

- d. Perspective rendering of the primary building facade and any facades readily visible by the public.
3. Signage drawings showing the location, size, color, and lighting technique of all exterior signage.

### 2.3 Final Construction Documents

The following documents shall be submitted for review by the B.A.R.

1. A complete set of civil engineering documents sufficient in detail for submission to the District of Columbia for a building permit.
2. A complete set of architectural documents sufficient in detail for submission to the District of Columbia for a building permit.
3. Mechanical, electrical and plumbing engineering documents as required to indicate the size and location of all equipment, such as cooling towers, air conditioning equipment and emergency generators that may be visible from the exterior of the building.

### 2.4 Review and Approval Process

1. Schematic/Preliminary Submittal - The applicant shall prepare a letter addressed to the Chairman of the B.A.R. requesting review of the required documents for approval by the B.A.R. Upon receipt of this letter and all required documents, the B.A.R. shall review and make written comments regarding the

submission within 15 working days. The B.A.R. may take one of three actions:

A. Approval - The B.A.R. has reviewed the submission and approved it in full. The applicant may proceed to the next phase of approval without further clarification or revision.

B. Approval as Noted (with or without Conditions)- The B.A.R. has reviewed the submission and approved it in most major aspects with or without conditions. Some clarification or design revisions may be required. However resubmittal is not necessary and the noted items or conditions may be addressed at the next phase of submittal.

C. Non-Approval/Resubmit - The B.A.R. has reviewed the submission and has found significant lack of compliance with the intent, purpose and particulars of the Development Standards. Revision to the design and documents will be required and the applicant must resubmit to the B.A.R. for approval.

2. Final Construction Documents - Final construction documents will not be reviewed by the B.A.R. until the applicant has received approval of the Schematic/preliminary submission. The applicant shall prepare a letter addressed to the Chairman of the B.A.R. requesting review of the required documents for approval by the B.A.R. Upon receipt of the letter and the required documents, the B.A.R. shall

make written comments regarding the submission within 10 working days. The B.A.R. may take one of three actions:

- A. Approved - The B.A.R. has reviewed the submission and found it be consistent with the Schematic/ preliminary submission. No further submission is required.
- B. Approved as Noted (with or without conditions)- The B.A.R. has reviewed the submission and found that it is substantially consistent with the Schematic/preliminary submission, except for minor items or conditions. The applicant may proceed with application to the District of Columbia for building permit, with the agreement of the applicant that the comments or conditions of the B.A.R. will be incorporated into the construction documents at a future date.
- C. Non-Approval/Resubmit - The B.A.R. has reviewed the submission and found that it is inconsistent with the Schematic/preliminary submission or otherwise in contradiction to these Development Standards. Revision to the documents will be required and the applicant must resubmit to the B.A.R. for review prior to making application to the District of Columbia for a building permit.

#### 2.4 Interpretation and Variance

The B.A.R.'s interest in reviewing the above submissions is to assure the a high quality and compatibility of development is

consistently achieved. Whenever questions of judgment or interpretation arise, the decision of the B.A.R. shall be final. However, in order to meet special situations which may not be foreseen or extraordinary conditions, it may be desirable from time to time for the B.A.R. to allow variances from certain requirements. The B.A.R. is empowered to grant such variances. Any variance granted shall not be considered as a precedent for any future variance requests.

### ARTICLE 3

#### LAND USES

##### 3.1 Permitted Uses

Permitted uses on any individual Site within the Center shall be those uses which are permitted by the District of Columbia zoning regulations for the "M" and "C-M" zones, as such zones may be amended from time to time, or for any successor zoning district, except that the following uses are expressly prohibited regardless of the zoning regulations now or hereafter in effect: incinerator, public utility, pumping station, repair garage, junk or salvage yard, temporary or permanent detention or correctional facility, gasoline service station or gasoline storage facility (other than as an incidental use to a primary use), storage of any hazardous waste materials or toxic, flammable or explosive materials, billiard parlor or pool hall, boat sales, massage establishment or public bath, sexually oriented business establishment, gasoline service station, automobile or truck or motorcycle sales or repair establishment, fast food or

drive-in restaurant, off-premises alcoholic beverage sales, antenna tower, community based residential facility, automobile laundry (i.e., car wash), automobile rental agency, funeral or undertaking establishment, any use which generates or emits noxious noise, odors, smoke, steam or other airborne wastes, and any use which is specifically prohibited in an "M" zone district. However, the B.A.R., in its sole discretion, shall have final approval as to the acceptability of any proposed use on any Site within the Center.

### 3.2 Retail Uses

The B.A.R. shall have the right, in its sole discretion, to approve the development of general retail uses, including, but not limited to restaurants, drug stores, shoe repair shops, dry cleaner, post offices, recreational facilities and banking establishments.

### 3.3 Storage Uses

The use of any portion of any Site for open storage, including storage of refuse awaiting collection and immobile vehicles, is not permitted unless the following conditions are satisfied.

1. The storage area shall be sited and screened (in accordance with Article 6) so that material stored therein shall not be visible from streets or adjacent Sites;
2. The location, size and nature of the storage area and the kind of materials stored therein shall not be, in the sole judgment of the B.A.R., detrimental to the

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overall appearance, convenience, health, safety, and welfare of the Center; and

3. The B.A.R. shall approve such storage in writing.

#### ARTICLE 4

#### SITE REQUIREMENTS

##### 4.1 General

The following design standards shall apply to site layout, building location, curb cuts and drainage.

##### 4.2 Setbacks and Site Coverage

1. General -- All setbacks shall conform to D.C. zoning regulations unless otherwise noted below. However, regardless of the zoning regulations, a building may be judged by the B.A.R. to have multiple front or back yards (i.e., two front yards and no back yard or vice versa).
2. From Eckington Place -- Any structure with a front or side yard facing Eckington Place, must set back from the property line on Eckington Place a distance of not more or less than 70 feet from the property line. No structure shall have a rear yard facing Eckington Place.
3. From "R" Street -- Any structure with a front or side yard facing "R" Street, must set back from the property line on R Street a distance of not more or less than 20 feet.

4. Side Yard -- Where a structure is adjacent to another structure within the development, without intervening roadways or parking areas, the side yard set back will be a minimum of twenty (20) feet from the property line or lot line. If two or more structures are built on the same lot, the minimum distance between buildings will be forty (40) feet or such distance as is required by any applicable fire or other code.
5. Front Yards -- Where a structure fronts on the Spine Road, a maximum front yard set back allowed will be 20 feet and the minimum set back allowed will be 15 feet.
6. Site Coverage -- No structure shall cover more than forty percent (40%) of the total Site area.

#### 4.3 Parking

1. Required Parking Spaces

The owner of each Site shall provide adequate automobile and truck parking on the Site to accommodate the reasonable needs of its employees, visitors and company vehicles, but not less than the number of spaces required by the D.C. zoning regulations. The B.A.R. may require parking spaces in excess of those required by such zoning regulations. Parking areas shall be arranged in a logical, orderly manner including handicapped spaces when applicable. If the parking requirements on any Site increase due to an increase in the number of employees or a change of use, it shall be

the owner's responsibility subject to B.A.R. approval to provide the necessary additional parking, either on Site or elsewhere, in order to accommodate such increased requirements. If in the sole judgment of the B.A.R. adequate parking is not being provided on any Site, the B.A.R. shall have the right to cause, by such action as is permitted herein, the cessation of such use or activity until adequate parking is provided. The B.A.R. shall have no liability to the owner of such a Site or to any lessee or occupant thereof as a result of the cessation of any use or activity because of the owner's failure to provide adequate parking.

2. Location of Parking

- a. No parking, except for parallel parking provided along the Spine Road shall be permitted between any building and any sidewalk, street or roadway.
- b. All parking is encouraged to be located behind buildings and shielded from view from the roadway and surrounding streets.

4.4 Loading Docks and Bays; Refuse Collection Areas

1. Required Loading Docks and Bays

The owner or lessee of each Site shall provide adequate loading and unloading facilities on the Site which shall accommodate the reasonable needs for the use of the building, but not less than the number of docks or



bays required by the D.C. zoning regulations. The B.A.R may require loading facilities in excess of those required by such zoning regulations. If the loading requirements increase as a result of change in use of the Site, such increased requirement shall be satisfied by the construction of additional or expanded loading facilities on the Site before the commencement of such changed use.

2. Location of Loading Docks and Bays and Refuse Collection Areas

All loading docks and bays and all service and refuse collection areas shall be located in the rear or side yard of a Site. No such facilities shall be so located as to create a visual blight or other objectionable condition in the sole opinion of the B.A.R. No loading dock or bay or refuse collection area shall be permitted in front of a building. No loading dock or bay shall be constructed in such a way that, when in service, a loading or unloading vehicle would obstruct any shared right-of-way easement, access road, service or fire lane.

4.5 Curb Cuts

1. At The Spine Road

Curb cuts at the Spine Road shall be allowed at a minimum space of one hundred seventy-five (175) feet from curb-line to curbline subject to the prior written approval by the

B.A.R. and all applicable governmental or quasigovernmental regulations. When curb cuts are made, it is the Site owner's responsibility to provide "curb flares" or aprons flanking the curb cut in accordance with the illustration shown in Exhibit "D."

2. At Eckington Place.

Curb cuts at Eckington Place shall be allowed only subject to the prior written approval by the B.A.R. and all applicable governmental or quasigovernmental regulations, it being the intent of the Declarant and the B.A.R. to severely restrict curb cuts on Eckington Place. When curb cuts are made, it is the Site owner's responsibility to provide "curb flares" or aprons flanking the curb cut in accordance with the illustration shown in Exhibit "D."

4.6 Sidewalks

It is the Site owner's responsibility to construct a sidewalk for public use and access along the roadway in the location indicated in the illustration attached as Exhibit "D" and made a part hereof. This sidewalk and adjacent area will be designed to accommodate public and private facilities, including but not limited to fire hydrants, handicap ramps, street signage, and street lights, all as may be required by the B.A.R. All sidewalks shall be constructed in accordance with the specifications and design as shown in the illustration attached as Exhibit "D."

1. Sidewalks at Spine Road - Sidewalks located along the Spine Road shall be located on both the north and south

sides of the road continuously along all building frontages. Sidewalks shall be 4'-0" in width and shall be constructed directly adjacent to the granite curb. Such sidewalks shall be composed of exposed aggregate concrete with brick borders. Where tree grates are required or provided, the sidewalk shall be brick and shall extend in a perpendicular direction from the curb to the building facade (see Exhibit "D"). Where "parking flares" or aprons occur, the aggregate concrete sidewalk shall be expanded to conform to the curb line.

2. At Building Entries - At those areas designated as building entries, the sidewalk shall be expanded to extend from the curb line to the building face. The sidewalk shall be constructed of exposed aggregate concrete and brick (see Exhibit "D").

#### 4.7 Drop Off Areas

Each building shall provide at least one drop area from the curblines to the front door of the building. This drop off shall be constructed in accordance with the specification design as shown in the illustration attached as Exhibit "D."

#### 4.8 Construction Standards

All roadways, driveways, loading areas, service areas, sidewalks and drop offs and parking lots and spaces shall be properly paved and curbed in accordance with the following standards:

- a. Concrete gutter and granite curb: D.C. Standard #607.01;
- b. Driveway entrances: D.C. Standard #504.01.

4.9 Drainage

Each owner/applicant shall be responsible for meeting all applicable governmental rules and regulations and B.A.R. requirements governing drainage of its building and Site.

4.10 Utilities and Services

All utilities (electrical, gas, water and telephone) will be provided to property line of the building Site using underground facilities. Antennas, air-conditioning equipment, satellite dishes and other appurtenances to the structures are not permitted unless specifically provided for in the site plans approved by the B.A.R. and shall be screened as appropriate and subject to final approval by the B.A.R.

ARTICLE 5

SITE AND BUILDING LIGHTING

5.1 General

It is the intention of these guidelines that each site will be lit in a consistent fashion, using the same pole, fixture and color of lamp as described below. In addition, it is intended that the Spine Road and any other roadway be lit in a manner consistent with traditional D.C. street lighting for safety and aesthetic considerations. Each Owner shall be responsible for the initial installation of all lighting required herein, whether such lighting is located in a common area or not, provided such

lighting is immediately adjacent to such Owner's site. Maintenance and repair of any lighting located in a common area shall thereafter be the responsibility of the Association.

5.2 Spine Road and Roadway Lighting

Street lights are to be located along both sides of the Spine Road at a spacing of approximately 20' on center and a distance of 2'-0" off the curb line. Light poles shall be Model #19M in accordance with D.C. street light standards (see Exhibit C). Lamps shall be sodium vapor.

5.3 Parking Lot Lighting

Parking lots shall be lit to an average level of 0.6 foot candles, measured at the surface of the pavement. Light poles shall be 20'-0" high aluminum pole, straight (not tapered), 6-5/8" square in cross section, with a hinged base as manufactured by Moldcast. Finish shall be black duronodic. The fixture shall be a single or double luminaire, model #4003 by Moldcast with finish to match poles. Light poles are to be mounted on a concrete base measuring 2'0" in height (see Exhibit C). Lamps shall be sodium vapor.

5.4 Loading and Service Area Lighting

If pole mounted lighting is used in loading or service areas, they shall be identical to those described in paragraph 5.3 above. If building mounted lighting is utilized, they shall be shielded and aimed in such a way as not to create glare visible from adjacent buildings, public streets, roadway, or sidewalks. Building mounted fixtures shall be model HLX Luminaire

by General Electric. Finish shall be black baked enamel. All mounting elements, junction boxes and conduit required for the installation of these fixtures shall not be surface mounted or visible from the exterior of the building.

5.5 Building Lighting

The lighting of the exterior building facades is not allowed under these guidelines.

ARTICLE 6

FENCING AND SCREENING

6.1 General

It is the intention of these standards that wherever fencing or screening is required it shall be accomplished in a manner consistent with these guidelines and shall be aesthetically consistent with the overall appearance of the Center. Furthermore, it is the intention of these standards to enhance the visual continuity of the entire development as viewed from the New York and Florida Avenue intersection.

6.2 Eckington Place and Florida Avenue Frontage

The Owner shall provide a continuous four-foot-high masonry wall parallel to Eckington Place and Florida Avenue at a distance of 28 feet from the curblines. The wall shall be constructed of brick compatible with the overall appearance of other buildings in the Center. The wall shall be constructed in accordance with Exhibit D.

### 6.3 Loading Areas

Where truck docks and loading bays are visible from surrounding streets and sidewalks, they are to be screened from view by means of landscaping or the construction of screen walls.

1. Landscaping. Only columnar or narrow pyramid evergreen or deciduous tree species shall be installed to screen truck loading areas. These trees shall be spaced at a minimum of 12 to 14 feet on center and shall be planted in accordance with the American Standard for Nursery Stock. Recommended species include Leyland Cypress, Serbian Spruce, Columnar Norway Maple, Columnar Red Oak, Columnar Alder Bu 'thorn. All species are subject to the approval by the B.A.R. which may employ an arborist at the cost of the applicant to review such landscaping plan. Landscaping which dies or is diseased shall promptly be replaced by the Owner.

2. Screen Walls - Walls constructed to provide screening of loading areas shall be of masonry construction only. No wood or metal screen wall will be permitted. Screen walls shall be faced with a masonry material similar to the material of the primary facade of the building and shall be of sufficient height to adequately screen loading areas from view.

### 6.4 On-Grade Equipment

All equipment to be located on grade, such as transformers, emergency generators, mechanical equipment or communication equipment, shall be fully screened by means of landscaping.

Landscaping shall be densely planted evergreen shrubs clipped and maintained as a hedge. The shrubs shall be planted at 2'-0" on center in a continuous planting bed in accordance with Exhibit E. Recommended species include Japanese Holly, Burford Holly, Burning Bush, convex Japanese Holly. The evergreen hedge can be planted alone or in front of a low screen wall, which screen wall shall be similar in construction to the wall described in section 6.3(2) above. Plant material must be installed a minimum of 3 to 4 feet from the face of curb to avoid damage by vehicles.

#### 6.5 Garbage/Trash Receptacles

Trash receptacles and dumpsters shall be located in the service areas at the rear of the buildings and shall be enclosed by a masonry screen wall with operable gates. Walls shall be of sufficient height to completely obscure any receptacle located within.

#### 6.6 Security Fencing

No security fencing will be allowed on any Sites, except with prior approval by B.A.R., which approval shall not be unreasonably withheld. All security fencing shall be designed and constructed in accordance with D.C. Fire Department requirements to allow emergency vehicle access. Where fencing faces a public street or sidewalk, the fence shall be of welded steel construction designed in accordance with Exhibit "\_\_\_" and shall be painted black. Chain link fencing shall be allowed only in areas outside of public view. Wherever chain link fencing is



used, it shall also be painted black. No other security fencing of any other materials shall be allowed.

## ARTICLE 7

### ARCHITECTURAL DESIGN

#### 7.1 General

It is the intent of these guidelines to establish aesthetic and functional criteria for construction of all building improvements within the Center, to create unified architectural appearance among all buildings and structures in the Center, and to ensure the use of durable high quality and compatible materials.

#### 7.2 Building Appearance

##### 1. Massing

Wherever possible the massing of the buildings should be used to screen from public and neighboring views loading docks and service areas (see Exhibit "F").

##### 2. Materials

A. Primary Materials - All structures shall be faced with a primary material of either brick or architectural concrete block in the red-brown family of color.

B. Secondary Materials - Aluminum panels, mirrored glass, glass block, concrete block, stucco, fiberglass reinforced concrete panels, pre-cast panels or any other material may not be used as the primary building material. These and other

materials may be used only as secondary or accent materials. The B.A.R. in its sole discretion shall have final approval of all proposed building materials and their use on any building.

7.3 Facades

Any facade which is visible from the roadway or adjacent streets must be faced in the primary building material. Any facade not visible to the public may utilize a secondary material. No facade utilizing the primary building material may be painted at any time without prior written approval of the B.A.R. Rear facades of secondary materials may be painted if the color of the paint matches as nearly as possible the color of the primary building material. The B.A.R. shall have final approval of all paint colors proposed. No rain leaders or downspouts may be visible on the exterior of the buildings or any structures. All rain leaders must run through the interior of the buildings or at a building facade not visible to the public.

7.4 Building/Sit Appurtenances

1. Rooftop Equipment and Projections

All appurtenances projecting above the roof, including but not limited to air-conditioning units, plumbing vents, exhaust fans, h.v.a.c. equipment, satellite dishes, elevator equipment or overrides shall be screened by a rooftop screen of the same material as the principal building material or accent material and shall be of sufficient

height to conceal completely such equipment from view from surrounding streets, roadways and sidewalks.

2. Antennas and Satellite Dishes

No ground-mounted antennas or satellite dishes shall be allowed without prior written B.A.R. approval. Request for such approval shall be accompanied by documents, drawings and photographs showing the size, shape, color mounting details and location of the proposed equipment. No advertising shall be permitted on any satellite dish or antenna. Should such equipment be approved by the B.A.R., it must be located on the site in such a way as to not be visible to the public and shall be screened in accordance with Article 6 of this document.

3. Awnings

Canvas type awnings or canopies may be permitted at ground floor entries and drop off areas. The B.A.R. shall have final approval of all sizes, color, materials, graphics and design of awnings or canopies.

ARTICLE 8

LANDSCAPING

8.1 General

Landscape treatment shall be required to give unity and aesthetic contributions to the Center. All landscape plans must be submitted to the B.A.R. and shall be prepared by a professionally licensed landscape architect. All landscaped areas

within each Site shall be regularly maintained by the individual Site owner, at his or its expense. If the B.A.R. judges this maintenance to be insufficient or below an acceptable standard, it has the authority, but is under no obligation, to assume such maintenance and assess all necessary costs to the Site owner.

### 8.2 At the Spine Road

Street trees shall be planted along both sides of the internal Spine Road. Trees shall be planted at 35 to 40 feet on center continuously except at the corners of proposed buildings, where trees shall be planted at 20 feet on center (see Exhibit D). At all intersections, trees shall be planted a distance of 40 feet from the point of intersection. Street trees shall be Willow Oak (*Quercus Phellos*). Trees to be installed shall have a minimum caliper of 4" measured at a height of 6 feet above grade in accordance with the American Standard for Nursery Stock (see Exhibit E). At all street trees, the Owner shall utilize a cast iron tree grate, measuring 5 x 5 feet, and set flush with the sidewalk and surrounded by a brick border. All street trees shall be planted a distance of 6'-6" from the curbline.

### 8.3 Parking Areas

Except for those parking areas where truck loading occurs, shade trees shall be provided at 60 feet on center in designated parking islands. Parking lot islands shall be a minimum of 8'-0" wide. Where trees are planted, a continuous planting bed is required. See Exhibit E for planting detail. All trees are to be installed in accordance with the American Standards for

Nursery Stock. Recommended species include Willow Oak, Northern Red Oak, Katsura Tree, Japanese Zelkova, American Linden "Redmond." All species subject to D.C. Arborist review. Where parking areas are required to be screened from surrounding residential areas, screening shall consist of evergreen trees planted at 10'-0" on center. Individual trees shall be a minimum height of 12 to 14 feet above grade. Recommended species include Leyland Cypress, Serbian Spruce, Dawn Redwood. All species subject to D.C. Arborist review.

## ARTICLE 9

### SIGNAGE

#### 9.1 General

It is the intent of the following guidelines to create a unified approach to the signage design throughout the development, while maintaining sufficient identity for individual tenants. All signage must be approved by the B.A.R. and accurately located on the site plans and drawings submitted to the B.A.R.

#### 9.2 Prohibitions

No signs, except those described below, shall be allowed. The following items are expressly prohibited, unless otherwise approved in writing by the B.A.R.: rooftop signage or billboards; rotating, revolving, flashing or moving signs, projecting signs or ground-mounted freestanding signs.

9.3 Tenant Identification

1. Full-Building Tenant - A full-building tenant will be allowed one tenant identification sign per primary facade. Signs shall be individual letters, 4 to 6 inches in depth and not more than 3'-0" feet in height. Letters shall have opaque metal sides and a plastic or metal letter face. Letters shall be affixed to the parapet of the building (see Exhibit "G") and shall be back-lighted or silhouette lighted. No exposed attachments, conduit, junction boxes and the like shall be acceptable, unless otherwise approved in writing by the B.A.R.

2. Multi-Tenant Buildings - Each individual tenant will be allowed one tenant identification sign. Signs shall be individual letters 2 to 4 inches in depth and not more than 2'-0" foot in height. Letters shall be affixed to the second floor spandrel panel and be lit from an exterior fixture according to Exhibit G. No exposed attachments, conduit, junction boxes and the like shall be acceptable.

9.4 Traffic and Informational Signs

All traffic signs shall conform to District of Columbia Department of Transportation standards and shall use typical District mounting techniques. All informational signs associated with buildings shall be similar to those shown in Exhibit G. Signs shall be similar to ANDCO Series 22. Posts and frames shall be 2-inch by 2-inch extruded aluminum sections with a black, baked enamel finish.

## ARTICLE 10

## TRAFFIC CONTROL.

10.1 General

The B.A.R. shall determine appropriate speed limits, one-way street and ingress/egress designations and other safety and traffic control regulations to govern traffic flow in the Center. All traffic signs along the Spine Road shall be supplied, installed and maintained by the B.A.R. or its designee, and shall comply with Section 9.4, Traffic and Informational Signs. All traffic signs located on or required by the B.A.R. to be located on a Site or building or improvement on a Site shall be supplied, installed and maintained by the Site Owner, subject to, however, prior written approval by the B.A.R. of the exact placement and location of the traffic signage and Section 9.4, Traffic and Informational Signs.

## ARTICLE 11

## MAINTENANCE

11.1 General

Prior to and during construction, each parcel must be maintained in a safe and clean manner by the Site-owner. If the B.A.R. judges this maintenance to be insufficient, the owner will receive written notice to either take immediate action or bear the costs of the Association carrying out the work. Building, landscaping and other improvements shall be continuously maintained so as to preserve a well kept appearance. The B.A.R. shall from time to time observe Site and landscape maintenance

and if not satisfied with the level of maintenance o.. a Site, shall notify the owner in writing. After thirty (30) days of such notification if, in the B.A.R.'s opinion, maintenance has not been brought to acceptable standards, the B.A.R. may order the work performed at the Site owner's expense.

ARTICLE 12

ENFORCEMENT

12.1 General

The Development Standards shall be binding upon all Site Owners and lessees and shall inure to the benefit CSX Realty, Inc., as Declarant, its successors and assigns and the Association. Violation of any of the conditions and standards herein shall give CSX Realty, Inc., or the Association the right to bring proceedings at law or in equity against the party or parties in violation or attempting to violate these Development Standards in order to enjoin such violation or to recover damages resulting or occasioned on account of any such violation of the same, provided however, that the Association has given the Owner or other violating party written notice of the violation, and Owner or violating party fails to substantially cure the violation within twenty-four (24) hours from the date of such notice. In any legal or equitable proceeding brought to enforce the provisions of these Development Standards, CSX Realty, its successors or assigns or the Association shall be entitled to recover its reasonable attorney's fees whether or not suit be brought. The B.A.R. shall also be empowered to adopt a reason-



able penalty and fine schedule for specific violations occurring under these Development Standards. The foregoing remedies shall be in addition to any remedies available to the Association set forth in the Declaration including, without limitation, the imposition of a lien and the foreclosure thereof.

EXHIBITS TO DEVELOPMENT STANDARDS

NOTE: Exhibits "A" through "G" to the Development Standards, consisting of plans and drawings which are "oversized" and not readily reducible to a size appropriate for recordation, have not been attached to this document. Copies of such Exhibits may be requested from CSX Realty, Inc., One James Center, 901 East Cary Street, Richmond, Virginia 23219 or from the law firm of Stohlman, Beuchert, Egan & Smith, 1775 Pennsylvania Avenue, N.W., Suite 400, Washington, D.C. 20006.

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