done or proposed shall not be deemed to constitute a waiver of any right to withhold approval of any similar plan, drawing or specification subsequently or additionally submitted for approval. Failure to enforce any of the design guidelines shall not constitute a waiver of same.

42. Right-of-Waiver

The DRC reserves the right to waive or vary any of the procedures set forth herein at its discretion.

43. Relationship with Association

The DRC shall serve as an agent of the Association concerning the review, enforcement, and other matters described in these guidelines. All funds held or disbursed from design review fees and compliance deposits for payment of fines, and payment or reimbursements of the expenses for the purpose of enforcing compliance with these guidelines, will be held in, and/or paid from the accounts of the Association. These funds will in all instances be the property of the Association.

Seaward of Grand Bahama, Ltd.

By: _____