

EXHIBIT C

Phasing Plan

(The Phasing Plan is subject to change by the Developer, at any time, in its sole and absolute discretion)

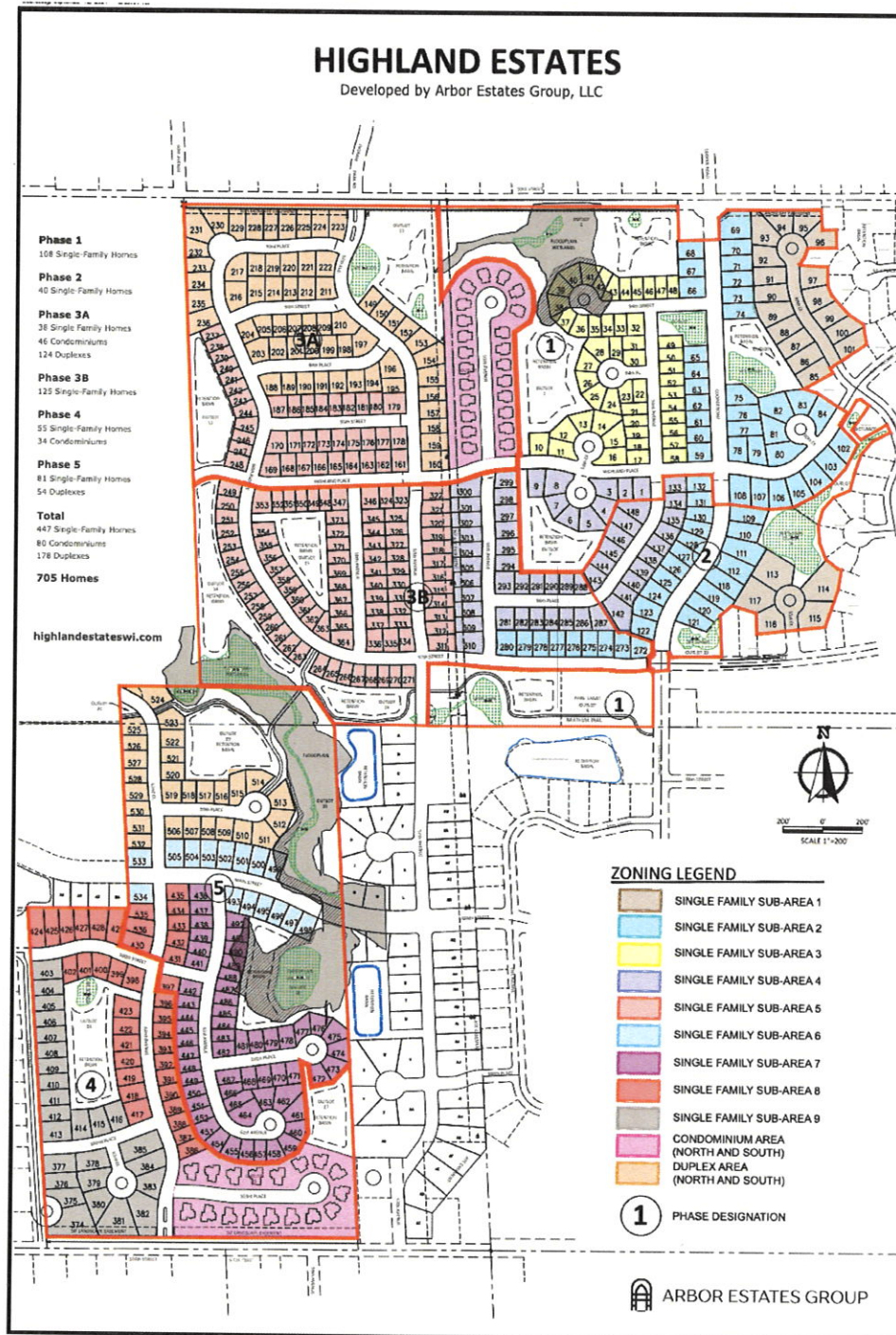


EXHIBIT D

Supplemental Property Description

Outlots 2 & 5 as shown on the Final Plat of Highland Estates recorded on July 24, 2025 as Document No. 1984697.

EXHIBIT E

NOTICE: This Exhibit is for reference purposes only and may not represent the current PUD regulations. Lot Owners should consult with Village Staff to confirm current PUD requirements.

Single-Family Lot Land Use and Building Type

(Note: Lot number references are based on the latest approved final plat or phasing/concept plan as of the Effective Date of this Declaration and therefore, are subject to change based on subsequently approved and filed final plats).

The following conditions and regulations governing land use and building type for Single-Family Lots is in accordance with the Single-Family PUD Ordinance, as may be amended.

- A. *Principal uses.*
 - (i) One single-family dwelling per lot, which shall include a private garage attached to the dwelling pursuant to the requirements of the Single-Family PUD Ordinance.
 - (ii) Foster family homes having fewer than four foster children and not exceeding eight total occupants and which are in conformance with all state statutory requirements.
 - (iii) Essential services.
- B. *Accessory uses.*
 - (i) No more than one detached gazebo/pergola less than 150 square feet per § 420-86 of the Village Zoning Ordinance and as amended in subsection d. (v) of the Single-Family PUD Ordinance. No other detached accessory building pursuant to § 420-86 are allowed within the Project.
 - (ii) Home occupations per Article VII of Chapter 420 of the Village Zoning Ordinance.
 - (iii) Driveways as amended in subsection d. (ii) of the Single-Family PUD Ordinance.
 - (iv) Inground swimming pools and hot tubs pursuant to Article XII of Chapter 420 of the Village Zoning Ordinance and as amended in subsection d. (iv) of the Single-Family PUD Ordinance.
 - (v) Fences per Article XI of Chapter 420 of the Village Zoning Ordinance and as amended in subsection d. (v) of the Single-Family PUD Ordinance.
 - (vi) Decks and porches per § 420-87 of the Village Zoning Ordinance and as amended in subsection d. (vi) of the Single-Family PUD Ordinance.
 - (vii) Sport courts per § 420-88 of the Village Zoning Ordinance.
 - (viii) Residential communication structures per § 420-90 of the Village Zoning Ordinance and as amended in subsection d (vii) of the Single-Family PUD Ordinance.
 - (ix) Solar energy system for individual users per § 420-88.2. 2 of the Village Zoning Ordinance.

- (x) Patios or sidewalks/walkways per subsection d. (viii) of the Single-Family PUD Ordinance.

C. *Unclassified uses.* Any use not specifically listed as a permitted use or conditional use shall be prohibited except as may be otherwise provided elsewhere in the Single-Family PUD Ordinance or Chapter 420 of the Village Zoning Ordinance. If a determination as to the classification of use is needed, the request shall be submitted to the Village Zoning Administrator for determination. The Zoning Administrator shall make written findings supporting any such decision.

D. *Lot area, width and depth.* A variety of lot sizes are allowed within the DEVELOPMENT that allows for a variety of building designs and sizes. **Exhibit 1** illustrates nine (9) Sub-Areas and each Sub-Area shall meet the following minimum lot area, minimum width (frontage adjacent to the public street) and minimum depth requirements:

(i) Sub-Area 1:

- A. Lot Area: 15,000 square feet minimum with an average lot size of not less than 17,000 square feet.
- B. Lot Width: 80 feet minimum, unless located on a cul-de-sac in which case the lot width may be reduced to 55 feet, provided there is at least 80 feet of width at the required street setback.
- C. Lot Depth: 125 feet minimum.

(ii) Sub-Area 2:

- A. Lot Area: 10,000 square feet minimum with an average lot size of not less than 13,000 square feet.
- B. Lot Width: 80 feet minimum, unless located on a cul-de-sac in which case the lot width may be reduced to 60 feet, provided there is at least 80 feet of width at the required street setback.
- C. Lot Depth: 125 feet minimum.

(iii) Sub-Area 3:

- A. Lot Area: 6,900 square feet minimum with an average lot size of not less than 8,800 square feet.
- B. Lot Width: 60 feet minimum, unless located on a cul-de-sac in which case the lot width may be reduced to 48 feet, provided there is at least 60 feet of width at the required street setback.
- C. Lot Depth: 115 feet minimum.

(iv) Sub-Area 4:

- A. Lot Area: 8,000 square feet minimum with an average lot size of not less than 10,600 square feet.
- B. Lot Width: 75 feet minimum, except Lots 134-142 and 287 which shall have a minimum lot width of 70 feet and lots located on a cul-de-sac may be

reduced to 55 feet of width, provided there is at least 75 feet of width at the required street setback.

- C. Lot Depth: 115 foot minimum except for Lots 300-310 adjacent to the ATC transmission lines shall have a minimum depth of 125 feet.

(v) Sub-Area 5:

- A. Lot Area: 6,900 square feet minimum with an average lot size of not less than 8,200 square feet.
- B. Lot Width: 60 feet minimum.
- C. Lot Depth: 115 foot minimum except for Lots 311-322 adjacent to the ATC transmission lines shall have a minimum depth of 125 feet.

(vi) Sub-Area 6:

- A. Lot Area: 9,400 square feet minimum with an average lot size of not less than 11,000 square feet.
- B. Lot Width: 80 feet minimum.
- C. Lot Depth: 125 foot minimum.

(vii) Sub-Area 7:

- A. Lot Area: 7,200 square feet minimum with an average lot size of not less than 8,600 square feet.
- B. Lot Width: 60 feet minimum, unless located on a cul-de-sac in which case the lot width may be reduced to 48 feet, provided there is at least 60 feet of width at the required street setback.
- C. Lot Depth: 115 feet minimum.

(viii) Sub-Area 8:

- A. Lot Area: 8,100 square feet minimum with an average lot size of not less than 10,900 square feet.
- B. Lot Width: 75 feet minimum, except Lots 387, 432 and 434 shall have a minimum width of 70 feet.
- C. Lot Depth: 125 feet minimum, except lots 386-397 and 431-435 shall have a minimum depth of 115 feet.

(ix) Sub-Area 9:

- A. Lot Area: 12,500 square feet minimum with an average lot size of not less than 16,000 square feet.
- B. Lot Width: 80 feet minimum, unless located on a cul-de-sac in which case the lot width may be reduced to 50 feet, provided there is at least 80 feet of width at the required street setback.
- C. Lot Depth: 125 feet minimum.

E. *Design standards.* Examples of dwellings that meet the requirements set forth in the Single-Family PUD Ordinance for Sub Areas 3, 4, 5 and 7 are attached as **Exhibit 2**. Note, these examples are for illustration purposes only and actual dwellings may differ but shall adhere to the requirements set forth within the Single-Family PUD Ordinance.

(i) No dwelling or parts of a dwelling shall exceed 35 feet in height.

(ii) Floor area excluding a garage, decks, porches and basement:

A. Sub-Areas 1 and 9:

- (1) Minimum First Floor Area: 1,000 square feet.
- (2) Minimum Total Floor Area: 1,800 square feet.
- (3) Maximum Total Floor Area: none.

B. Sub Areas 2 and 8

- (1) Minimum First Floor Area: 900 square feet.
- (2) Minimum Total Floor Area: 1,600 square feet.
- (3) Maximum Total Floor Area: none.

C. Sub Areas 4 and 6

- (1) Minimum First Floor Area: 900 square feet.
- (2) Minimum Total Floor Area: 1,500 square feet.
- (3) Maximum Total Floor Area: none.

D. Sub Areas 3, 5 and 7:

- (1) Minimum First Floor Area: 900 square feet.
- (2) Minimum Total Floor Areas: 1,300 square feet.
- (3) Maximum Total Floor Area for a single-story ranch: 2,000 square feet.
- (4) Maximum Total Floor Area for a two-story or split level: 2,625 square feet.

(iii) Attached garage requirements:

A. Each dwelling unit is required to have a minimum of a 1-car attached garage.

B. Sub-Areas 1 and 9: One (1) 3-car attached garage maximum.

C. Sub-Areas 2 and 8: One (1) 2-car attached garage maximum wherein the overhead garage doors face a public street or one (1) 3-car attached garage wherein the overhead garage doors do not face a public street (side loaded garage).

D. Sub-Areas 3, 4, 5, 6 and 7: One (1) 2-car attached garage maximum; provided that the overhead garage door area that faces a public street shall not exceed more than 55% of the front street facing facade.

(iv) All dwellings shall have a full habitable basement with a minimum height of 8 feet and a split-level home is allowed. Crawl space and slab on grade foundations are not allowed.

(v) Placement of each dwelling shall provide for proper drainage away from the foundation and shall accommodate drainage on and through the existing property by not negatively affecting the existing drainage patterns or the capabilities of draining the abutting properties.

(vi) The front facade of the dwelling shall be placed parallel to the street property line, unless it is determined by the Zoning Administrator even with a reduction in the dwelling size, that the aesthetics, dwelling configuration, layout of the neighboring dwellings, curve of the road or environmental features on the lot prohibit the dwelling from being placed parallel to the street property line. Placing a dwelling at a 45- degree angle on a corner lot shall not be allowed.

(vii) The entire front door of the dwelling is required to be visible to and facing the street.

(viii) For all one-story dwellings, the length-to-width ratio of the dwelling unit (excluded are decks, porches, bay windows, chimneys and any projections less than 25 square feet), as measured at the foundation, shall not be greater than two to one (i.e., the length shall not be more than twice the width). The length of the dwelling unit is that side of the dwelling that is the longest, and the width is that side of the dwelling, which is the shortest, as shown in Illustration 5 in Appendix A of Chapter 420, Village Zoning Ordinance.

(ix) The minimum width of the short side of a dwelling unit shall be 26 feet, as measured at the foundation (excluded are decks, porches, bay windows, chimneys and any projections less than 25 square feet). The width is that side of the dwelling which is the shortest as shown in Illustration 5 in Appendix A of Chapter 420, Village Zoning Ordinance.

(x) The main roof of the dwelling shall have a minimum roof pitch of 6:12, and the eaves on the main roof shall extend beyond the nearest vertical wall a minimum of one foot, or the roof pitch and/or eave length may be reduced as approved by the Village Zoning Administrator.

(xi) Permitted roof surface materials (including attached garage) include wood shakes, asphalt, fiberglass, composite or wood shingles, clay tiles, concrete tiles, slate or other appropriate roofing material as may be approved by the Village Zoning Administrator. Metal standing seam and a flat rolled metal roofing system shall not be allowed as a dwelling's primary roofing material.

(xii) Permitted exterior materials (including attached garage) include brick, stone, wood, masonry, concrete, aluminum (not corrugated metal or aluminum) or vinyl siding or other appropriate siding material as may be approved by the Village Zoning Administrator. The exterior siding shall extend to the top of the foundation and be within six inches above the final grade. EFIS/Stucco may not be allowed as a primary building material, however may be allowed as an accent material only as may be approved by the Zoning Administrator. In addition, each facade shall include a minimum of two (2) windows that are similar in size to other windows on the dwelling; windowless elevations shall not be allowed.

(xiii) All exterior additions or alterations shall be constructed of the same or complementary colors and materials and in the same architectural style as the dwelling.

(xiv) Monotonous architectural, color, building elevation and appearance within the Single-Family Lots shall be avoided. No neon, primary or garish colors shall be allowed.

F. Setback requirements for the principal dwelling provided said structure is not located within any easements.

(i) Street setback:

- A. 93rd Street and STH 165 (104th Street): 50 feet minimum.
- B. Cooper Road, 57th Avenue, 62nd Avenue, 63rd Avenue, 49th Court and 51st Court; Main Street: 30 feet minimum.
- C. All other streets: 25 feet minimum.

(ii) Side setback:

- A. Sub-Areas 1, 2, 4, 6, 8 and 9: 10 feet minimum.
- B. Sub-Areas 3, 5 and 7: eight (8) feet minimum.

(iii) Rear setback: 25 feet minimum.

(iv) Wetland setback: 25 feet minimum from any wetlands on the lot.

(v) Shore setback: 25 feet minimum from the ordinary high- water mark of any navigable waterway.

G. Authorized sanitary sewer system, See § 420-32 of the Village Zoning Ordinance.

H. Authorized water supply system. See § 420-33 of the Village Zoning Ordinance.

I. Village Zoning Ordinance Section 420-46 related to driveways shall apply as follows:

Driveways. All driveways installed, altered, changed, replaced, or extended shall meet the following requirements:

- A. *Width.* The minimum width of a driveway shall be 12 feet, and the driveway shall not exceed 24 feet in width at the property line. In no case shall a driveway extend into the right-of-way so as to cross the extension of the side property lines as extended into the right-of-way. In addition, the driveway on the property shall only be wide enough to provide access to the overhead garage doors. A separate parking area is not allowed on any property within the Project.
- B. *Setback.* Driveways shall be a minimum of five (5) feet from the side or rear property lines provided that the driveway is not located within any easements unless expressly allowed in writing by the easement holder.
- C. *Driveway restrictions in relation to intersections.*
 - (1) No direct driveway access shall be allowed onto 93rd Street and STH 165 (104th Street).
 - (2) No direct driveway access is allowed on Cooper Road for corner lots identified as Lots 59, 66, 78, 108, 132 and 272.
 - (3) No direct driveway access is allowed on 57th Avenue for corner lots identified as Lots 161, 178, 179, 271, 311, 322, 323 and 334.
 - (4) No direct driveway access is allowed on Main Street for corner lots identified as Lots 435, 436, 493, 505, 533 and 534.
 - (5) No direct driveway access is allowed on 62nd Avenue for corner lots identified as Lots 382, 385, 397, 398, 417, 430 and 431.

- (6) No direct driveway access is allowed on 62nd Avenue for the through lots identified as Lots 383 and 384.
- (7) Spacing between driveways and intersections of 93rd Street, STH 165 (104th Street), Main Street and Cooper Road roadways. No direct driveway access shall be permitted within 150 feet, as measured from the center line of the roadway to the center line of the driveway, except where a lot has insufficient frontage to meet this requirement, then the Zoning Administrator may allow the driveway to be placed as far from the intersection as practically possible.
- (8) Spacing between driveways and intersections of all other Village roadways. No direct driveway access shall be permitted within 100 feet, as measured from the center line of the roadway to the center line of the driveway, except where a lot has insufficient frontage to meet this requirement, then the Zoning Administrator may allow the driveway to be placed as far from the intersection as practically possible.

D. *Number of driveways.* All lots shall only be allowed one (1) driveway access to service the property.

J. Village Zoning Ordinance Section 420-81 related to standards for a fence shall apply as follows:

Standards for fences.

- A. *Residential fences.* A residential fence is used to provide enclosure of a portion of the property for security and is subject to the following requirements:
- (1) *Fence material and style.* Only an open picket type of fence with spacing between vertical pickets to be a minimum of 2 inches but not more than 3 inches. Stockade, board on board, or solid privacy fences are not allowed. Said fence may be constructed of brick, field stone, wrought iron, decorative aluminum, vinyl, or other appropriate material as may be approved by the Zoning Administrator; however, a residential fence shall not be constructed of wood, chain link, wire, corrugated metal or other metal panels and shall not be an agricultural field fence or electric fence and shall not incorporate razor or barbed wire.
 - (2) A fence may be located in the side yard, rear yard or rear street yard provided that the fence is not located within any easements unless expressly allowed in writing by the easement holder. Said fence shall not be located within a street yard or a side street yard.
 - (3) A fence may be placed within a wetland, provided that there is minimal disturbance to the wetlands and the soil from the post holes shall not be placed in the wetlands.
 - (4) A fence shall not be higher than five (5) feet. The fence height shall include all elevations, including berms, above the overall standard grade of the property, including architectural finials.
 - (5) A fence shall not block, redirect or cause a drainage problem for adjacent or downstream properties.

- (6) A fence shall be in compliance with any structural requirements of any local, county and state codes and shall be designed and constructed to resist any wind load.
- (7) All structural and support components of a fence shall face away from adjacent properties and public rights- of-way.

K. Village Zoning Ordinance Section 420-84 related to standards for swimming pools and hot tubs shall apply as follows:

Standards for an inground swimming pool and hot tub.

- (i) All reasonable precautions should be taken by the property owner(s) to protect the users of the swimming pool from injury or accident. Convenient means of ingress and egress should be provided, and the depth of the water and any irregularities in the bottom should be clearly indicated. Safety equipment, such as but not limited to life buoys, life hooks and first aid kits, should be provided and be readily accessible.
- (ii) An inground swimming pool shall not be filled with any amount of water until the required swimming pool enclosure pursuant to Subsection E has been properly installed and Village inspected.
- (iii) An inground swimming pool/hot tub shall not be located within a front street yard or side street yard.
- (iv) Setbacks including and pumps, filters, pool water disinfection equipment or other accessories provided the swimming pool or hot tub is not located within any easements:
 - A. Side and rear setbacks: 10 feet minimum.
 - B. Rear street setback: 30 feet minimum.
 - C. Setback to the dwelling:
 - (1) Inground pool: 10 feet minimum
 - (2) Hot Tub: two (2) feet minimum and located on a deck or patio.
 - D. Shore setback: 25 feet minimum from the ordinary high-water mark of any navigable water way.
 - E. Wetland setback: minimum of 25 feet from any wetlands on the property.
- (v) A four-foot-high minimum and five-foot high maximum residential fence that completely surrounds an inground swimming pool shall be installed pursuant to the fence requirements of the Single-Family PUD Ordinance. In addition, any gate opening in the fence shall be equipped with a self-closing and self-locking mechanism.
- (vi) For hot tubs only: A fitted cover that is capable of supporting a minimum of 100 pounds shall be securely fastened to the outer edge of the hot tub.

L. Village Zoning Ordinance Section 420-86 B related to standards for detached accessory gazebo shall apply as follows:

Standards for detached accessory gazebo/ pergola.

- (i) One detached gazebo/ pergola shall be allowed per property.

- (ii) A gazebo/ pergola shall not exceed 150 square feet area and shall not exceed 15 feet in height as measured from the grade at the base of the structure to the highest roof ridge.
- (iii) A gazebo/ pergola shall only be located in a side yard, rear yard or rear street yard on a deck or a patio and further provided that the gazebo/ pergola is securely bolted or attached to the patio or deck.
- (iv) Setback requirements provided said structure is not located within any easements:
 - A. Side and rear setbacks: 10 feet minimum.
 - B. Wetland setback: 25 feet from any wetlands on the property.
 - C. Shoreland setback: 25 feet minimum from the ordinary high-water mark of a navigable waterway.
 - D. Setback to dwelling:
 - (1) A gazebo/ pergola without an asphalt roof may be constructed with a zero foot setback from the principal structure, provided that the roof of the principal structure and the gazebo/ pergola roof do not overlap each other.
 - (2) A gazebo/ pergola with an asphalt roof shall be setback a minimum of 10 feet from the dwelling.
 - (3) A gazebo/ pergola attached to the principal structure is considered a porch and shall follow the requirements of Section 420-87 of the Village Zoning Ordinance and as amended in Section d (vi) of the Single-Family PUD Ordinance.
 - E. A gazebo/ pergola shall not be used for human habitation or animal shelter.
- M. Village Zoning Ordinance Section 420-87 B related to setback requirements for decks, porches, steps and stairs shall apply as follows:
 - (i) Setback requirements provided the structure is not located within any easements.
 - A. Street setback: shall meet the minimum setback requirements for the principal building pursuant to the Single-Family PUD Ordinance (see subsection d (i)).
 - B. Side and rear setbacks: 10 feet minimum, provided that the structure is not located within any easements.
 - C. Wetland setback: 10 feet minimum from wetlands on the property.
 - D. Shore setback: 10 feet minimum from the ordinary high- water mark of a navigable waterway.
- N. Village Zoning Ordinance Section 420-90 B related to residential communication structures standards applies as follows:

Satellites and/or digital dishes attached to the permitted principal structure that do not exceed 24 inches in diameter; but in no instance shall the height exceed three (3) feet above the roofline of said structure as measured from the roof ridge to the highest point of the satellite and/or digital dish any additional aerials or projections. No more than two such structures may be attached to the permitted principal dwelling. A free-standing satellite and/or digital dish is prohibited with the Project.
- O. Village Zoning Ordinance Section 420-139 B (1) (s) related to sidewalks and patios shall apply as follows:

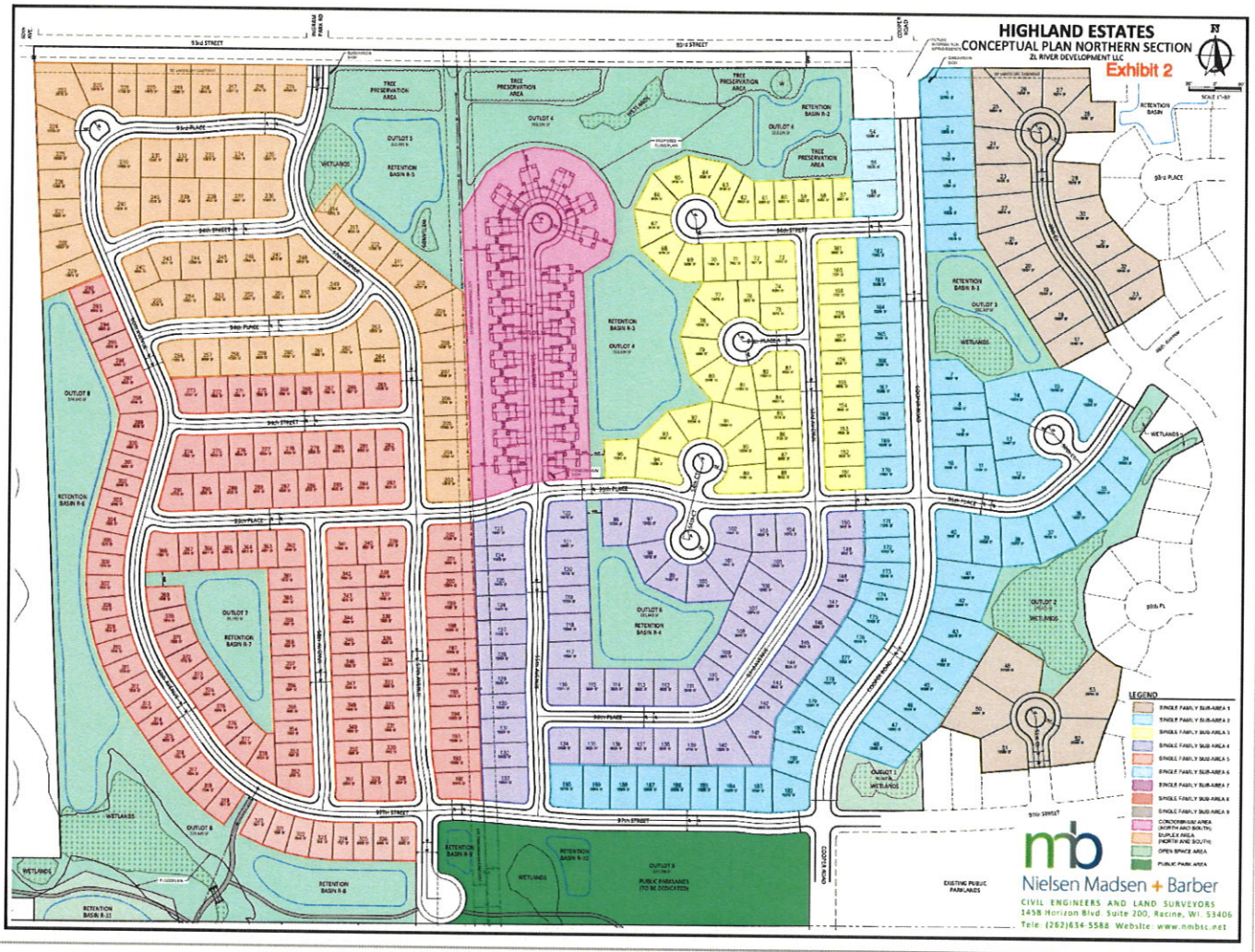
Patios or sidewalks/walkways are allowed in the side, rear and rear street yard provided that they meet the same setback requirements of a deck or porch pursuant to the Single-Family PUD Ordinance. Sidewalks/walkways leading from the driveway or the public street to the front door of the dwelling is allowed provided the width does not exceed three (3) feet, unless expressly approved by the Zoning Administrator.

P. Village Zoning Ordinance Section 420-76 Z related to Single-family/two-family residential development identification sign apply as follows:

Single-family/two-family residential development identification sign.

- (1) Maximum number: one sign may be permitted per entrance to the DEVELOPMENT from 93rd Street and 104th Street on any adjacent Lot or Outlot within the DEVELOPMENT.
- (2) Minimum setback: five feet from any property line adjacent to 93rd Street, Cooper Road or STH 165 and 2 feet from any property line adjacent to other non-arterial streets provided that said signs are not located within a vision triangle.
- (3) Maximum height: six feet.
- (4) Maximum display area: 24 square feet per face.
- (5) Landscaping shall extend a minimum of three feet in every direction from the base or other support structure of the sign.
- (6) May be illuminated.
- (7) May be placed on a solid-appearing decorative base which supports a minimum of 75% of the display of the sign constructed of materials that complement the materials used in the development as approved by the Zoning Administrator.

Exhibit 1 to Exhibit E
(subject to change in Developer's sole discretion)



HIGHLAND ESTATES
CONCEPTUAL PLAN SOUTHERN SECTION
ZL River Development LLC

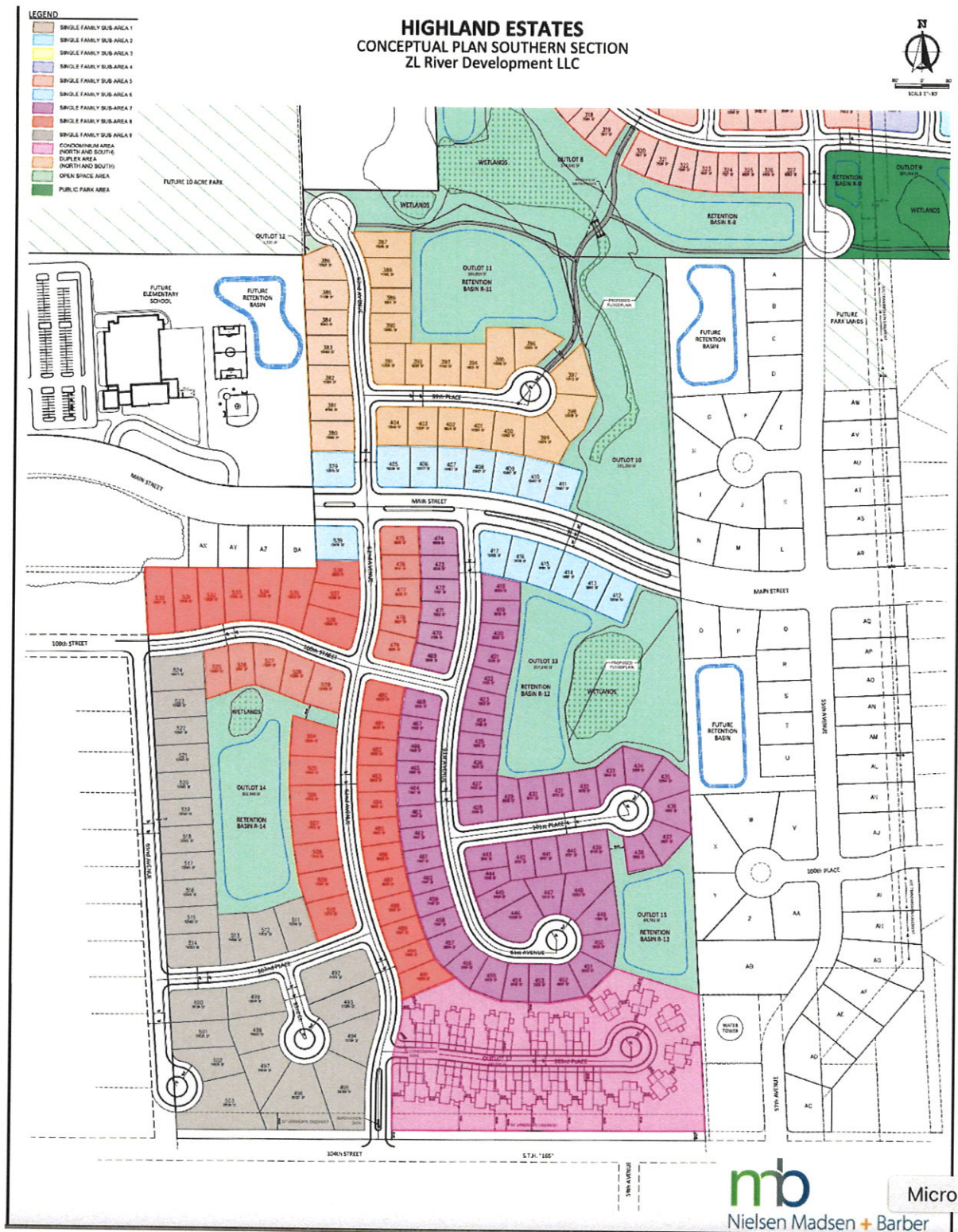


EXHIBIT F

NOTICE: This Exhibit is for reference purposes only and may not represent the current PUD regulations. Lot Owners should consult with Village Staff to confirm current PUD requirements.

Duplex Lot Land Use and Building Type

(Note: Lot number references are based on the latest approved final plat or phasing/concept plan as of the Effective Date of this Declaration and therefore, are subject to change based on subsequently approved and filed final plats).

The following conditions and regulations governing land use and building type for Duplex Lots is in accordance with the Duplex PUD Ordinance, as may be amended.

A. *Principal uses.*

(i) One two-family duplex building (two attached dwelling units) which shall include which shall include a private garage attached per dwelling unit pursuant to the requirements of the Duplex PUD Ordinance.

(ii) Foster family homes having fewer than four foster children and not exceeding eight total occupants and which are in conformance with all state statutory requirements.

(iii) Essential services.

B. *Accessory uses.*

(i) No more than one detached gazebo/pergola less than 150 square feet per § 420-86 of the Village Zoning Ordinance and as amended in subsection d. (v) of the Duplex PUD Ordinance. No other detached accessory building pursuant to § 420-86 are allowed within the Project.

(ii) Home occupations per Article VII of Chapter 420 of the Village Zoning Ordinance.

(iii) Driveways as amended in subsection d. (ii) of the Duplex PUD Ordinance.

(iv) Inground swimming pools and hot tubs pursuant to Article XII of Chapter 420 of the Village Zoning Ordinance and as amended in subsection d. (iv) of the Duplex PUD Ordinance.

(v) Fences per Article XI of Chapter 420 of the Village Zoning Ordinance and as amended in subsection d. (iii) of the Duplex PUD Ordinance.

(vi) Decks and porches per § 420-87 of the Village Zoning Ordinance and as amended in subsection d. (vi) of the Duplex PUD Ordinance.

(vii) Sport courts per § 420-88 of the Village Zoning Ordinance.

(viii) Residential communication structures per § 420-90 of the Village Zoning Ordinance and as amended in subsection d (vii) of the Duplex PUD Ordinance.

(ix) Solar energy system for individual users per § 420-88.2. 2 of the Village Zoning Ordinance.

(x) Patios or sidewalks/walkways per subsection d. (viii) of the Duplex PUD Ordinance.

Detached accessory buildings/structures not listed above are not allowed within the Duplex Lots.

C. *Unclassified uses.* Any use not specifically listed as a permitted use or conditional use shall be prohibited except as may be otherwise provided elsewhere in this Ordinance or Chapter 420 of the Village Zoning Ordinance. If a determination as to the classification of use is needed, the request shall be submitted to the Village Zoning Administrator for determination. The Zoning Administrator shall make written findings supporting any such decision.

D. *Lot area, width and depth.* A variety of lot sizes are allowed within the Duplex Lots as shown on **Exhibit 1** to allow for a variety of building designs and sizes. Lots shall meet the following minimum lot area, minimum width (frontage adjacent to the public street) and minimum depth requirements:

(i) Duplex Area North:

- A. Lot Area: 8,600 square feet minimum with an average lot size of not less than 11,400 square feet.
- B. Lot width: 90 feet minimum; except Lots 150, 152, 154, 156, 158, 189, 191, 194-196, 198, 200, 203, 204 206-210, 213, 215, 219, 220, 223, 225, 227, 230-233, and 235 which shall have a minimum lot width of 75 feet, unless located on a cul-de-sac, in which case the lot width may be reduced to 59 feet, provided that there is at least 75 feet of width at the required street setback.
- C. Lot Depth: 125 feet minimum for lots abutting 93rd Street, 57th Avenue adjacent to the ATC transmission lines and 115 feet minimum for all other lots.

(ii) Duplex Area South:

- A. Lot Area: 8,600 square feet minimum with an average lot size of not less than 11,000 square feet.
- B. Lot width: 90 feet minimum; except Lots 507, 508, 511-514, 516, 518, 521, 523, 526, 528, 530 and 532 which shall have a minimum lot width of 75 feet, unless located on a cul-de-sac, in which case the lot width may be reduced to 59 feet, provided that there is at least 75 feet of width at the required street setback.
- C. Lot Depth: 115 minimum.

(iii) *Design standards.* Examples of a duplex that meet the requirements set forth in the Duplex PUD Ordinance are attached as **Exhibit 2**. Note, these examples are for illustration purposes only and actual buildings may differ but shall adhere to the requirements set forth within the Duplex PUD Ordinance.

- A. Units shall be attached and located within one building. In addition, both units shall be constructed at the same time and shall be issued a Village Certificate of Occupancy at the same time.
 - B. No duplex or parts of the duplex building shall exceed 35 feet in height.
 - C. Floor areas excluding the garage, decks, porches and basement:
 - (1) Lots with a width less than 90 feet:
 - a. Minimum First Floor Area per unit: 700 square feet.
 - b. Minimum Total Floor Area per unit: 1,000 square feet.
 - c. Maximum Total Floor Area per building: 3,200 square feet.
 - (2) Lots with a width of 90 feet or greater:
 - a. Minimum First Floor Area per unit: 700 square feet.
 - b. Minimum Total Floor Area per unit: 1,000 square feet.
 - c. Maximum Total Floor Area per building: 3,600 square feet.
- (iv) Attached garage requirements.
- A. Each dwelling unit is required to have a minimum of a 1-car attached garage and a maximum of a 2-car attached garage.
 - B. A duplex on a corner lot is required to have one unit's overhead garage door(s) face each adjacent public street except for Lots 210 and 223; provided all driveway requirements of the Duplex PUD Ordinance are met.
- (v) The duplex shall have a full habitable basement with a minimum height of 8 feet. Crawl space and slab on grade foundations are not allowed.
- (vi) Placement of each duplex shall provide for proper drainage away from the foundation and shall accommodate drainage on and through the existing property by not negatively affecting the existing drainage patterns or the capabilities of draining the abutting properties.
- (vii) The front facade of the dwelling shall be placed parallel to the street property line, unless it is determined by the Zoning Administrator even with a reduction in the dwelling size, that the aesthetics, dwelling configuration, layout of the neighboring dwellings, curve of the road or environmental features on the lot prohibit the dwelling from being placed parallel to the street property line. Placing a dwelling at a 45-degree angle on a corner lot shall not be allowed.
- (viii) The entire front door of each dwelling unit is required to be visible to and facing the street.
- (ix) The main roof of the duplex shall have a minimum roof pitch of 6:12, and the eaves on the main roof shall extend beyond the nearest vertical wall a minimum of one foot, or the roof pitch and/or eave length may be reduced as approved by the Village Zoning Administrator.
- (x) Permitted roof surface materials (including attached garage) include wood shakes, asphalt, fiberglass, composite or wood shingles, clay tiles, concrete tiles, slate or other appropriate roofing material as may be approved by the Village Zoning Administrator. Metal standing seam and flat rolled metal roofing systems shall not be allowed as a dwelling's primary roofing material.

(xi) Permitted exterior materials (including attached garage) include brick, stone, wood, masonry, concrete, aluminum (not corrugated metal or aluminum) or vinyl siding or other appropriate siding material as may be approved by the Village Zoning Administrator. The exterior siding shall extend to the top of the foundation and be within six inches above the final grade. EFIS/Stucco may not be allowed as a primary building material, however, EFIS/Stucco may be allowed as an accent material only as approved may be by the Zoning Administrator. In addition, each facade shall include a minimum of two (2) windows that are similar in size to other windows on the dwelling; windowless elevations shall not be allowed.

(xii) All exterior additions or alterations shall be constructed of the same or complementary colors and materials and in the same architectural style as the duplex.

(xiii) Monotonous architectural, color, building elevation and appearance within the Duplex Lots shall be avoided. No neon, primary or garish colors shall be allowed.

E. Setback requirements for the principal dwelling provided said structure is not located within any easements.

(i) Street setback:

- A. 93rd Street: 50 feet minimum.
- B. 57th Avenue and 62nd Avenue: 30 feet minimum.
- C. All other streets: 25 feet minimum.

(ii) Side setback: 10 feet minimum.

(iii) Rear setback: 25 feet minimum.

(iv) Wetland setback: 25 feet minimum from any wetlands on the property.

F. Authorized sanitary sewer system. See § 420-32 of the Village Zoning Ordinance.

G. Authorized water supply system. See § 420-33 of the Village Zoning Ordinance.

H. Village Ordinance Section 420-46 A related to driveways shall apply as follows:

Driveways. All driveways installed, altered, changed, replaced, or extended shall meet the following requirements:

(i) *Width.* The minimum width of a driveway shall be 12 feet, and the driveway shall not exceed 24 feet in width at the property line serving a two-car attached garage and shall not exceed 18 feet in width at the property line serving a one car attached garage. In no case shall a driveway extend into the right-of-way so as to cross the extension of the side property lines as extended into the right-of-way. In addition, the driveways on the property shall only be wide enough to provide access to the overhead garage doors. A separate parking area is not allowed on any property within the Project.

(ii) *Setback.* Driveways shall be a minimum of five (5) feet from the side or rear property lines provided that the driveway is not located within any easements unless expressly allowed in writing by the easement holder.

(iii) *Separate between driveways on same lot.* The separation distance between driveway entrances on the same lot shall be a minimum of 10 feet.

- A. Driveway restrictions in relation to intersections.
- (1) No direct driveway access shall be allowed onto 93rd Street.
 - (2) Lot 223 shall have no direct driveway access onto 93rd Street or 57th Avenue and only one shared driveway access for both units shall be provided on 93rd place.
 - (3) Lot 210 shall have no direct driveway access onto 94th Street and only one shared driveway access for both units shall be provided on 57th Avenue.
 - (4) Spacing between driveways and intersections of 93rd Street. No direct driveway access shall be permitted within 150 feet, as measured from the center line of the roadway to the center line of the driveway, except where a lot has Insufficient frontage to meet this requirement, then the Zoning Administrator may allow the driveway to be placed as far from the intersection as practically possible.
 - (5) Spacing between driveways and intersections of all other Village roadways. No direct driveway access shall be permitted within 100 feet, as measured from the center line of the roadway to the center line of the driveway, except where a lot has insufficient frontage to meet this requirement, then the Zoning Administrator may allow the driveway to be placed as far from the intersection as practically possible.

(iv) *Number of driveways.*

- A. All corner lots are allowed one driveway access per unit per frontage except for Lots 210 and 223. Lot 215 is allowed one shared driveway access for both units on 93rd Place. Lot 210 is allowed one shared driveway access for both units on 57th Avenue.
- B. Lots with a minimum width less than 90 feet that are not located on a corner are only allowed one (1) shared driveway access to the public street.
- C. Lots with a minimum width of 90 feet or more that are not located on a corner are allowed a maximum of two driveway access points to a public street.

I. Village Ordinance Section 420-81 related to standards for a fence shall apply as follows:

Standards for fences.

(i) *Residential fences.* A residential fence is used to provide enclosure of a portion of the property for security and is subject to the following requirements:

- A. *Fence material and style.* Only an open picket type of fence with spacing between vertical pickets to be a minimum of 2 inches but not more than 3 inches. Stockade, board on board, or solid privacy fences are not allowed. Said fence may be constructed of brick, field stone, wrought iron, decorative aluminum, vinyl, or other appropriate material as may be approved by the Zoning Administrator; however, a residential fence shall not be constructed of wood, chain link, wire, corrugated metal or other metal panels and shall not be an agricultural field fence or electric fence and shall not incorporate razor or barbed wire.

- B. A fence may be located in the side yard, rear yard or rear street yard provided that the fence is not located within any easements unless expressly allowed in writing by the easement holder. Said fence shall not be located within a street yard or a side street yard.
- C. A fence may be placed within a wetland, provided that there is minimal disturbance to the wetlands and the soil from the post holes shall not be placed in the wetlands.
- D. A fence shall not be higher than five (5) feet. The fence height shall include all elevations, including berms, above the overall standard grade of the property, including architectural finials.
- E. A fence shall not block, redirect or cause a drainage problem for adjacent or downstream properties.
- F. A fence shall be in compliance with any structural requirements of any local, county and state codes and shall be designed and constructed to resist any wind load.
- G. All structural and support components of a fence shall face away from adjacent properties and public rights-of-way.

J. Village Ordinance Section 420-84 related to standards for swimming pools and hot tubs shall apply as follows:

Standards for an inground swimming pool and hot tub:

- (i) All reasonable precautions should be taken by the property owner(s) to protect the users of the swimming pool from injury or accident. Convenient means of Ingress and egress should be provided, and the depth of the water and any irregularities in the bottom should be clearly indicated. Safety equipment, such as but not limited to life buoys, life hooks and first aid kits, should be provided and be readily accessible.
- (ii) One (1) inground pool is allowed per Lot.
- (iii) Each unit is allowed one (1) hot tub.
- (iv) An inground swimming pool shall not be filled with any amount of water until the required swimming pool enclosure pursuant to Subsection F has been properly installed and Village inspected.
- (v) An inground swimming pool/hot tub shall not be located within a front street yard, side street yard or rear street yard.
- (vi) *Setbacks* including and pumps, filters, pool water disinfection equipment or other accessories provided the swimming pool or hot tub is not located within any easements:
 - A. Side and rear setbacks: 10 feet minimum.
 - B. Setback to the principal building:
 - (1) Inground pool: 10 feet minimum
 - (2) Hot Tub: two (2) feet minimum and located on a deck or patio.
 - C. Shore setback: 25 feet minimum from the ordinary high-water mark of any navigable waterway.
 - D. Wetland setback: minimum of 25 feet from any wetland on the property.

(vii) A four-foot-high minimum and five-foot high maximum residential fence that completely surrounds an inground swimming pool shall be installed pursuant to the fence requirements of the Duplex PUD Ordinance. In addition, any gate opening in the fence shall be equipped with a self-closing and self-locking mechanism.

(viii) For hot tubs only: A fitted cover that is capable of supporting a minimum of 100 pounds shall be securely fastened to the outer edge of the hot tub.

K. Village Ordinance Section 420-86 B related to standards for detached accessory gazebo shall apply as follows:

Standards for detached accessory gazebo/pergola:

(i) One detached gazebo/pergola shall be allowed per unit.

(ii) A gazebo/pergola shall not exceed 150 square feet area and shall not exceed 15 feet in height as measured from the grade at the base of the structure to the highest roof ridge.

(iii) A gazebo/pergola shall only be located in a side yard, rear yard or rear street yard on a deck or a patio and further provided that the gazebo/pergola is securely bolted or attached to the patio or deck.

(iv) Setback requirements provided said structure is not located within any easements:

A. Side and rear setbacks: 10 feet minimum.

B. Wetland setback: 25 feet from any wetlands on the property.

C. Shoreland setback: 25 feet minimum from the ordinary high-water mark of a navigable waterway.

D. Setback to dwelling:

(1) A gazebo/pergola without an asphalt roof may be constructed with a zero foot setback from the principal structure, provided that the roof of the principal structure and the gazebo/pergola roof do not overlap each other.

(2) A gazebo/pergola with an asphalt roof shall be setback a minimum of 10 feet from the dwelling.

(3) A gazebo/pergola attached to the principal structure is considered a porch and shall follow the requirements of Section 420-87 of the Village Zoning Ordinance and as amended in Section d (vi) of the Duplex PUD Ordinance.

(v) A gazebo/pergola shall not be used for human habitation or animal shelter.

L. Village Ordinance Section 420-87 B related to setback requirements for decks, porches, steps and stairs shall apply as follows:

(i) Setback requirements provided the structure is not located within any easements.

A. Street setback: shall meet the minimum setback requirements for the principal building pursuant to the Duplex PUD Ordinance (see subsection d (i)).

B. Side and rear setback: 10 feet minimum.

C. Wetland setback: 10 feet minimum from wetlands on the lot.

D. Shore setback: 10 feet minimum from the ordinary high- water mark of a navigable waterway.

M. Village Ordinance Section 420-90 B related to residential communication structures shall apply as follows:

Satellites and/or digital dishes attached to the permitted principal structure that do not exceed 24 inches in diameter; but in no instance shall the height exceed three (3) feet above the roofline of said structure as measured from the roof ridge to the highest point of the satellite and/or digital dish any additional aerials or projections.

No more than two such structures may be attached to the permitted principal dwelling. A free-standing satellite and/or digital dish is prohibited with the Duplex Lots.

N. Village Ordinance Section 420-139 B (1) (s) related to sidewalks and patios shall apply as follows:

Patios or sidewalks/walkways are allowed in the side, rear and rear street yard provided that they meet the same setback requirements of a deck or porch pursuant to the Duplex PUD Ordinance. Sidewalks/walkways leading from the driveway or the public street to the front door of the dwelling is allowed provided the width does not exceed three (3) feet, unless expressly approved by the Zoning Administrator.

HIGHLAND ESTATES
CONCEPTUAL PLAN SOUTHERN SECTION
ZL River Development LLC

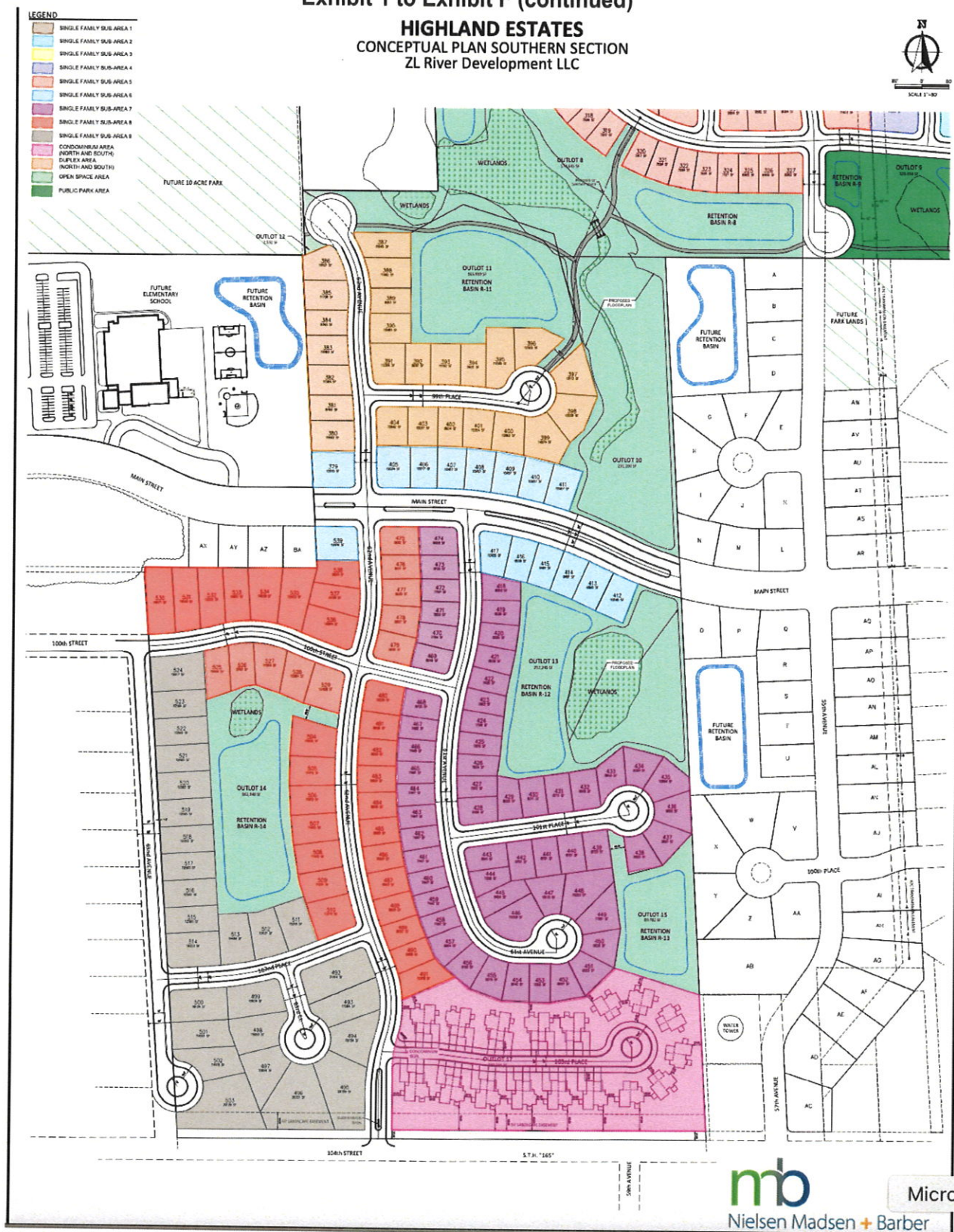


EXHIBIT G

NOTICE: This Exhibit is for reference purposes only and may not represent the current PUD regulations. Lot Owners should consult with Village Staff to confirm current PUD requirements.

Condominium Lot Land Use and Building Type

The following conditions and regulations governing land use and building type for Condominium Lots is in accordance with the Condominium PUD Ordinance, as may be amended.

- A. *Principal uses.*
 - (i) 23 two-unit buildings which shall include a private garage attached to each unit within the Condominium Area North.
 - (ii) 17 two-unit buildings which shall include a private garage attached to each unit within the Condominium Area South.
 - (iii) Essential services.
- B. *Accessory Uses.*
 - (i) Home occupations per Article VII of Chapter 420 of the Village Municipal Code.
 - (ii) Driveways as amended in subsection d. (ii) of the Condominium PUD Ordinance.
 - (iii) Decks and porches are part of the building therefore shall meet all the required building setbacks specified in the Condominium PUD Ordinance (see section d (i)).
 - (iv) Residential communication structures per§ 420-90 of the Village Zoning Ordinance and as amended in subsection d. (iii) of the Condominium PUD Ordinance.
 - (v) Solar energy system for individual users per§ 420-88.2. 2 of the Village Zoning Ordinance.
 - (vi) Hot tub pursuant to Article XII of Chapter 420 of the Village Zoning Ordinance and further provided said hot tub is located adjacent to the building on a deck or patio associated with said dwelling unit.
 - (vii) Patios or sidewalks/walkways per subsection d. (iv) of the Condominium PUD Ordinance.

Fences, sport courts, swimming pools and detached accessory buildings and structures not listed above are prohibited within the Condominium Lots.

- C. *Unclassified uses.* Any use not specifically listed as a permitted use or conditional use shall be prohibited except as may be otherwise provided elsewhere in the Condominium PUD Ordinance or Chapter 420 of the Village Zoning Ordinance. If a determination as to the classification of use is needed, the request shall be submitted to the Village Zoning Administrator

for determination. The Zoning Administrator shall make written findings supporting any such decision.

D. *Lot Area:* 8.0 acres minimum.

E. *Design standards.* Examples of condominium buildings that meet the requirements set forth in the Condominium PUD Ordinance. . Note, these examples are for illustration purposes only and actual buildings may differ but shall adhere to the requirements set forth within the Condominium PUD Ordinance.

(i) Each condominium building shall include two (2) units. Both condominium units shall be constructed at the same time and shall be issued a Village Certificate of Occupancy at the same time.

(ii) No condominium or parts of the condominium shall exceed 35 feet in height.

(iii) Floor areas excluding the garage, decks, porches and basement:

A. Minimum First Floor Area per unit: 800 square feet.

B. Minimum Total Floor Area per unit: 1,100 square feet per unit.

C. Maximum Total Floor Area per unit: 2,200 square feet.

D. Maximum Total Floor Area per building: 4,400 square feet.

(iv) Each Condominium Unit shall have either a one-car or a two-car attached garage.

(v) Each Condominium Unit shall have a full habitable basement with a minimum height of 8 feet. Crawl space and slab on grade foundations are not allowed.

(vi) Placement of each condominium shall provide for proper drainage away from the foundation and shall accommodate drainage on and through the existing property by not negatively affecting the existing drainage patterns or the capabilities of draining the abutting properties.

(vii) The front facade of the dwelling shall be placed parallel to the street property line.

(viii) The entire front door of the dwelling is required to be visible to and facing the street.

(ix) The main roof of the condominium shall have a minimum roof pitch of 6:12, and the eaves on the main roof shall extend beyond the nearest vertical wall a minimum of one foot, or the roof pitch and/or eave length may be reduced as approved by the Village Zoning Administrator.

(x) Permitted roof surface materials (including attached garage) include wood shakes, asphalt, fiberglass, composite or wood shingles, clay tiles, concrete tiles, slate or other appropriate roofing material as may be approved by the Village Zoning Administrator. Metal standing seam and flat rolled metal roofing system shall not be allowed as a dwelling's primary roofing material.

(xi) Permitted exterior materials (Including attached garage) include brick, stone, wood, masonry, concrete, aluminum (not corrugated metal or aluminum) or vinyl siding or other appropriate siding material as may be approved by the Village Zoning Administrator. The exterior siding shall extend to the top of the foundation and be within six inches above the final grade. EFIS/Stucco may not be allowed as a primary building material, however,

EFIS/Stucco may be allowed as an accent material only as may be approved by the Zoning Administrator. In addition, each facade shall include a minimum of two (2) windows that are similar in size to other windows on the dwelling; windowless elevations shall not be allowed.

(xii) No more than two overhead garage doors per structure shall face directly toward a public street; this includes two single overhead garage doors or one double garage door; therefore, requiring one (1) dwelling unit per building to have a side loaded garage.

(xiii) Similar architecture with a variety of building material color combinations within the Condominium Lots is allowed.

(xiv) All exterior additions or alterations shall be constructed of the same or complementary colors and materials and in the same architectural style as the principal structure.

(xv) All buildings within the Condominium Lots shall have landscaping around the foundation perimeter of the buildings.

F. Setback requirements provided said structure is not located within any easements.

(i) Street setback:

- A. STH 165 (104th Avenue: 60 feet minimum.
- B. 95th Place: 30 feet minimum.
- C. All other streets: 25 feet minimum.

(ii) Side and rear setbacks: 25 feet minimum from the exterior boundaries of the condominium portion of the Project, except adjacent to the ATC transmission lines then the side/rear setback shall be a minimum of 70 feet.

(iii) Wetland setback: 25 feet minimum from any wetlands on the property.

(iv) Separation between structures (including decks, porches and patios): 20 feet minimum.

G. Authorized sanitary sewer system. See § 420-32 of the Village Zoning Ordinance.

H. Authorized water supply system. See § 420-33 of the Village Zoning Ordinance.

I. Village Ordinance Section 420-46 related to driveways shall apply- as follows:

Driveways. All driveways installed, altered, changed, replaced, or extended shall meet the following requirements:

(i) Width. The minimum width of a driveway shall be 12 feet, and the driveway shall not exceed 24 feet in width at the property line serving a two-car attached garage and shall not exceed 18 feet in width at the property line serving a one car attached garage. In addition, the driveways on the property shall only be wide enough to provide access to the overhead garage doors. A separate parking area is not allowed on any property within the Project.

(ii) Driveway restrictions in relation to intersections.

- A. No direct driveway access shall be allowed onto STH 165 (104th Street), 62nd Avenue and 95th Place.
- B. Spacing between driveways and intersections of 62nd Street and 103rd Avenue. No direct driveway access shall be permitted on 103rd Avenue within 70 feet of said intersection, as measured from the center line of the roadway to the center line of the driveway.
- C. Spacing between driveways and intersections of 95th Place and 55th Avenue. No direct driveway access shall be permitted on 55th Avenue within 70 feet of said intersection, as measured from the center line of the roadway to the center line of the driveway.

(iii) Number of driveways. Each condominium unit is allowed one (1) driveway on 55th Avenue and 103rd Place.

(iv) Shared driveway access. Shared driveway access may be required by the Plan Commission as part of a condominium plat.

J. Village Ordinance Section 420-90 B related to residential communication structures standards shall apply as follows:

Satellites and/or digital dishes attached to the permitted principal structure that do not exceed 24 Inches in diameter; but In no instance shall the height exceed three (3) feet above the roofline of said structure as measured from the roof ridge to the highest point of the satellite and/or digital dish any additional aerials or projections. No more than two such structures may be attached to the permitted principal dwelling. A free-standing satellite and/or digital dish is prohibited with the Project.

K. Village Ordinance Section 420-139 B (1) (s) related to sidewalks and patios shall apply as follows:

Patios or sidewalks/walkways are allowed in the side, rear and rear street yard provided that they meet the same setback requirements of a deck or porch of the Condominium PUD Ordinance (see subsection d (i)). Sidewalks/walkways leading from the driveway or the public street to the front door of the dwelling unit is allowed provided the width does not exceed three (3) feet, unless expressly approved by the Zoning Administrator.

EXHIBIT H

Landscape Standards

The Highland Estates Landscape Plans, prepared by Thomas Nordlow Associates, with revision date March 6, 2025 (and on file with the Village) are made a part of this Declaration by reference.