

**RESIDENTIAL IMPROVEMENT
GUIDELINES
AND SITE RESTRICTIONS FOR
THE VILLAS METRO DISTRICT**

AS OF _____, 2017

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1 INTRODUCTION

1.1 Basis for Guidelines

These Residential Improvement Guidelines and Site Restrictions (the “**Guidelines**”) are intended to assist Owners living in The Villas Community (the “**Community**”) in implementing landscaping and other Improvements to their property. The Declaration of Covenants, Conditions and Restrictions of The Villas Metropolitan District (the “**Covenants**”) require prior approval from the Architectural Review Committee (the “**ARC**”) before the construction, erection, placement, alteration, planting, application, installation or modification of any Improvement upon any Lot shall be made. In order to assist Owners, the Declarant desires to establish certain pre-approved designs for several types of Improvements and to exempt certain Improvements from the requirement for approval. This booklet contains the guidelines established with respect to property subject to the Covenants, and may hereafter be amended as provided in the Covenants.

1.2 Definitions

All capitalized words and phrases used in these Guidelines shall have the meaning provided in the Covenants unless otherwise defined herein.

1.3 Contents of Guidelines

In addition to the introductory material, these Guidelines contain (A) a summary of procedures for obtaining approval from the ARC (see Section 2); and (B) a listing of specific types of improvements that Owners might wish to make with specific information as to each of these types of improvements (see Section 3).

1.4 Architectural Review Committee or Representative

The ARC consists of persons, representatives or a committee appointed to review requests for approval of architectural or site changes.

1.5 ARC Contact Information

The contact information of the ARC, persons, committee or representative authorized to administer the architectural review process is:

COMPANY NAME	OFFICE	FAX	E-MAIL

1.6 Effect of Covenants

The Covenants govern the Property within the Community. Each Owner should review and become familiar with the Covenants. Nothing in these Guidelines supersedes or alters the provisions or requirements of the Covenants and, if there is any conflict or inconsistency, the Covenants will control.

1.7 Effect of Governmental and Other Regulations

Use of property within the Community and any Improvements must comply with any applicable building codes and other governmental requirements and regulations. Owners are encouraged to contact Douglas County for further information and requirements for Improvements they wish to make.

APPROVAL BY THE ARC DOES NOT CONSTITUTE ASSURANCE THAT IMPROVEMENTS COMPLY WITH APPLICABLE GOVERNMENTAL REQUIREMENTS OR REGULATIONS OR THAT A PERMIT OR APPROVALS ARE NOT ALSO REQUIRED FROM APPLICABLE GOVERNMENTAL BODIES.

1.8 Interference with Utilities

In making Improvements to property, Owners are responsible for locating all water, sewer, gas, electrical, cable television, or other utility lines or easements. Owners should not construct any Improvements over such easements without the consent of the utility involved, and Owners will be responsible for any damage to any utility lines. All underground utility lines and easements can be located by contacting:

**Utility Notification Center of Colorado
1-800-922-1987**

1.9 Goal of Guidelines

Compliance with these Guidelines and the provisions of the Covenants will help preserve the inherent architectural and aesthetic quality of the Community. It is the responsibility of the ARC to ensure that all proposed Improvements meet or exceed the requirements of these Guidelines and to promote the highest quality design for the neighborhood. It is important that Improvements to property be made in harmony with and not detrimental to the rest of the Community. A spirit of cooperation with the ARC and neighbors will go far in creating an optimum environment, which will benefit all Owners. By following these Guidelines and obtaining prior written approval for Improvements to property from the ARC, Owners will be protecting their financial investment and will help insure that Improvements to property are compatible with standards established for the Community. If a question ever arises as to the correct interpretation of any terms, phrases or language contained in these Guidelines, the ARC's interpretation shall be final and binding.

2 PROCEDURES FOR ARC APPROVAL

2.1 General

As indicated in Section 3 of these Guidelines, there are some cases in which advance written approval of the ARC is not required if the Guidelines with respect to that specific type of Improvement are followed. In a few cases, as indicated in Section 3, a specific type of Improvement is not permitted under any circumstances. In all other cases, including Improvements not included in Section 3, advance, or prior written approval by the ARC is required before an Improvement to property is commenced.

2.2 Drawings or Plans

Owners are required to submit to the ARC a completed Architectural Review Request Form (“ARR”), which forms are available from the person or entity listed in Section 1.5, and complete plans and specifications (said plans and specifications to show exterior design, height, materials, color, location of the structure or addition to the structure, plotted horizontally and vertically, location and size of driveways, general plan of landscaping, fencing, walls, windbreaks and grading plan, as well as such other materials and information as may be required) prior to commencement of work on any Improvement to property. In most cases, the materials to be submitted will not have to be professionally prepared by an architect, a landscape architect, or draftsman, and a simple drawing with dimensions and description will be sufficient. In the case of major improvements, such as room additions, structural changes or accessory building construction, detailed plans and specifications, prepared by a licensed architect, may be required. Whether done by the Owner, or professionally, the following guidelines should be followed in preparing drawings or plans:

- A.** The drawing or plan should be done to scale and shall depict the property lines of your Lot and the outside boundary lines of the home as located on the Lot. If you have a copy of an improvement survey of your Lot obtained when you purchased it, this survey would be an excellent base from which to start.
- B.** Existing Improvements, in addition to the home on the Lot, should be shown on the drawing or plan and identified or labeled. Such existing Improvements include driveways, walks, decks, trees, shrubs, fences, etc. The proposed Improvements should be shown on the plan and labeled. Either on the plan or on an attachment, there should be a brief description of the proposed Improvement, including the materials to be used and the colors. For Example: Redwood deck, ten (10) feet by twelve (12) feet with two inch by four inch (2”x4”) decking and natural stain.
- C.** The plan or drawing and other materials should include the name of the Owner, the address of the Lot, the lot, block and filing number of the Lot, and the e-mail address and telephone number where the Owner can be reached.
- D.** The proposed Improvements must take into consideration the easements, building

location restrictions and sight distance limitations at intersections.

- E.** Owners should be aware that many Improvements require a permit from Douglas County or other governmental entity. The ARC reserves the right to require a copy of such permit as a condition of its approval.
- F.** In some instances, elevation drawings of the proposed Improvement will be required. The elevation drawings should indicate materials.
- G.** Photographs of existing conditions and of proposed materials and colors are encouraged to be included, and are helpful to convey the intended design, but should not be used solely to describe the proposed changes.

2.3 Submission of Drawings and Plans

One copy of the drawing or plans (minimum acceptable size 8.5" x 11") must be submitted to the ARC along with a completed ARR. Color photographs, brochures, paint swatches, etc. will help expedite the approval process. Specific dimensions and locations are required.

The ARC may require the payment of a fee to accompany each ARR, which fee shall be uniform for similar types of proposed Improvements or shall be determined in any other reasonable manner. Any actual costs incurred by the ARC for review of submittals shall be borne by the Owner and shall be payable prior to final approval. Any reasonable engineering consultant fees or other fees incurred by the ARC in reviewing any submission will be assessed to the Owner requesting approval of the submission.

2.4 Action by ARC

The ARC will meet as required to review plans submitted for approval. The ARC may require submission of additional information or material, and the request will be deemed denied until all required information and materials have been submitted. The ARC will act upon all requests in writing within thirty (30) days after the complete submission of plans, specifications, and other materials and information as requested by the ARC. If the ARC fails to review and approve in writing (which may be with conditions and/or requirements) or disapprove, a request for architectural approval within thirty (30) days after the complete submission of the plans, specifications, materials and other information with respect thereto, such request is deemed approved by the ARC.

2.5 Revisions and Additions to Approved Plans

Any revisions and/or additions to approved plans made by the Owner or as required by any governmental agency, must be re-submitted for approval by the ARC. The revised plans must follow the requirements as outlined above.

2.6 Completion of Work

After approval (which may be with conditions and/or requirements) of any proposed Improvement by the ARC, the proposed Improvement shall be completed and constructed as promptly and diligently as possible, and in complete conformity with all conditions and requirements of the approval. Failure to complete the proposed Improvement within six months from the date of the approval or within the time frames required for the installation of landscaping as set forth in the Covenants (the “**Completion Deadline**”), or to complete the Improvement in complete conformance with the conditions and requirements of the approval, shall constitute noncompliance; provided, however, that the ARC may grant extensions of time to individual Owners for completion of any proposed Improvements, either (a) at the time of initial approval of such Improvements, or (b) upon the request of any Owner, provided such request is delivered to the ARC in writing and the Owner is diligently prosecuting completion of the subject Improvements or other good cause exists at the time such request is made.

2.7 Inspection of Work

The ARC, the Villas Metropolitan District (the “District”), and the Enforcement Committee, if any, or any duly authorized representative of the same, shall have the right to inspect any Improvement at any time, including prior to or after completion, in order to determine whether or not the proposed Improvement is being completed or has been completed in compliance with the approval granted pursuant to this Section.

2.8 Notice of Non-Compliance

If, as a result of inspections or otherwise, the ARC, the District or the Enforcement Committee, if any, determines that any Improvement has been done without obtaining all required approvals (which may be with conditions and/or requirements), or was not done in substantial compliance with the approval that was granted, or has not been completed by the Completion Deadline, subject to any extensions of time granted pursuant to Section 2.6 hereof, then the ARC shall notify the District of the non-compliance, and the District shall then notify the applicant in writing of the non-compliance (the “Notice of Non-Compliance”). The Notice of Non-Compliance shall specify the particulars of the non-compliance.

2.9 Correction of Non-Compliance

If it has been determined that a non-compliance exists, the Person responsible for such non-compliance shall remedy or remove the same, and return the subject property or structure to a condition acceptable to the District or the Enforcement Committee, if any, within the period specified in the Notice of Noncompliance. If such Person does not comply with the ruling within such period, the ARC shall notify the District, and the District may, at its option, record a notice of non-compliance against the Lot on which the non-compliance exists, may impose fines, penalties and interest, may remove the non-complying Improvement, or may otherwise remedy the non-compliance, and the Person responsible for such non-compliance shall reimburse the District, upon demand, for all costs and

expenses, as well as anticipated costs and expenses, with respect thereto.

2.10 Amendment

These Guidelines may at any time, from time to time, be added to, deleted from, repealed, amended, and modified, reenacted, or otherwise changed by the Declarant or the governing board of the District, as provided in the Covenants, as changing conditions and/or priorities dictate.

2.11 Questions

If you have any questions about the foregoing procedures, feel free to call the ARC at the phone number and address listed in the Section 1.5 of these Guidelines.

Remainder of page intentionally left blank.

3 SPECIFIC TYPES OF IMPROVEMENTS / SITE RESTRICTIONS

3.1 General

The following is a listing, in alphabetical order, of a wide variety of specific types of Improvements which Owners typically consider installing, with pertinent information as to each. Unless otherwise specifically stated, drawings or plans for a proposed Improvement must be submitted to the ARC and written approval of the ARC obtained before the Improvements are made. In some cases, where it is specifically so noted, an Owner may proceed with the Improvements without advance approval if the Owner follows the stated guideline. In some cases, where specifically stated, some types of Improvements are prohibited. ARC review and approval is required on any external items not be listed below.

3.1.1 Variances

Approval of any proposed plans by the granting of a variance from compliance with any of the provisions of these Guidelines is at the sole discretion of the ARC when circumstances such as topography, natural obstructions, hardship, aesthetic or environmental considerations may require.

3.1.2 No Unsightliness

All unsightly conditions, structures, facilities, equipment, and objects, including snow removal equipment and garden or maintenance equipment, when not in actual use, must be enclosed within a structure.

3.1.3 Waivers; No Precedent

The approval or consent of the ARC to any application for approval shall not be deemed to constitute a waiver of any right to withhold or deny approval or consent as to any application or other matters whatsoever, as to which approval or consent may subsequently or additionally be required. Nor shall any such approval or consent be deemed to constitute a precedent in any other matter.

3.1.4 Liability

The ARC and the members thereof shall not be liable in damages to any person submitting requests for approval or to any approval, or failure to approve or disapprove in regard to any matter within its jurisdiction. The ARC shall not bear any responsibility for ensuring structural integrity or soundness of approved construction or modifications, or for ensuring compliance with building codes and other governmental requirements. The ARC will not make any investigation into title, ownership, easements, rights-of-way, or other rights appurtenant to property with respect to architectural requests and shall not be liable for any disputes relating to the same.

3.2 Accessory Buildings

Due to the small size of the Lots, accessory buildings are not permitted.

3.3 Additions and Expansions

Due to the small size of the Lots, additions and expansions to the residences constructed on the Lots are not permitted.

3.4 Address Numbers

Approval is required to replace, alter or relocate existing address numbers, unless the address numbers are replaced using the same style, color and type of number currently on the residence on the Lot.

3.5 Air Conditioning Equipment

Approval is required for all air conditioning equipment including evaporative coolers (swamp coolers) and attic ventilators installed after the initial construction.

Approval is not required for replacement of existing air conditioning equipment with like equipment located in the same location as the equipment being replaced.

No heating, air conditioning, air movement (e.g. swamp coolers) or refrigeration equipment shall be placed or installed in the front yard areas, on rooftops, or extended from windows. Ground mounted or exterior wall air conditioning equipment installed in the side or rear yard areas must be installed in a manner so as to minimize visibility from the street and minimize any noise to adjacent property Owners.

3.6 Antennae/Satellite Dishes

3.6.1 General Provisions

"Permitted Antennas" are defined as (a) an antenna which is less than one meter in diameter and is used to receive direct broadcast satellite service, including direct-to-home satellite services, or is used to receive or transmit fixed wireless signals via satellite; (b) an antenna which is less than one meter in diameter and is used to receive video programming services via multipoint distribution services, including multichannel multipoint distribution services, instruction television fixed services, and local multipoint distribution services or is used to receive or transmit fixed wireless signals other than via satellite; (c) an antenna which is designed to receive broadcast television broadcast signals; or (d) other antennas which are expressly permitted under applicable federal statutes or regulations. In the event a Permitted Antenna is no longer expressly permitted under applicable federal statutes or regulations, such antenna will no longer be a Permitted Antenna for purposes of this Section. Installation of Permitted Antennas shall not require the approval of the ARC.

- A.** All Permitted Antennas shall be installed with emphasis on being as unobtrusive as possible to the Community. To the extent that reception is not substantially

degraded or costs unreasonably increased, all Permitted Antennas shall be screened from view from any street and nearby Lots to the maximum extent possible, and placement shall be made in the following order of preference:

- (1) Inside the structure of the house on the Lot, not visible from the street;
- (2) Rear yard or side yard of the Lot, screened by and integrated into landscaping;
- (3) Rear yard or side yard, mounted on the house, in the least visible location, below roofline;
- (4) Back rooftop;
- (5) Front yard screened by and integrated into landscaping

B. If more than one (1) location on the Lot allows for adequate reception without imposing unreasonable expense or delay, the order of preference described above shall be used, and the least visible site shall be selected.

C. Permitted Antennas shall not encroach upon common areas or any other Owner's property.

3.6.2 Installation of Antennae/Satellite Dishes

A. All installations must comply with all applicable building codes and other governmental regulations, and must be secured so they do not jeopardize the safety of residents or cause damage to adjacent properties. Any installation must strictly comply with FCC guidelines.

B. All Permitted Antennas shall be no larger, nor installed more visibly, than is necessary for reception of an acceptable signal.

C. Owners are responsible for all costs associated with the Permitted Antenna, including but not limited to costs to install, replace, repair, maintain, relocate, or remove the Permitted Antenna.

D. All cabling must be run internally when feasible, must be securely attached, and must be as inconspicuous as possible. Permitted Antennas, masts and any visible wiring may be required to be painted to match the color of the structure to which they are attached. The Owner should check with the installer/vendor for the appropriate type of paint.

E. All other antennas, not addressed above, are prohibited.

3.7 Awnings

Approval is required. Awnings should be an integral part of the house, building or patio design. The color shall be complimentary to the exterior of the residence, and shall be substantially solid in color; provided, however, that limited patterns or striping may be

approved.

3.8 Backyard Sport Pads.

Due to the small size of the Lots, backyard sport pads are not permitted.

3.9 Barbecue/Gas Grills

Approval is not required. All barbecue grills, smokers, etc. must be stored in the rear yard or within an enclosed structure, not visible from the front of the home.

3.10 Basketball Backboards

Approval is not required for portable basketball backboards, subject to the following limitations:

- A.** Portable units cannot be placed in the public rights of way, streets, sidewalks or street lawns.
- B.** Location of portable basketball backboards must be in the driveway, at least half of the length of the driveway away from the street, or in the rear yard.
- C.** Portable basketball backboards may be left out when not in use only if the backboard, hoop, and net are in good repair. Portable basketball backboards that are not in good repair, including the hoop and net, must be stored out of sight when not in use and may not be left out for more than 24 hours.
- D.** Permanent garage or pole mounted basketball hoops are not permitted.

3.11 Birdbaths, Birdhouses and Bird Feeders

Approval for birdbaths is not required, subject to the following limitations. Placement in front or side yard is not allowed. Birdbaths are only permitted in the rear yard.

Approval for birdhouses and bird feeders is not required, subject to the following limitations. If installed in the rear yard and the size is limited to one foot by two feet, no approval is required. No more than three of each of a birdhouse or bird feeder shall be installed on any Lot. Birdhouses or bird feeders may be mounted on a pole, provided the pole shall not exceed five (5) feet in height.

3.12 Carports

Approval will not be granted.

3.13 Clothes Lines and Hangers

Approval is not required, subject to the following limitations. Clotheslines may only be placed in the rear yard. Fixed clotheslines and hangers are not permitted. Temporary drying structures will be permitted so long as such structures are used solely in the rear yard of a lot and are immediately removed from sight after each use. Retractable clotheslines with permanent fixtures require approval.

3.14 Decks

Approval is required. The deck must be harmonious (in configuration, detail, material and color) with the architecture of the house. Modifications or additions to Declarant or Builder installed decks must incorporate the same materials, colors and detailing as the existing deck. TREX or similar engineered composite wood type products are the preferred material for construction. Plastic, PVC or similar materials are prohibited.

The appropriate governmental permits are also required.

The deck should be located so as not to create an unreasonable level of noise for adjacent property Owners.

Changes in grade or drainage pattern must not adversely affect adjoining properties and shall comply with drainage change requirements of the Covenants.

A solid trim board shall be provided on any open side of the deck to conceal the joists and cut ends of the decking. Underdeck screening should be compatible with the architecture of the house and deck. Any lattice must be properly framed and recessed.

Railings and other features such as privacy screens must be harmonious (in configuration, detail, material and color) with the architecture of the deck and/or house.

3.15 Dog Houses

Approval is required. Dog houses are restricted to ten (10) square feet and must be located in the back yard area. Dog houses must be installed at ground level and must match the colors and materials of the exterior of the home. Limit of one dog house per Lot.

3.16 Dog Runs

Due to the small size of the Lots, dog runs are not permitted.

3.17 Doors

Approval is not required for an already existing main entrance door to a home if the material matches or is similar to existing doors on the house, and if the color is generally accepted as a complimentary color to that of existing doors on the house. Complementary colors would be the body, trim or accent colors of the house on the Lot, or white (for storm/screen doors).

- A. Storm Doors. Approval is not required for storm doors as long as the door is complimentary with the color scheme of the home or building on the Lot. Owners wishing to utilize a different color must first obtain approval.
- B. Security Doors and Windows. All security or security-type doors and windows must be approved prior to installation.

3.18 Drainage

The Covenants require that there be no interference with the established drainage pattern over any property. The established drainage pattern means the drainage pattern which exists at the time final grading of a Lot by the Declarant or a Builder is completed. The ARC may require a report from a drainage engineer as part of Improvement plan approval. Landscaping and all drainage from downspouts off the house on the Lot should conform to the established drainage pattern. Sump pump drainage should be discharged a reasonable distance from the property line, on the Owner's property, to allow for absorption. Adverse effects to adjacent properties, including District lands, sidewalks and streets, will not be tolerated.

3.19 Driveways

Approval is required for any changes or alterations to driveways. No driveway extension will be permitted. Only clear sealant may be used on driveways (no colors) and Owners will be required to maintain the driveways against oil spills, spalling/peeling/etc.

3.20 Fences

Fences along rear, side or front Lot lines will not be permitted. Owners may install privacy screening around patios or decks, subject to prior ARC approval, per Exhibit A. Any such fences constructed on a Lot shall be maintained, repaired and replaced by the Owner of such Lot. Regular physical and aesthetic maintenance of fencing is required. All fences must be sealed with a clear waterproof sealant, or finished using semi-transparent stain approved by the ARC. No electric fences are permitted (other than pet containment fencing installed below grade).

3.21 Fire Pits

Approval is required for all permanent or built-in structures. Approval is not required for portable units.

3.22 Firewood Storage

All firewood must be located in the rear yard, must be neatly stacked, shall not be visible

from any street or the ground level of any other Lot, and must not be located so as to block established drainage patterns.

3.23 Flags/Flagpoles

Approval is required for any freestanding flagpole.

Approval is not required for flagpoles mounted to the front of the residence on the Lot provided that the flags displayed thereon (if other than an American Flag) are temporary in nature and are only displayed on holidays or in celebration of specific events. They may not be placed earlier than thirty (30) days prior to the start of the particular holiday/event or celebration and must be removed no later than thirty (30) days following the particular holiday/event or celebration. Under no circumstance may the height of the flagpole exceed the height of the roofline of the residence on the Lot. Flag size cannot exceed five (5) feet in length and three (3) feet in width.

Owners shall be permitted to display an American flag in accordance with the Federal Flag Code and as follows:

- A.** The flag shall be no larger than three (3) feet by five (5) feet.
- B.** The flag may be displayed in a window or from a flagpole projecting horizontally from a location on the front of the residence on the Lot.
- C.** Flags and/or flagpoles shall be replaced as necessary in order to prevent wear and tear.
- D.** Flags may not be illuminated without prior written approval of the ARC. Any request for lighting must detail the type and location of lighting. Lighting shall be placed so as not to disturb Owners of neighboring Lots.

An Owner or Occupant may display a service flag bearing a star denoting the Owner's or Occupant's or his family member's active or reserve U.S. military service during a time of war or armed conflict. The flag may be displayed on the inside of a window or door of the home on the Lot. The flag may not be larger than nine (9) inches by sixteen (16) inches.

3.24 Gardens – Flower or Vegetable

Approval is required for flower or vegetable gardens, which may be located only in the rear or side yard.

3.25 Gazebos

Due to the small size of the Lots, gazebos are not permitted.

3.26 Greenhouses

Due to the small size of the Lots, greenhouses are not permitted.

3.27 Hot Tubs

Approval is required. Hot tubs must be an integral part of the deck or patio area and of the rear yard landscaping, and be installed in such a way that it is not immediately visible to adjacent property Owners and does not create an unreasonable level of noise for adjacent property Owners. In some instances, additional plant material around the hot tub may be required for screening. Non-vegetative screening materials should match or complement the house or deck structure. Prefabricated hot tub enclosures will be evaluated on a case-by-case basis, and may require additional plant material screening.

3.28 Landscaping

Approval is required for any desired additions, alterations or modifications to the landscaping. All Owners must comply with any applicable landscaping requirements of Douglas County. The plot plan of the residence on the Lot and yard must be provided at a measurable scale. All organic materials (plants, shrubs, trees, etc.), building materials (stone, wood, edging, etc.), must be clearly labeled in detail.

Changes in grade or drainage pattern must not adversely affect adjoining properties and shall comply with drainage change requirements of the Covenants.

Plant materials should be appropriate in character, habitat, species, size (both installed and mature), number and arrangement for their purpose and surroundings.

Owners are responsible for compliance with all County laws regarding tree installation and approved tree species. Certain tree species, such as Russian Olive, may not be permitted by the County or State.

Stone used as accent elements, ground cover or paving material should be chosen so that its color, size and installation complement the architecture of the house on the Lot, the natural environment and associated plant materials. Monolithic paving of yards or covering yards with decorative stones as a primary design element is prohibited.

All landscaping, with the exception of the sod on a Lot, including any additions, alterations or modifications to landscaping installed by an Owner after initial installation of the landscaping by the Declarant or the Builder, shall be maintained by the Owner of the Lot.

3.29 Lights and Lighting

Approval is not required for replacing existing lighting with the same or similar lighting style and color as originally installed.

Approval is required to modify or add exterior lighting.

Approval is required to install motion detector spotlights, spotlights, floodlights or ballasted fixtures (sodium, mercury, multi-vapor, fluorescent, metal halide, etc.).

- A.** Considerations will include, but may not be limited to, the visibility, style and location of the fixture.
- B.** Exterior lighting for security and/or other uses must be directed at the ground and house or building(s) on the Lot, whereby the light cone stays within the property boundaries and the light source does not cause glare to other properties (bullet type light fixtures are recommended).
- C.** Ground lighting along walks must be maintained in a working and sightly manner. Low-voltage or solar powered ground lighting fixtures which are typically affixed by stakes or similar posts are to be maintained in good aesthetic repair, be functional, not be a tripping or other physical hazard along pedestrian pathways, and remain generally vertical in their presentation.

Holiday lighting and decorations do not require approval. It is required that they not be installed more than thirty (30) days prior to the holiday. They shall be removed within thirty (30) days following the holiday.

3.30 Painting

Approval is not required if color and/or color combinations are identical to the original manufacturer color established on the home. Any changes to the color scheme must be submitted for approval and must conform to the general scheme of the Community. Additionally, because the homes on the Lots are attached and are each a part of a duplex structure, any change in color must be made to both homes within the duplex at the same time, and the owners of such attached homes must coordinate for submission for approval.

- A.** The owners of both homes must submit the ARR with color samples and a general description of the colors of the next four (4) houses on either side of the homes to be painted (or photos showing the colors of the next four (4) houses on either side of the homes to be painted).
- B.** The ARC will not approve submittals without a description or photos of neighbors' paint colors.
- C.** Outlining the garage door panels in a contrasting color or in a checker board design is not permitted.
- D.** Most homes have multiple tone paint schemes (e.g., body color, trim color and accent color for shutters and doors). New colors submitted should preserve this

multiple tone scheme.

- E.** Color selections should be submitted to the ARC in the form of manufacturer's paint chips. Please indicate which color chips are for trim, body and accent (doors and shutters) color.
- F.** In general, after approval, only those areas that are painted may be repainted and only those areas that are stained may be re-stained; unpainted and unstained areas (such as brick or stone) shall remain unpainted and unstained.

3.31 Patios

Approval is required. Patios must be an integral part of the landscape plan and must be located so as not to create an unreasonable level of noise for adjacent property Owners. In some instances, additional plant material around the patio may be required for screening or integration into the landscape design. The patio and materials must be similar or generally accepted as a complementary color and design to the residence on the Lot. Patios may not be more than twenty five (25) percent of the entire rear yard of a Lot unless otherwise approved by the ARC.

Approval is also required for patio cover. Patio covers must be constructed of material consistent with the home on the Lot and be similar or generally recognized as complementary in color to the colors of the house on the Lot. Freestanding patio covers may be permitted as well as extensions of the roof.

See Section 3.14, Decks.

3.32 Paving

Approval is required, regardless of whether for walks, driveways, patio areas or other purposes, and regardless of whether concrete, asphalt, brick, flagstones, stepping stones, pre-cast patterned, or exposed aggregate concrete pavers are used as the paving material.

See Section 3.19, Driveways.

3.33 Pipes

Approval is required for all exterior pipes, conduits and equipment. Adequate screening may also be required.

3.34 Play Structures and Sports Equipment

Approval is required. Consideration will be given to adjacent properties (a minimum five (5) foot setback from the property line, is required for trampolines, swing sets, fort structures, etc.) so as not to create an undue disturbance. In some instances, additional plant material around the equipment may be required for screening. Wood structures must be

constructed of pressure treated or other weather resistant materials. All play equipment must be maintained in a good and sightly manner. The use of multi-colored cloth/canvas tarps will not be approved. Height of any play structure or sports equipment may not exceed twelve (12) feet.

See Section 3.10, Basketball Backboards.

3.35 Playhouses

Approval is required. Due to the small size of the Lots, no playhouse shall be more than twenty four (24) square feet and higher than six (6) feet high, from highest point to the ground.

3.36 Ponds and Water Features

Approval is required. Considerations by the ARC will include, but not be limited to, the following criteria:

- A. Must be integrated into landscape scheme.
- B. Setback shall be a minimum of five (5) feet from all property lines.
- C. Must not affect existing drainage on the lot or off the property.
- D. Must be maintained at all times.
- E. The maximum height of all fountain/pool elements and their spray is not allowed to be higher than four (4) feet from the ground plane.

3.37 Pools

Due to the small size of the Lots, pools are not permitted.

Notwithstanding, one (1) wading pool, if less than eighteen (18) inches high and eight (8) feet in diameter, per Lot, is permitted on a temporary basis without prior approval, if placed in the rear yard.

See Section 2.27, Hot Tubs.

3.38 Radon Mitigation Systems

Approval is required. Equipment must be painted a color similar or generally accepted as complimentary to the exterior of the house on the Lot. All equipment shall be installed so as to minimize its visibility.

3.39 Roofing Materials

Approval is required for all roofing materials other than those originally used by the Declarant or the Builder. All buildings constructed on a Lot should be roofed with the same or greater quality and type of roofing material as originally used by the Builder. Additionally, because the homes on the Lots are attached and are each a part of a duplex structure, any change in roofing materials must be made to both homes within the duplex at the same time, and the owners of such attached homes must coordinate for submission for approval.

Approval is not required for repairs to an existing roof with the same building material that exist on the building.

3.40 Rooftop Equipment

Approval is required. Equipment must be painted a color similar or generally accepted as complimentary to the roofing material of the house on the Lot. All rooftop equipment shall be installed so as to minimize its visibility.

See Section 3.47, Solar Energy Devices.

3.41 Seasonal Decorations

Approval is not required if installed on a Lot within thirty (30) days of a holiday, provided that an Owner is keeping with the Community standards, and provided that the decorations are removed within thirty (30) days of the holiday.

See Section 3.29, Lights and Lighting.

3.42 Security Devices.

Approval is not required. Security devices, including cameras and alarms, must be selected, located and installed so as to be an integral part of the house on the Lot and not distract from the home's architecture and appearance. Cameras and housing sirens, speaker boxes, conduits and related exterior elements should be unobtrusive and inconspicuous. Such devices should be located where not readily visible and should be a color that blends with or matches the surface to which it is attached.

3.43 Sheds

Due to the small size of the Lots, sheds are not permitted.

3.44 Shutters - Exterior

Approval is required. Shutters should be appropriate for the architectural style of the home or building on the Lot and be of the appropriate proportion to the windows they frame. Shutters should be the same color as the “accent” color of the home or building (typically the same as the front door or other accent details).

3.45 Siding

Approval is required. Vinyl siding will not be allowed. Additionally, because the homes on the Lots are attached and are each a part of a duplex structure, any change in the type of siding must be made to both homes within the duplex at the same time, and the owners of such attached homes must coordinate for submission for approval.

3.46 Signs

Approval is not required for one (1) temporary sign advertising the Lot for sale or lease or one (1) open house sign, which shall be no larger than five (5) square feet and which are conservative in color and style; one (1) yard/garage sale signs which is no larger than 36” x 48”; and/or burglar alarm notification signs, ground staked or window mounted which are no larger than five (5) square feet. Such signs may be installed in the front yard only.

Political signs (defined as signs that carry a message intended to influence the outcome of an election, including supporting or opposing the election of a candidate, the recall of a public official, or the passage of a ballot issue) may be displayed within the boundaries of an Owner’s or Occupant’s Lot without approval, subject to the following:

- A. Political signs may not be displayed earlier than 45 days before the day of the election and must be removed no later than seven days after the election.
- B. No more than one political sign per political office or ballot issue that is contested in the pending election may be displayed.
- C. Political signs shall not exceed 36” by 48” in size.

Approval is required for all other signs. No lighted sign will be permitted unless utilized by the Declarant and/or a Builder.

3.47 Solar Energy Devices

Approval is required in order to review aesthetic conditions. Photovoltaic (PV) Solar panels must lay flat on the roof, meet all applicable safety, building codes and electrical requirements, including solar panels for thermal systems (solar water heaters). The ARC is allowed to request changes as long as they don’t significantly increase the cost or decrease the efficiency of the proposed device and panels. Please also see Colorado Law C.R.S. 38-30-168, which governs the review and the Owner’s installation of such devices.

3.48 Tree Houses

Approval will not be granted. Tree houses are not permitted.

3.49 Retaining Walls

Approval is required. Retaining walls are not permitted on the front and side yards areas. In no event shall rear yard retaining walls exceed four (4) feet in height unless installed by the Declarant or a Builder. All retaining walls shall comply with applicable requirements of Douglas County and shall not significantly alter the drainage patterns on the Lot or adjacent properties (including District or public areas). Retaining walls shall be constructed with boulders, stone, brick or split face modular concrete block facing units installed per manufacturer instructions.

New or old creosote treated timber railroad ties are prohibited.

3.50 Windows Replacement

Approval is required. Considerations will include, but may not be limited to, size, color, existing and proposed window style and style of home on the Lot.

3.51 Windows: Tinting, Security Bars, Well Covers, etc.

Approval is not required for window well covers that are manufactured with metal or plexiglass. All others will require ARC approval.

Approval is required for any visible window tinting. Highly reflective and/or dark tinting is considered too commercial for residential applications and is not permitted.

Approval is required for security bars and may not be approved on windows visible to the street.

3.52 Work Involving District Property

Approval is required. Generally, driving vehicles, including wheelbarrows, across District property is not permitted. However, when circumstances warrant, the governing board of the District will consider requests provided that prior approval is requested and the Owner advances funds as may be reasonably required by the Board of Directors to repair any damage. The actual restoration of the District property will be done by the District.

3.53 Yard Art, Statues and Foundations

Approval is not required for yard ornaments, statues or fountains which are installed in the rear yard of a Lot and which are of a height less than four (4) feet.

Up to three (3) small (less than 12 inches in height) front yard ornaments or statues may be installed in the front yard of a Lot without approval, as long as the ornament or statue is

installed at ground level and the color and design integrate into the landscape.

Approval is required for any other yard ornaments, statues or fountains proposed for the front yard. Statue or fountain location in the front yard should be located close to the main entrance of the house.

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