

**RESIDENTIAL IMPROVEMENT
GUIDELINES
AND SITE RESTRICTIONS FOR

BIG DRY CREEK
METROPOLITAN DISTRICT**

AS OF JUNE, 2018

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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 Big Dry Creek Community (the “Community”) in implementing landscaping and other Improvements to their property. The Covenants and Restrictions of Morrison (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 Unit shall be made. In order to assist Owners, the ARC 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 by the ARC with respect to property subject to 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
CliftonLarsonAllen, LLP	(303) 779-5710	(303) 779-0348	kim.herman@claconnect.com

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. It is recommended that homeowners familiarize themselves with these

guidelines and submit requests for review before any work begins

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 the City of Thornton 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.

1.10 Enforcement of Covenants and Design Guidelines

The Big Dry Creek Metropolitan District (the "District") shall have primary responsibility for the enforcement of the architectural requirements of the Covenants and these Guidelines. The District, its agents, and the ARC will investigate written complaints concerning violations of the requirements/prohibitions of the Covenants or these Guidelines, if such complaints are signed and dated by the person making the complaint. The District, its agents, and the ARC shall use all reasonable means to maintain the anonymity of complainants. If a violation is found as a result of a complaint or through its own inspections, the District shall notify the Owner whose property is

in violation, in writing, requesting that appropriate action be taken to achieve compliance. The District shall take enforcement action (including assessing fines, fees, and penalties) in accordance with the District's compliance and fee policy then in effect. Specific duties and powers of the ARC and the District are more fully set forth in the Covenants.

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2 PROCEDURES FOR ARC APPROVAL

2.1 General

As indicated in Section 3, 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 Design Review Request Form 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 Unit and the outside boundary lines of the home as located on the Unit. If you have a copy of an improvement survey of your Unit obtained when you purchased it, this survey would be an excellent base from which to start.
- B.** Existing Improvements, in addition to your home, 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 home, the lot, block and filing number of the Unit, 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 the City of Thornton. 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 Design Review Request Form. Color photographs, brochures, paint swatches, etc. will help expedite the approval process. Specific dimensions and locations are required. Please review details below regarding what items do and do not require a request be submitted.

There is no review fee for requests unless insufficient information has been submitted with the original request. Please ensure all details regarding your project, including, but not limited to, materials to be used, size, location, distances from property lines, etc, are included with the original submittal. If more than two correspondences are sent back to the homeowner for additional information, a fee of \$25 will be assessed for minor architectural requests and a fee of \$150 will be assessed for major architectural requests. Examples of minor requests are tree addition to existing landscaping, adding fence wings to existing fencing, installation of radon mitigation to home. Examples of major requests are: full landscaping installation, sheds, painting home, concrete and hardscape work, and play structures.

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 forty-five (45) days after the complete submission of plans, specifications, and other materials and information as requested by the ARC. If, for any reason, 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 forty-five (45) 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 one year from the date of the approval (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; provided that the Owner is diligently prosecuting completion of the subject Improvements or other good cause exists at the time such request is made.

2.7 Notice of Completion

Upon the completion of an Improvement, the applicant for approval of the same shall give a written "Notice of Completion" to the ARC (in form and substance acceptable to the ARC, or on forms provided by the ARC). Until the date of receipt of such Notice of Completion, the ARC shall not be deemed to have notice of completion of any Improvement on which approval (which may be with conditions and/or requirements) has been sought and granted as provided in this Section.

2.8 Inspection of Work

The ARC, or its duly authorized representative, 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 Article.

2.9 Notice of Non-Compliance

If, as a result of inspections or otherwise, the ARC 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 (except landscaping, as provided below), subject to any extensions of time granted pursuant to Section 2.6 hereof, then the ARC shall 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.

2.10 Correction of Non-Compliance

If the ARC determines that a non-compliance exists, the Person responsible for such non-compliance shall remedy or remove the same within not more than fifteen (15) days from the date of receipt of the Notice of Non-Compliance or such longer time as set forth in the Notice of Non-Compliance, not to exceed forty-five (45) days. 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 Unit 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.

2.11 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 ARC in its sole discretion as changing conditions and/or priorities dictate.

2.12 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.

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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

Approval is required. Approval will be based upon, but not limited to, the following criteria:

- A.** Storage sheds and/or accessory buildings must be aesthetically compatible and consistent with the style and character of the home and other homes in the same general area of the Community. Storage sheds and/or any accessory buildings shall not be more than eight (8) feet by ten (10), and shall not be more than eight (8) feet high at the peak. The roof pitch must be complementary to the existing roof on the home, unless otherwise approved by the ARC. Such storage sheds and/or accessory buildings must be permanent in nature.
- B.** Siding, roofing, and trim materials must match those on the home, unless otherwise approved by the ARC.
- C.** Smaller Units may not have a suitable location for a storage shed. In any case, no more than one (1) storage shed and one (1) playhouse (see Section 3.56, Playhouses) shall be permitted per property.
- D.** The ARC, in reviewing and approving or denying an application for approval of a storage shed or accessory building, shall take into consideration lot size, square footage of the home, the existing grading, fence locations, landscape screenings, etc.
- E.** Any utilities serving the storage shed or accessory building shall be underground.
- F.** A playhouse or play structure shall not be considered an accessory building.

3.3 Additions and Expansions

Approval is required. Additions or expansions must be constructed of wood, masonite, glass, brick, stone, or other material as used in construction of the exterior of the home. The design must be the same or generally recognized as a complimentary architectural style and meet all design guidelines as may be applicable. Colors must be the same as that of the residence. Patios may not be more than twenty five percent (25%) of the entire rear yard of the Unit unless otherwise approved by the ARC.

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 and type of number currently on the residence.

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; otherwise approval is required.

No heating, air conditioning, air movement (e.g. swamp coolers) or refrigeration equipment shall be placed or installed on rooftops, or extended from windows. Ground mounted or exterior wall air conditioning equipment installed in the side yard 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

"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 Units to the maximum extent possible, and placement shall be made in the following order of preference:

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

- (6) Front yard screened by and integrated into landscaping.
- B. If more than one (1) location on the Unit 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

- 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 or patio design. The color shall be complimentary to the exterior of the residence.

See Section 3.48, Overhangs/Awnings – Cloth or Canvas.

3.8 Balconies

See Section 3.19, Decks.

3.9 Barbecue/Gas Grills

Approval is not required for standalone BBQs/Gas Grills. 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. Any outdoor kitchens or built in grill structures require approval.

3.10 Basketball Backboards

Approval is not required, subject to the following limitations. No basketball backboards shall be attached to the garage. Only portable basketball backboards shall be allowed if the following guidelines are met:

- A. Portable units cannot be placed in the public rights of way, streets, sidewalks or street lawns.
- B. Location must be in the driveway, at least half of the length of the driveway away from the street, or in the side or 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. No bricks, pavers, rocks, concrete blocks, etc. may be placed and left on the basketball hoop stands for support. They must be supported as intended by the manufacturer.

3.11 Birdbaths

Approval 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. See Section 3.77, Statues or Fountains.

3.12 Birdhouses and Bird Feeders

Approval 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 Unit. Birdhouses or bird feeders may be mounted on a pole, provided the pole shall not exceed five (5) feet in height.

3.13 Boats

See Section 3.46, Motor Vehicles/Recreation Vehicles.

3.14 Carports

Are not permitted and approval will not be granted.

3.15 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.

3.16 Cloth or Canvas Overhangs

See Section 3.48, Overhangs/Awnings – Cloth or Canvas.

3.17 Commercial and/or Oversized Vehicles

The garage area and driveway of each Unit should first be fully used for the parking of vehicles before any street parking is done. However, notwithstanding the foregoing, street parking is not restricted by this Section. No vehicles may be parked in landscaping rocks, on turf or any other landscaping or landscaping materials.

3.17.1 Restricted Vehicles

Per the Covenants, vehicles with commercial writing on their exteriors, vehicles primarily used or designed for commercial purposes, tractors, mobile homes, recreational vehicles, trailers (either with or without wheels), campers, camper trailers, boats and other watercraft, recreational vehicles, golf carts and boat trailers, shall be parked only in enclosed garages or specific areas, if any, which may be designated by the governing board of the District. The driveways of each home have been designated as an area where residents may park vehicles with commercial writing on their exteriors and vehicles primarily used or designed for commercial purposes, in addition to parking such vehicles in an enclosed garage. This restriction contained herein, however, shall not restrict trucks or commercial vehicles which are necessary for construction or for the maintenance of any portion of the Property, or any Improvements located thereon, nor shall such restrictions prohibit vehicles that may be otherwise parked as a temporary expedient for loading, delivery or emergency. Stored vehicles and vehicles which are inoperable or do not have current operating licenses shall not be permitted on the Property except within enclosed garages. For purposes of this Section, a "stored or inoperable" shall mean any vehicle which has not been driven under its own propulsion for a period of two weeks or more.

3.17.2 Vehicle Maintenance and Repair

No activity, including maintenance, repair, rebuilding, dismantling, repainting or servicing of any kind of vehicles, trailers or boats, may be performed or conducted in the Unit unless it is done within completely enclosed structure(s) which screen the sight and sound of the activity from the street and from adjoining Units. Any Owner or other Person undertaking any such activities shall be solely responsible for, and assumes all risks of, such activities, including adoption and utilization of any and all necessary safety measures, precautions and ventilation. However, the foregoing restrictions shall not be deemed to prevent washing and polishing of any motor vehicle, boat, trailer, motor-driven cycle, or other vehicle on a Unit, together with those activities normally incident and necessary to such washing and polishing.

3.18 Compost Storage Bin/Unit

Approval is required. Container must not be immediately visible to adjacent properties and odor must be controlled. Underground composting is not allowed.

3.19 Decks

Approval is required. The deck must be constructed of redwood or composite type decking products and approved by the ARC. The appropriate City permits are also required. The decking material must be either redwood in color or of a color that matches one of the exterior paint colors or the masonry on the home. The deck should be located so as not to create an unreasonable level of noise for adjacent property Owners.

All deck columns shall be integrated into the architectural style/character of the home. Covered decks shall be compatible with the architectural style of the home through roof form integration, column design, and railing details. Supporting posts and columns associated with all covered decks or those more than thirty (30) inches above grade shall be a minimum eight (8) inches by eight inches unless grouped (two or more 4"x4" posts) or enhanced with a masonry base. When possible, matching the column style present on the front of the home is preferred.

Decking that is less than thirty (30) inches above grade of the lot may utilize a lattice skirting provided the skirting is made of redwood minimum one-half (1/2) inch thick boards and stained or painted to match the remaining portions of the deck. Decks may not be more than twenty five (25) percent of the entire rear yard of the Unit unless otherwise approved by the ARC. Construction shall not occur over easements or beyond the side plane of the home and must be set back a minimum of ten (10) feet from the rear property line. Construction of decks over a sloped area is discouraged.

Owners are reminded that as with redwood, some types of "maintenance free" decking products may also require periodic maintenance for proper care and to retain the product's aesthetic conformity, including but not limited to, fading, warping, etc. Decks may be finished with clear semi-transparent sealer, stained to match a Cedar tone, an oil-based wood finish or a similar product that matches. The deck may also be painted to match the body or trim color of the home.

3.20 Dog Houses

Approval is required. Dog houses are restricted to ten (10) square feet and must be located in a fenced back yard or dog run. Dog houses must be installed at ground level, and must not be visible above the fence. Dog houses must also match the colors and materials of the exterior of the home. Limit of one dog house per Unit. See Section 3.27, Fences.

3.21 Dog Runs

Approval is required. Dog runs must be located in the rear or side yard, abutting the home and substantially screened from view by planting fast-growing or mature trees or shrubs. Dog runs will be limited to two hundred (200) square feet, unless a variance is granted by the ARC. Dog run fences should be left natural in color and sealed to prevent weathering. Dog runs must be made of wood. Please refer to the fence details in Schedule 1 & 2 for approved heights, stains and designs. Covers (ex: tarps, sheets, blankets, etc.) on dog runs are not allowed.

3.22 Doors

Approval is not required for an already existing main entrance door to a home or an accessory building 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 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. 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.

3.23 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 as engineered and constructed by the homebuilder prior (or in some cases, immediately following) conveyance of title from the home builder to the Owner. When installing your landscaping, it is very important to insure that water drains away from the foundation of the house and that the flow patterns prevent water from flowing under or against the house foundation, walkways, sidewalks, and driveways into the street. The ARC may require a report from a drainage engineer as part of landscaping or improvement plan approval. Landscaping and all drainage from downspouts off the house should conform to the established drainage pattern. Sump pump drainage should be vented 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.

3.24 Driveways /Driveway Extensions

Approval is required for any changes or alterations to driveways. This includes construction of a pull-off area to the side of the driveway and/or concrete driveway extensions. Only clear sealant may be used on the driveway (no colors) and Owners will be required to maintain the driveways against oil spills, spalling/peeling/etc. The City of Thornton requires a minimum of 3 feet between the end of any concrete and the property

line.

3.25 Evaporative Coolers

Approval is required. No rooftop or window mount installations are allowed. See Section 3.5, Air Conditioning Equipment.

3.26 Exterior Lighting

See Section 3.43, Lights and Lighting.

3.27 Fences

3.27.1 General Statement

Fences constructed by the Developer or Builder along or abutting property lines, arterial streets, collector streets, and local streets may not be removed, replaced, painted a different color or altered, including, adding a gate, without approval of the ARC.

- A.** If any such fences constructed by the Developer or Builder which are located upon an Owner's property are damaged or destroyed by the actions of the Owner, the Owner shall repair or recondition the same at the Owner's expense.
- B.** Some fences may be located upon property owned by the District and, if so, the approval of the District shall also be obtained before any such fence is removed, replaced, painted or altered.
- C.** Any fence that abuts a tract owned by the District, the York Street right-of-way or the Highway 7 right-of-way shall be maintained by the District.

3.27.2 Theme Fencing

(Fencing that has been installed by the Developer or Builder along or abutting property lines on residential streets, parks, green belts, or non-urban areas)

- A.** Arterial Fencing (along major roadways): No change in this fencing is permitted without approval of the ARC.
- B.** Non-Arterial Fencing: Open fence that is adjacent to or abuts open space shall not be changed.

3.27.3 Fence Designs

All rear or side yard fences along property lines require approval of the ARC.

- A. Fences (not previously installed by a Builder or Developer) that will be located in the rear or side yard along property lines are required to be constructed in accordance with the specifications shown in Schedule 1. The 3-rail fence design is required if an owner elects to install a fence within a “site triangle,” as determined by the ARC.
- B. All fencing in Schedule 1 must be constructed of rough sawn cedar (pine and other soft woods will not be approved). Gates must be constructed in accordance with Schedule 1.
- C. Double fencing of property lines is not permitted.
- D. All fence slats are required to be placed tightly side by side, shadow box type fencing will not be allowed.
- E. Any additional fencing of any kind (not listed) shall require ARC approval.

3.27.4 Maintenance/Staining

All fences constructed on a Unit shall be maintained, repaired and replaced by the Owner of such Unit. 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. Please refer to Schedule 2 for approved color palettes. Owners will still be required to submit their staining request to the ARC and this will be reviewed in-house with no additional submittal fee.

3.27.5 Additional Fence Requirements

- A. Fence sections which front or abut any public or private street, another front yard, common walkway, greenbelt, park or non-urban area must be constructed so that the side of the fence which is generally accepted as being the most “finished” side or rail- side, fronts or abuts public or private streets, common walkways, etc. The most effective method of accomplishing this is to construct the entire fence with the “finished” side out.
- B. The ARC will require a transitional section of fencing, as applicable, where a fence adjoins a fence of any lesser height, for symmetry and aesthetics. Please refer to the fence details in Schedule 1.
- C. No electric fences are permitted (other than pet containment fencing installed below grade), and all wire installed (permitted only on the inside of the fence) must comply with the specifications in Schedule 1.
- D. It is important to remember that certain drainage patterns may exist along, or

under, proposed fence locations. When constructing a fence, be sure to provide for adequate space between the fence and the ground to accommodate these drainage patterns.

- E. When making a submittal for fencing, include the style and height of the fence, color of stain, and all other descriptive details, as well as an elevation drawing with dimensions of the fence and a plot plan with the location of the fence clearly marked.

3.27.6 Prior Approved Fencing

To the extent that fencing has been previously approved by the ARC based on a prior version of these Guidelines, such fencing will be required to be compliant with this section and Schedule 1 at such time as the fence is replaced, or whenever any repair is required or made to more than twenty five (25) percent of the existing fencing material.

3.27.7 Pet Fencing

Pet fencing may include any invisible fence on or within the perimeter boundary of an Owner's site per the above fencing standards. No chain link fencing will be permitted. See Section 3.20, Dog Houses and Section 3.21, Dog Runs.

3.28 Fire Pits

Approval is required for all permanent or built-in structures. Approval is not required for portable units. All units must be a minimum of 8 feet from the property line.

3.29 Firewood Storage

Approval is not required for storage of one (1) cord (4 feet wide by 4 feet high by 8 feet long) or less of wood. All firewood must be located in the side or rear yard, must be neatly stacked, shall not be visible from any street or the ground level of any other Unit, and must not be located so as to block established drainage patterns. All other wood must be stored in an approved enclosure, or "screened" from view.

3.30 Flags/Flagpoles

Approval is required for any freestanding flagpole.

Approval is not required for flagpoles mounted to the front of the residence 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 must 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. Flag size cannot exceed five (5) feet in length and three (3)

feet in width.

3.30.1 American Flags: 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 dwelling.
- 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 Units.
- E.** An Owner or resident may display a service flag bearing a star denoting the Owner's or resident'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 Unit. The flag may not be larger than nine (9) inches by sixteen (16) inches.

3.31 Garage Sales

Approval is not required. Garage, patio, porch or lawn sales may be held on any Unit only in accordance with the following guidelines. The Owner or resident of any Unit may conduct such a sale for up to three (3) consecutive days not more than twice in any calendar year if (a) the items sold are only his own personal property, furniture and furnishings, not acquired for purposes of resale; (b) such sale is held at such time and in such manner as not to unreasonably disturb any other resident of the area; and (c) such sale is held in full compliance with the requirements of all applicable law.

In order to maintain the highest level of Community appearance, all signage for garage sales held as permitted above must be freestanding; no posts may be driven into the ground. All signs must be uniform in size and color and must make it easy for those traveling the Community visiting garage sales to locate the homes having the garage sales. Signs found not meeting the above criteria may be removed. Signs shall be removed when the garage sale is finished and all remaining items disposed of or stored out of view. Prior approval from the ARC is required prior to posting any such signs on property of the District.

3.32 Garbage Containers and Storage Areas

See Section 3.84, Trash Containers, Enclosures and Pickup.

3.33 Gardens – Flower or Vegetable

Approval is not required for flower or vegetable gardens that do not exceed on hundred (100) total square feet. All flower gardens must be weeded, cared for and maintained. Vegetable gardens shall be located in the rear or side yard.

3.34 Gazebos

Approval is required. A gazebo must be an integral part of the rear yard landscape plan and must be similar in material and design to the residence. The color must be generally accepted as a complementary color to the exterior of the residence.

3.35 Grading and Grade Changes

See Section 3.23, Drainage.

3.36 Greenhouses

Approval will not be granted. Greenhouses are not permitted.

3.37 Hanging of Clothes

See Section 3.15, Clothes Lines and Hangers.

3.38 Hot Tubs and Jacuzzis

Approval is required. Hot tubs and Jacuzzis 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 that it 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.

3.39 Irrigation Systems

Approval is not required for underground automatic irrigation systems. Such systems may require approval through the City. All Units must have an underground automatic irrigation system installed with the landscape. All irrigation systems should be designed by a landscape architect, designer or irrigation specialist to ensure water management and plant growth. The irrigation system must be designed so that water does not cross

property lines and so the irrigation system is in complete compliance with the individual home's soil report recommendations, specifically with regard to the no-irrigation zone at the edge of the home's building foundation. All irrigation systems shall comply with any applicable City codes.

3.40 Kennels

Approval will not be granted. Breeding or maintaining animals for a commercial purpose is prohibited. Also see Section 3.21, Dog Runs.

3.41 Landscaping

Approval is required. All Owners must comply with any applicable landscaping requirements of the City. The plot plan of the residence 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.

The Unit landscaping should be designed to create a coherent environment which complements the overall Community. Plant material should relate to the scale and character used in the Community landscape areas and to the Unit improvements. Particular attention should be paid to the functional aspects of planting design. Consideration should be given to the use of plants for screening, space definition, erosion control, glare reduction, dust control, and aesthetics. The use of drought tolerant plants is highly encouraged. This means that in the landscaping of each Unit, plant materials, irrigation systems and maintenance practices should be utilized to conserve water, wherever possible. It should be noted that if Xeriscape landscaping is selected a more traditional "green" appearance can still be achieved. See Section 3.97, Xeriscape.

Landscaping must consist of trees, shrubs, ornamental grasses, ground covers, annual and perennial flowers, turf grasses, mulches and automatic irrigation.

In the case of shade or ornamental trees (deciduous), plantings may not be installed closer than six feet (6') from the property line. Any exceptions will need to be submitted for ARC review and possible approval.

In the case of evergreen trees (conifer), plantings may not be installed closer than ten feet (10') from the property line. Any exceptions will need to be submitted for ARC review and possible approval.

- A.** Thorny plants shall not be located within twenty (20) feet of sidewalks or walkways.
- B.** Planting beds must be separated from turf by edging.
- C.** Artificial Turf is not allowed in front yards.

- D. All landscaping shall include automatic irrigation.

3.41.1 Landscape Installation Schedule

- A. Initial landscaping of all yards shall be installed within one-hundred and eighty (180) days after closing on the sale of the Unit from the Developer or Builder to the first Owner if the closing occurs during the growing season (April 1 to July 31 of the same year), or by the following June 30 if the closing does not occur between April 1 and July 31. Extensions may be granted by the ARC upon receipt of a request by an Owner (specifications will need to be provided as to why an extension is being requested).
- B. The Owner shall install and thereafter maintain landscaping on the residential Unit and on the area between the sidewalk and curb of the street, also known as the "Street/Tree Lawn Area".

3.41.2 Landscape Maintenance

Each Owner shall maintain all landscaping on such Owner's Unit in a neat and attractive condition, including periodic and horticulturally correct pruning, removal of weeds and debris, and replacement of landscaping. This applies to the front, back, and side yards as well as the Street/Tree Lawn Area.

3.42 Latticework, Trellis, Arbors

Approval is required for any type of installation of latticework, trellis or arbor. Adequate framing is required. The inside height of a proposed arbor or trellis must not exceed eight (8) feet, six (6) inches. Considerations will include, but may not be limited to, height, color and material. Arbors must be complementary to the residence. Professionally prepared plans for arbors are highly encouraged to expedite the approval process; otherwise a photograph or catalog picture must be provided.

3.43 Lights and Lighting

Approval is not required for replacing existing lighting, including coach lights, with the same or similar lighting and style 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, 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.
- D.** The addition of a front yard light post will be allowed with approval and pursuant to the following:

 - (1) Exterior lights must be conservative in design and be as small in size as is reasonably practical.
 - (2) Exterior lighting should be directed toward the ground and be of low voltage to minimize glare onto neighboring properties and the street.
 - (3) Soft, outdoor pedestrian-oriented lighting should be used with dark colored lighting fixtures so as to be less obtrusive.
 - (4) The light post should match or complement the architecture of the home in design, size, color, and finish along with any existing light fixtures.
 - (5) Light posts shall be located at an appropriate distance from the right-of-way and property line to minimize glare onto neighboring properties and the street and should be integrated into the natural or architectural features of the site.
 - (6) Light or lamp posts shall not be erected higher than 6' feet from ground level, unless approved by the ARC.
 - (7) All lighting should not be intrusive to neighboring properties and must meet all City of Thornton requirements.

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.

3.44 Mailboxes

Approval will not be granted for individual mailboxes. Mail is delivered to group mailboxes and individual mailboxes on Units are prohibited.

3.45 Maintenance of Property

No Unit shall be permitted to fall into disrepair including, but not limited to, missing shingles, failure to maintain landscaping, worn and/or falling fencing and other damage to any Improvements on any Unit. All Units, including Improvements and landscaping thereon, shall be kept and maintained by the Owners thereof in a clean, safe, attractive and in good condition. No trash, litter, junk, boxes, containers, bottles, cans, furniture, implements or machinery shall be permitted to remain upon any Unit except as necessary during the period of construction. Lawns must be watered and maintained. Houses must be painted and repaired.

3.46 Motor Vehicles/Recreational Vehicles

All types of "recreational vehicles," including but not limited to trailers, mobile homes, detached camper units, utility and boat trailers, snowmobiles, race cars, watercraft or house trailers, are prohibited from parking anywhere within the Property unless parked within an enclosed garage, except for the "temporary expedient of unloading, delivery or emergency." Parking for seventy-two (72) consecutive hours during a seven (7) day period for loading and unloading is allowed. Parking of a recreational vehicle for a period of time in excess of seventy-two (72) consecutive hours in a seven (7) day period is prohibited, except as may be approved in writing by the ARC.

The purpose of the seventy two (72) hours is to load and unload, not to provide storage/parking for the unit. Recreational Vehicles must be stored/parked in the garage, off site, or as otherwise approved in writing by the ARC.

Vehicles shall not be parked on landscaped (i.e., rock, sod, mulch, plants, etc.) areas.

No inoperative or unlicensed vehicle shall be stored, parked, maintained or kept within the Property except within enclosed garages. "Inoperative vehicle" shall mean any automobile, truck, motorcycle or motorbike which has not been driven under its own propulsion for a period of two (2) weeks or longer. The foregoing restriction shall not include otherwise permitted vehicles parked by Owners while on vacation or during a period of illness.

Vehicles in violation hereof may be subject to towing at the Owner's expense, as more fully provided in the Covenants.

3.47 Ornaments/Art - Landscape/Yard

Approval will not be granted. Yard ornaments and yard art are not permitted.

See Also Section 3.77, Statues or Fountains.

3.48 Overhangs/Awnings- Cloth or Canvas

Approval is required. An overhang should be an integral part of the house or patio design. The color must be the same as, or generally recognized as, a complementary color to the

exterior of the residence. A swatch of material to be used must be provided with the review submittal. See Section 3.50, Patio Covers.

3.49 Painting

Approval is not required if color and/or color combinations are identical to the original manufacturer color established on the home and/or accessory improvement. Any changes to the color scheme must be submitted for approval and must conform to the general scheme of the Community.

- A.** Homeowners will need to submit the Design Review Request Form with your color samples, with photographs of the next four (4) houses on either side of your home.
- 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. Samples of colors requested must be painted on the garage door and must be large enough to see from the street.
- 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.

3.50 Patio Covers

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

3.51 Patios – Enclosed

See Section 3.3, Additions and Expansions.

3.52 Patios - Open

Approval is required. Open 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. Patios may not be more than twenty five (25) percent of the entire rear yard of the Unit unless otherwise approved by the ARC. Also Section 3.19, Decks.

3.53 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 3.24, Driveways.

3.54 Pipes

Approval is required for all exterior pipes, conduits and equipment. Adequate screening may also be required. See Section 3.87, Utility Equipment.

3.55 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.

3.56 Playhouses

Approval is not required if a structure is less than twenty four (24) square feet and less than six (6) feet high, from highest point to the ground.

Approval is required for structures greater than twenty four (24) square feet and/or greater than six (6) feet high, from the highest point to the ground. See Section 3.2, Accessory Buildings.

3.57 Poles

See Section 3.30, Flags/Flagpoles and Section 3.87, Utility Equipment.

3.58 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.

3.59 Pools

Approval is required. Pools must be placed in the rear yard and be an integral part of the deck or patio area. They should be located in such a way that they are not immediately visible to adjacent property Owners (i.e. screened with plant material). Above ground pools are prohibited. One (1) wading pool, if less than eighteen (18) inches high and eight (8) feet in diameter, per Unit, is permitted on a temporary basis without prior approval, if placed in the rear yard. See Section 3.38, Hot Tubs and Jacuzzis.

3.60 Radio Antennae

See Section 3.6, Antennae/Satellite Dishes.

3.61 Radon Mitigation Systems

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

3.62 Roofing Materials

Approval is required for all roofing materials other than those originally used by the builder. All buildings constructed on a Unit should be roofed with the same or greater quality and type of roofing material as originally used by the builder.

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

3.63 Rooftop Equipment

Approval is required. Equipment must be painted a color similar or generally accepted as complimentary to the roofing material of the house. All rooftop equipment shall be

installed so as to minimize its visibility. See 3.74, Solar Energy Devices.

3.64 Satellite Dishes

See Section 3.6, Antennae/Satellite Dishes.

3.65 Saunas

See Section 3.2, Accessory Buildings.

3.66 Screen Doors

See Section 3.22, Doors.

3.67 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 3.43, Lights and Lighting.

3.68 Sewage Disposal Systems/Septic Systems (Individual)

Approval will not be granted. Individual sewage disposal systems/septic systems are not permitted.

3.69 Sheds

See Section 3.2, Accessory Buildings.

3.70 Shutters - Exterior

Approval will not be granted. Exterior shutters are not permitted, including shutters that are only decorative in nature.

3.71 Siding

Approval is required. Vinyl siding will not be allowed.

3.72 Signs

Approval is not required for one (1) temporary sign advertising property 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. Such signs may be installed in the front yard or on the back yard fence of the Unit.

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 resident's Unit 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 Developer and/or a Builder.

3.73 Skylights

Approval is required. Bubble type skylights are prohibited. Skylight glazing must be clear, solar bronze, or white.

3.74 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.

3.75 Spas

See Section 3.38, Hot Tubs and Jacuzzis.

3.76 Sprinkler Systems

See Section 3.39, Irrigation Systems and Section 4.9, Irrigation.

3.77 Statues or Fountains

Approval will not be granted. Statues and fountains will not be permitted.

See Section 3.11, Birdbaths and Section 3.47, Ornaments/Art – Landscape/Yard

3.78 Storage Sheds

See Section 3.69, Sheds and Section 3.2, Accessory Buildings.

3.79 Sunshades

See Section 3.48, Overhangs/Awnings – Cloth or Canvas and Section 3.50, Patio Covers.

3.80 Swamp Coolers

See Section 3.5, Air Conditioning Equipment, Section 3.25, Evaporative Coolers, and Section 3.63, Rooftop Equipment.

3.81 Swing Sets

See Section 3.55, Play Structures and Sports Equipment.

3.82 Television Antennae

See Section 3.6, Antennae/Satellite Dishes.

3.83 Temporary Structures

The Covenants state that no structure of a temporary character, including, but not limited to, a house trailer, tent, shack, storage shed, or outbuilding shall be placed or erected upon any Unit. However, during the actual construction, alteration, repair or remodeling of a structure or other Improvements, necessary temporary structures for storage of materials or waste may be erected and maintained by the Person doing such work. The work of constructing, altering, or remodeling any structure or other Improvements shall be diligently pursued from the commencement thereof until the completion.

3.84 Trash Containers, Enclosures, and Pick Up

Approval is required for any trash or garbage enclosure. Refuse, garbage, trash, lumber, grass, shrub or tree clippings, plant waste, compost, metal, bulk materials, scrap, or debris of any kind may not be kept, stored or allowed to accumulate on any Unit except inside the residence constructed on the Unit. No garbage or trash cans or receptacles shall be maintained in an exposed or unsightly manner. All garbage or trash cans or receptacles shall be stored out of site (except that a container for such materials may be placed outside at such times as may be necessary to permit garbage or trash pickup.) Trash containers may be placed on the street for pickup after 5:00 p.m. on the evening prior to the day that such

trash is to be picked up. Trash containers must be properly stored the evening of pickup.

3.85 Tree Houses

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

3.86 Tree Lawns

Owners are responsible for the maintenance of all landscaping on the Owner's Unit. Owners are also responsible for the maintenance of the Street/Tree Lawn Area (the area between the sidewalk and street), even if such area is within a public right-of-way. Owners are not permitted to alter plant material installed by the Builder or Developer in Street/Tree Lawn Area, except to replace dead plant material with like material, or as otherwise approved in writing by the ARC. This includes no addition of shrubs, perennials, annual flowers, ground cover or hardscape materials within this Street/Tree Lawn Area other than for replacement of like material.

3.87 Utility Equipment

Approval is required for installation of utilities or utility equipment. Utility facilities must be kept and maintained, to the extent reasonably possible, underground or within an enclosed structure.

3.88 Vanes

See Section 3.92, Weather Vanes and Directionals.

3.89 Vents

See Section 3.63, Rooftop Equipment.

3.90 Walls

See Section 3.27, Fences and Section 3.91, Walls, Retaining.

3.91 Walls, Retaining

Approval is required. Front yard retaining walls shall not exceed thirty (30) inches in height. In the side yard, retaining walls up to thirty (30) inches high, with a planted slope above the wall, may be constructed. In no event shall rear yard retaining walls exceed four (4) feet in height unless installed by the Builder or Developer. All retaining walls shall comply with applicable requirements of the City of Thornton 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.

3.92 Weather Vanes and Directionals

Approval is required.

3.93 Wind Electric Generators

Approval is required. In addition to ARC approval, windmills and any other type of fixture, which fall under the criteria of a wind generator, or are used to generate power etc., must meet the requirement of the C.R.S. 40-2-124 and any regulations of the Colorado Public Utilities Commission.

3.94 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.

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

Approval is not required for window well covers that are manufactured with metal or Plexiglas. 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 second story windows and other windows visible to the street.

3.96 Work Involving District Property

Approval is required. Generally, driving vehicles, including wheelbarrows, across District property is not permitted. However, when circumstances warrant, the Board of Directors 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.

3.97 Xeriscape

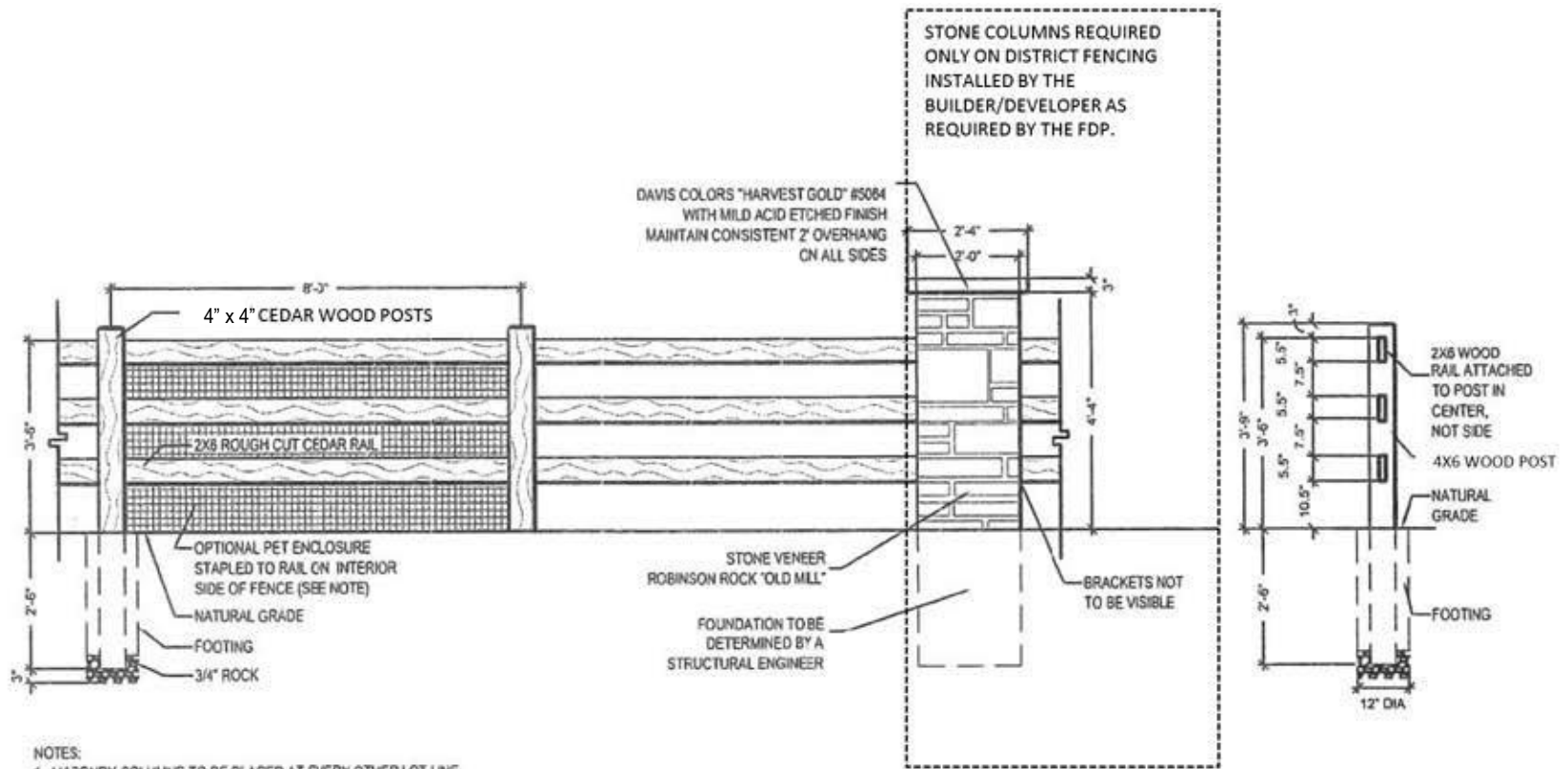
Approval is required. Using drought tolerant plantings and other water conservation methods of landscaping is encouraged; however, the design must be approved. Xeriscape uses much less water than typical suburban residential landscape, but it does not mean that large areas of river rock or mulch will be allowed in place of green, growing plant material. Living plant material is required. A landscape that contains less than forty five

(45) percent sod in the front and/or rear yards, or side yards wider than fifteen (15) feet shall be considered xeriscape.

The City of Thornton has a xeriscape garden and has listed all of the plant material used for the project at <https://www.cityofthornton.net/thornton-parks/Pages/xeriscape-garden.aspx>. This may be used as a resource of materials that will thrive in the area.

SCHEDULE 1 - FENCE DETAILS

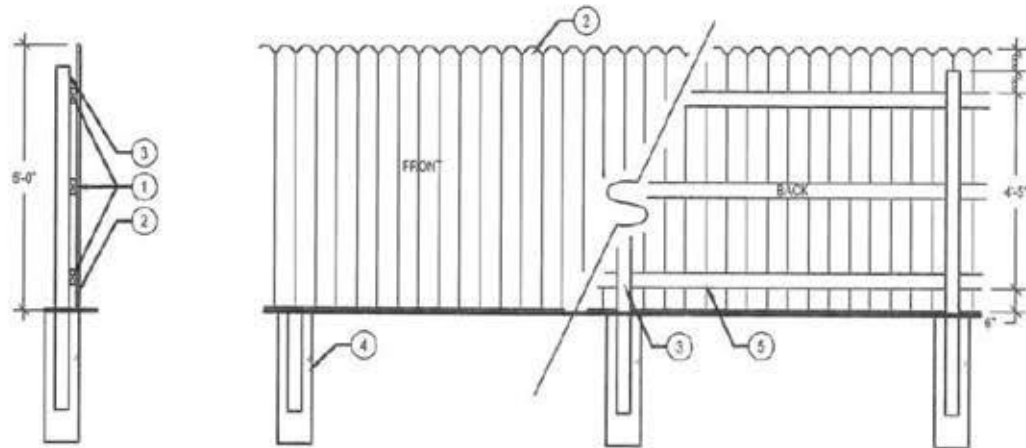
See attached sheets.



- NOTES:
1. MASONRY COLUMNS TO BE PLACED AT EVERY OTHER LOT LINE.
 2. FENCE STAIN CUSTOM COLOR DUNE GRAY BY DIAMOND VOGEL, ZINSSER, OR KVAL HOWELL
 3. PET ENCLOSURE MATERIAL: 12 GAUGE 2"x4" GALVANIZED STAINLESS STEEL WIRE MESH. PET ENCLOSURE MATERIAL IS TO COVER ALL THE OPENINGS AS SHOWN IN ABOVE DETAIL.

3 RAIL FENCE DETAIL

REVISED: 02/28/2018
 Approved fence stain color: Behr Transparent Waterproofing Wood Finish Part #401 Cedar Natural Tone.

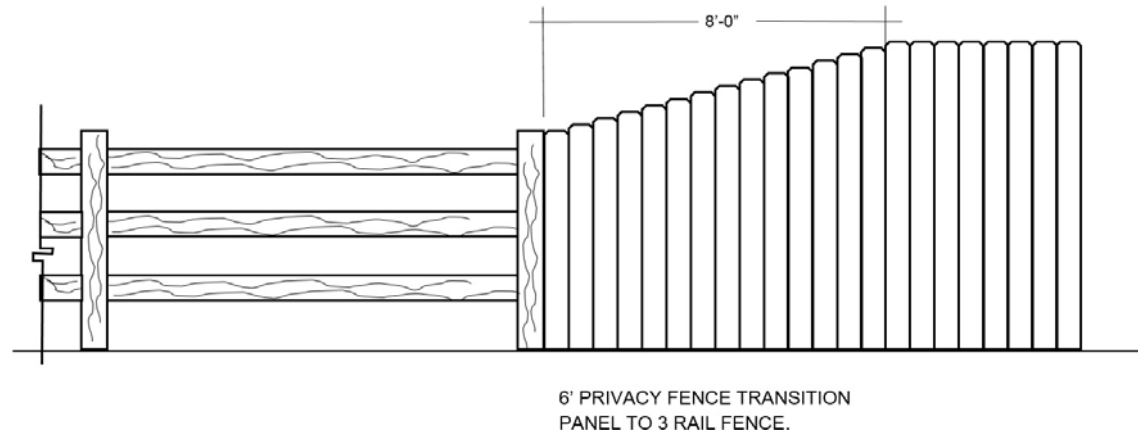


- ① 2"x4" CEDAR RAILS ON BACK OF FENCE (TOP, MIDDLE, & BOTTOM)
- ② 1" x 4" CEDAR PICKETS WITH 'DOG EAR TOPS'
- ③ 4"x4" CEDAR POSTS ON BACK OF FENCE @ 8' O.C.
- ④ CONC. FOOTING 13" MIN. DIAMETER 30" DEPTH
- ⑤ STEP FENCE IN PANEL SECTIONS WITH NO MORE THAN 4" BETWEEN BOTTOM RAIL AND FINISHED GRADE

6' Privacy Fence
 REVISED: 02/08/2018

Approved fence stain color: Behr Transparent Waterproofing Wood Finish Part #401 Cedar Natural Tone.

- Any intersection, either in line or at an angle, of open rail fence and 6' privacy fence shall have an 8' transition panel in the privacy portion of the fence.
- Certain corner lots have site triangle restrictions on the lot. An open rail fence may be used to extend fencing into the sight triangle restriction. Any intersection between the two fence types shall have the specified transition panel.



TRANSITION PANEL

SCHEDULE 2 - APPROVED FENCE STAIN COLOR

Behr Transparent Waterproofing Wood Finish Part #401 Cedar Natural Tone