

***FALLBROOK METROPOLITAN DISTRICT***

***DESIGN GUIDELINES***

***FEBRUARY 2019***

Fallbrook Villas Homeowners:

You are a taxpayer in the Fallbrook Villas Metropolitan District (the “District”). All taxpayers of the Fallbrook Villas community and their properties are subject to Architectural Review Procedures and Design Guidelines.

These Design Guidelines are intended to assist homeowners in Fallbrook (“Community”) on making choices on landscaping and other improvements to their property, and as provided for in Article 6 of the Declaration of Covenants, Conditions and Restrictions for Fallbrook Farms, recorded on September 15, 2017 at Reception No. 2017000080821 in the Adams County real estate records. The Fallbrook Architectural Design Review Committee (“DRC”) has jurisdiction over design and aesthetic aspects of the Community. We hope you will find this guide helpful and refer to it when you are preparing a design review request for the DRC. These Design Guidelines shall also provide guidance to Owners regarding matters of particular concern to the DRC in considering applications submitted.

Architectural Review includes, but is not limited to (a) the construction, installation, erection or expansion of any building, structure, or other improvement, including utility facilities and fencing, (b) the demolition or destruction, by voluntary action, of any building, structure, or other improvement, (c) the landscaping, grading, excavation, filling, or similar disturbance to the surface of the land including change of grade, change of ground level, change of drainage pattern, and (d) any change or alteration of any previously approved improvement to property, including any exterior change of appearance, texture or color.

A spirit of cooperation between the DRC and members of the Community will go far in creating a harmonious environment that benefits all homeowners and help protect your financial investment.

Please refer to the enclosed guidelines for information about design restrictions for Fallbrook Villas Metropolitan District and the proper procedure for submitting requests for approval.

Should you have any questions, please contact the District management company. Contact information is located on the Design Review Form.

Sincerely,  
Board of Directors  
Fallbrook Villas Metropolitan District

## I INTRODUCTION

A. DEFINITIONS - The following words, when used in these Design Guidelines (as hereinafter more fully defined), shall have the meaning hereinafter specified:

1. "Adjacent Residence" means a single-family attached, residential dwelling constructed within the Property, that is located next to and adjoining another Residence.
2. "Board" or "Board of Directors" means the body, regardless of name, designated in the Declaration to act on behalf of the Metropolitan District.
3. "City" means the City of Thornton, Colorado.
4. "Declarant" means CalAtlantic Group, Inc., a Delaware corporation, and any other person or group of persons acting in concert, to whom the Declarant, by recorded document, expressly assigns one or more of the Declarant's rights under the Declaration.
5. "Declaration" means the Fallbrook Farms Declaration of Covenants, Conditions and Restrictions including any supplements and amendments.
6. "Design Review Committee" or "DRC" means the committee established by the Metropolitan District for the purposes set forth in Article 6 and any other applicable provisions of this Declaration.
7. "Design Review Request" means the information required to be submitted to the Committee by an Owner seeking approval of Proposed Improvement(s) to their Home or Lot from the Committee, as required pursuant to the Declaration and these Design Guidelines.
8. "Design Guidelines" means these Design Guidelines, as such may be amended from time to time by the Committee.
9. "Existing Improvement" means an Improvement which has been constructed, erected, placed, planted, applied, or installed on a Lot or a Home prior to the date these Design Guidelines were adopted.
10. "Improvements" means the following located or occurring on any portion of the Property: basketball backboards, outdoor play structures, fences, walls, hedges, plantings, landscaping, "yard art" (including, without limitation, all statues, decorative pieces and other pieces of art located in the yard area of any Lot which are intended to remain in place longer than typical holiday period decorations; holiday period decorations which are in place for less than six weeks are specifically excluded from this definition of Improvements), lighting, poles, driveways, parking areas, sidewalks, patios, decks, signs, changes in any exterior color or shape, excavation and site work, removal

of trees or plantings, and any new exterior construction or exterior improvement on a Lot which may not be included in the foregoing. The term "Improvements" includes both original improvements and all later changes and improvements on a Lot.

11. "Lot" or "Lots" means a physical portion of the Property which is designated for separate ownership or occupancy, and the boundaries and identifying number of which are described in or determined from the Plat. As used herein, the definition of a Lot shall include a lot or other portion of the Property designated for separate fee ownership other than property owned by the Metropolitan District or other governmental entity.
  12. "Metropolitan District" or "District" means the Fallbrook Villas Metropolitan District, its governing board and/or any other District or quasi-governmental entity, to whom the Metropolitan District may, from time to time, transfer or assign any or all of the rights and duties of the Metropolitan District under this Declaration. Each such assignment or transfer, if any, shall be effective upon recording in the Records a document of transfer or assignment, duly executed by the then Metropolitan District.
  13. "Metropolitan District Property" means any real property within the Property now or hereafter owned or leased by the Metropolitan District, together with Improvements located on Metropolitan District property.
  14. "Owner" or "Lot Owner" means the Declarant or other Person who owns a Lot, including a Purchaser of a Lot, but does not include a Person having an interest in a Lot solely as security for an obligation.
  15. "Property" or "Project" means and refers to the real property which is owned by the Declarant. The name of this project is Fallbrook Farms.
  16. "Residence" means a single-family, attached residential dwelling constructed within the Property.
- B. GOAL OF DESIGN GUIDELINES - The overall objective of these Design Guidelines is to serve as a uniform guide for both Owners and the members of the Committee in their efforts to maintain and enhance our carefully designed Community. These Design Guidelines are not intended to be all-inclusive or exclusive, but rather they are intended to assist Owners in their efforts to make Improvements within the Community and to maintain a well-kept Community in order to protect and enhance the economic property, aesthetic values, and the overall desirability of the Homes within our Community by conforming to and harmonizing with the existing surroundings, residences, landscaping, and structures.
- C. AUTHORITY OF THE DESIGN REVIEW COMMITTEE - The Declaration addresses the authority of the Committee and, among other things, vests the Committee, with the advice of the Board of Directors, with the following authority:

1. To enact, issue, promulgate, modify, amend, repeal, re-enact, and enforce the Architectural or design Guidelines, guidelines, rules, and regulations to interpret and implement the provisions of the Declaration;
  2. To review Design Review Requests and to take action to approve or deny Proposed Improvements within the Community; and
  3. To interpret these Design Guidelines by exercising its reasonable judgment to achieve the end that all Proposed Improvements conform to and harmonize with the existing surroundings, residences, landscaping, and structures.
- D. CONTENT OF DESIGN GUIDELINES - These Design Guidelines establish certain acceptable designs for different types of Proposed Improvements to residential property in the Community and are intended to assist the Owners. Prior to installation or commencement of construction, all Proposed Improvements, except those constructed by the Declarant, must be submitted to the Committee for review and approval pursuant to the procedures set forth in the Declaration and these Design Guidelines. These Design Guidelines contain:
1. The introductory material;
  2. A list of specific types of Proposed Improvements which Owners might wish to make, with specific information as to each of these types of Proposed Improvement; and
  3. A summary of the procedures to follow when submitting a Design Review Request for a Proposed Improvement to and seeking approval from the Committee.
- E. EFFECT OF THE DECLARATION - Each Owner should become familiar with the Declaration. These Design Guidelines and procedures are supplementary to all of the terms and provisions of the Declaration, and shall remain in full force and effect. In the event of any actual or apparent conflict between these procedures and the Declaration, the Declaration shall prevail.
- F. EFFECT OF GOVERNMENTAL AND OTHER REGULATIONS - Use of any property and any Improvements in the Community must comply with applicable building codes and other governmental requirements and regulations. Approval and permits from the City of Thornton shall be obtained where required. Approval by the Committee will not constitute assurance that Existing Improvements or Proposed Improvements comply with applicable governmental requirements and regulations. For information about City of Thornton's requirements, Owners should write or call the City of Thornton's Building Department.
- G. INTERFERENCE WITH UTILITIES - In Planning Proposed Improvements, Owners are responsible for locating all water, sewer, gas, electric, telephone, cable television, irrigation lines, and other utility lines and easements. Owners should not make any Proposed Improvements over such easements without also obtaining the consent of

the utility involved. Owners will be responsible for any damage to utility lines. Underground utility lines and easements can usually be located by contacting the Utility Notification Center of Colorado at 1-800-922-1987.

## II. SPECIFIC TYPES OF IMPROVEMENTS - DESIGN GUIDELINES

- A. GENERAL - The following alphabetical list provides pertinent information related to a wide variety of specific types of Proposed Improvements which Owners and builders typically consider installing on their Homes or Lots.
- B. Unless otherwise specifically stated, Owner shall submit a Design Review Request to the Committee for a Proposed Improvement, and the written approval of the Committee shall be obtained prior to any construction of the Proposed Improvement.
- C. Proposed Improvements which are not specifically listed in this Section II. of the Design Guidelines require Committee approval.
- D. The architectural style of a Proposed Improvement shall be consistent with the style and character of the Homes and Lots built in the same general area of the Community. The Committee in its sole discretion shall determine such consistency.

### IMPROVEMENTS

- A. ADDITIONS AND EXPANSIONS - Owners must follow the Design Review Request process as specified in Section III of these Design Guidelines. Additions or expansions to the Home are considered to be major Proposed Improvements requiring the submission of detailed plans and specifications, including description of materials to be used, and plan and elevation drawings showing dimensions, setbacks, roof slopes, etc. Additions and expansions must be of the same architectural style and color as that of the Home. All work is subject to obtaining required permits from the City of Thornton .
- B. ADDRESS NUMBERS - Committee approval is required to relocate the existing address numbers to a position different from that originally installed by the builder. Any additional address numbers must have approval from the Committee.
- C. ADVERTISING - See Signs.
- D. AIR CONDITIONING EQUIPMENT - Air conditioning equipment must be ground-mounted behind the wing fence. It should be installed in such a way that any noise to adjacent Homes is minimized. Installation of air conditioning equipment on the roof of the Home or in a window of the Home will not be permitted.
- E. ANIMALS - No animals, livestock, birds, poultry, reptiles, or insects of any kind shall be raised, bred, or kept boarded on any Lot in the Community or in any Home. Not more than two (2) dogs, cats, or other household pets in the aggregate constitutes a "reasonable number" which may be kept in any Home, but only if such household pets

are not raised, bred, kept, or maintained for any commercial purpose. No horses shall be kept in the Community. Dogs, cats, or other household pets owned by Owners or their guests shall not be permitted to run at large, but shall be kept under the control of such Owner by leash, cord, or chain. The Owner of any dog, cat, or other household pet shall immediately remove excrement deposited by said animal upon any property in the Community.

- F. ANTENNAS - The Design Guidelines for the Fallbrook Villas community recognize and adhere to all local, state and federal regulations concerning antennas and dishes. No one will be denied the use of a recognizable system. Large satellite dishes will be prohibited in favor of the smaller varieties unless otherwise approved by the DRC. Inconspicuous location under the eaves is encouraged.

No exterior radio antennas, television antennas or other antennas may be erected unless approved in writing by the DRC. Any facility for the transmission or reception of audio or visual signals shall be, to the extent reasonably possible, kept and maintained underground or within an enclosed structure. Notwithstanding the foregoing, neither the restrictions nor the requirements of this Section shall apply to those antennas (which may include some satellite dishes and other devices) that are specifically covered by the Telecommunications Act of 1996, as amended from time to time ("FCC Rule"). As to antennas which are specifically covered by the FCC Rule, the DRC has adopted the following reasonable restrictions governing installation, maintenance and use of the types of antennas that are permissible thereunder, and to the extent permitted by the Telecommunications Act of 1996, as amended, establishing reasonable, non-discriminatory restrictions relating to appearance, safety, locations, and maintenance of same.

Antenna size and type: Direct broadcast satellite ("DBS") and multipoint distribution service antennas ("MMDS") antennas/dishes that are one (1) meter (39") or less in diameter and for personal use of a homeowner may be installed. DBS and MMDS antennas/dishes larger than one (1) meter are prohibited. All antennas/dishes not covered by the FCC Rule are prohibited.

Installation Location. All antennas/dishes shall be installed with emphasis on being as unobtrusive as possible to others in the community. To the extent that reception is not substantially degraded or installation costs unreasonably increased, all antennas/dishes 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: (i) "rear" yard or "side" yard behind and below the fence line; (ii) "rear" yard or "side" yard, mounted on the house, in the least visible location below roofline; (iii) "side" yard in front of wing fence, screened by and integrated into landscaping; (iv) "front" yard screened by and integrated into landscaping; (v) "rear" yard rooftop. If more than one (1) location on the property 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. Antennas/dishes shall NOT be attached to the fence, nor shall antennas/dishes be permitted to encroach upon District Property or

any other Owner's property.

If selected installation site is not in the "rear" or "side" yard behind and below the fence line, the Owner shall complete a notification form and deliver it to the District, along with a statement signed by the Owner and the installer of the antenna/dish stating that all positions described in preference orders (i)-(v) listed above have been tried in order of rank, and that the site of installation is the first site whereby an acceptable quality signal can be received. For example, if an acceptable quality signal is available from a site in the "rear" yard behind and below the fence line, as described in location (i), locations listed in (ii) through (v) are not acceptable.

Installation Method. 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 property(s). All antennas/dishes shall be no larger than is necessary for reception of a quality signal. Any mast installation must strictly comply with the FCC guidelines. Owners are responsible for all costs associated with the antenna/dish, including but not limited to installation, replacement, repair, maintenance, relocation, and/or removal of same.

All cabling must be run internally when feasible, must be securely attached, and must be as inconspicuous as possible. Antennas/dishes, masts, and any visible wiring may be required to be painted to match the color of the structure to which they are attached, at the Owner's expense.

NOTE: Antenna registration and/or approval with the DRC should in no way be construed as a representation, guarantee, or warranty that reception and/or transmission signals will be adequate or will remain undisturbed by vegetation or improvements located on surrounding properties.

All other antennas not addressed above, shall remain restricted on all residential sites and Committee approval is required prior to installation.

- G. ARTIFICIAL TURF - Artificial turf is only allowed in back yards. The back yard must be enclosed on all sides and the turf must be sufficiently screened and/or buffered along the perimeter of the property in order to minimize visibility from the street or any District tracts. Adequate base/drainage must be provided under the turf surface, and a plan showing the turf installation area and proposed drainage plan must be provided with the design review submission. A 12" X 12" sample of the proposed synthetic turf, together with product name, manufacturer, and component information supplied by the manufacturer, along with any material or use warnings that apply to the product must be provided with the design review submission. If approved, synthetic turf must be maintained in an attractive condition, and not allowed to fade, crack, or otherwise fall into disrepair. If synthetic turf is not maintained in accordance with community standards, the homeowner will be required to remove and replace the synthetic turf with new product or with natural turf.

- H. ASTRO-TURF - Neither Astro-turf nor any other floor covering shall be used on the front porch, or patio in place of natural grass.
- I. AWNINGS/OVERHANGS - Awnings or overhangs 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. Submittal must include swatches of fabric/material to be used. Awnings must be of the retractable variety and closed when not in use. Must be kept in a neat, clean and attractive condition.
- J. BASKETBALL BACKBOARDS/HOOPS - Not permitted.
- K. BIRDBATHS/HOUSES AND FEEDERS - Must be located in rear yard only.
- L. BUSINESS ACTIVITIES - Lots shall be used for residential use only, including uses which are customarily incident thereto and shall not be used at any time for business, commercial or professional purposes. Notwithstanding the foregoing, however, Owners may conduct business activities within their homes provided that all of the following conditions are satisfied, as determined by DRC:
  - 1. The business conducted is clearly secondary to the residential use of the home and is conducted entirely within the home;
  - 2. The existence of operation of the business is not detectable from outside of the home by sight, sound, smell or otherwise, or by the existence of signs indicating that a business is being conducted;
  - 3. The business does not result in an undue volume of traffic or parking within the Community;
  - 4. The business conforms to all zoning provisions and is lawful in nature; and
  - 5. The business conforms to all Districts Rules and Regulations, Policies and Procedures.
- M. CABLE TV ANTENNAS - See Antennas.
- N. CAMPERS - See Motor Home Vehicles.
- O. CLOTHESLINES AND HANGERS - Permanent clotheslines and permanent drying racks/devices are not allowed. Temporary or retractable clotheslines and hangers that are taken down after each use are permitted and must be approved by DRC. All outdoor clothes poles, clotheslines, and other facilities for drying or airing of clothing or household goods shall be placed or screened by fence or shrubbery so as not to be visible from neighboring property or adjacent streets.
- P. CLOTH OR CANVAS OVERHANGS - See Awnings/Overhangs.

- Q. COLORS - See Painting.
- R. CORNER VISIBILITY - Compliance with the City of Thornton's intersection sight distance criteria required.
- S. DECORATIONS/SEASONAL - No approval is required provided materials are not installed earlier than 30 days prior to the holiday, and are removed within 30 days following the holiday. (See also Flags). Figurines, lawn ornaments or other displays may not be mounted on roofs or located outside of lot fences. Sensitivity to light levels should be applied when installing decorative holiday lighting. Exposed spotlights are prohibited.
- T. DECKS/PATIOS - All requests will be evaluated on placement and circumstances of each back yard as well as visual screening and proximity to neighbors. Submittal must include material and stain color. Materials compatible with the home in color and size should be utilized.
- U. DOG RUNS - Dog runs must be constructed with fencing approved by the Committee. Note: Chain link is not an approved fencing material. Wood screening or mature landscape should hide a substantial view of the dog run. Dog runs must have double fence when next to any District owned fence and may not use any District owned fence as part of the dog run fence. The Committee may require written consent from adjacent neighbors before approving a dog run Design Review Request.
- V. DOORS - Screen/Storm/Security doors must be a neutral color, and/or match existing color of front door or exterior trim on home. Scrollwork and filigree are not permitted. Security doors with busy patterns are highly discouraged. Entry doors must be stained or painted a color that is compatible with trim and siding color of home.
- W. DRAINAGE - Modification or impeding the flow of drainage is prohibited.
- X. DRIVEWAYS - Modifications to the original driveway and drive additions must be aesthetically pleasing and in conformance with the overall look of the Community. Widening the driveway for extra parking space is not permitted. Parking in rear or side yards is not permitted.
- Y. EXTERIOR LIGHTING - See Lights and Lighting.
- Z. EXTERIOR MATERIALS - Committee approval is required. The only acceptable exterior building materials are high-quality hardboard siding, brick, stone, or other harmonious materials utilized for accent or Home details as approved by the Committee.
- AA. FENCES - Any fences, walls, brick columns, and entrance monuments (individually and collectively "Fences") constructed by developer/builder along or abutting Lot lines, arterial streets, collector streets, or local streets may not be removed, replaced, or altered, including adding a gate, without approval of the Committee. Perimeter Fences may not have gates or removable sections. There can be no rear or side yard

access through perimeter Fences. If any such Fences constructed by developer or builder which are located upon an Owner's Lot are damaged or destroyed by Owner or Owner's agents, guests, invitees, or tenants, the Owner shall repair and recondition the same at the Owner's expense.

- a) Side yard Fences may not extend past the front corner of the Home.
- b) Front yard fencing - not permitted.
- c) Gates - Committee approval is required. Double gates are not permitted. Gates opening to the street (other than installed by builder) or open space are not permitted.
- d) Any Fence that is constructed inside the property line is deemed to grant an easement to all adjacent neighbors so that they may join the fence, and the Owner joining to the fence agrees to maintain the easement area. If requested, the Owner agrees to provide a document confirming granting of such easement.
- e) No plastic or metal chicken wire, hog wire, barbed wire, chain link, or strand wire will be allowed. All property line Fence height differentials must be treated with a transition fence.
- f) Fences shall not be constructed within right-of-way areas or side Lot easements and, must be set back from the sidewalk the distances established in City of Thornton's requirements.
- g) Maintenance Responsibility - Deteriorated materials must be replaced by the Owner with materials identical to the original in quality, quantity, and design.

BB. FLAGPOLES - The display of the American flag or of a service flag bearing a star or denoting the service of the Owner or occupant of the Lot, or a member of the Owner's or occupant's immediate family, in the active or reserve Military service of the United States during a time of war or armed conflict, on a unit owner's property in a window of the unit, or on a balcony of the unit is permitted, provided the flag(s) do not exceed three feet by five feet in size. Bracket holders are permitted without prior approval. One American flag and/or one Colorado flag are permitted to be displayed provided the flag(s) do not exceed 5' square feet. Approval is required for all other flags/banners. Freestanding poles are not allowed. Sports teams' flags will be allowed during the duration of a single sporting event (not the entire sport season). Holiday flags will be allowed not more than 30 days prior to the holiday and be removed within 30 days after the holiday. Flags must be kept/flown in a neat and attractive condition at all times.

CC. GARAGE SALES - No approval is necessary for garage sales provided the items for sale are personal household goods and have not been purchased for re-sale in bulk, at auction or estate sale, and such sale is held in such a manner so as to not disturb other

residents of the area. Garage sale days are limited to two consecutive days and all advertising of said sale shall be removed no later than end of last sale day.

- DD. GARBAGE CONTAINERS AND STORAGE AREAS - See Trash Containers.
- EE. GRADING AND GRADE CHANGES - See Drainage.
- FF. HANGING OF CLOTHES - See Clotheslines and Hangers.
- GG. HOT TUBS - The equipment must be designed as an integral part of the patio area and installed in such a way that it is not immediately visible to or will adversely impact neighbors by noise, drainage or other such problems. They will only be permitted in back yards at ground level and the DRC reserves the right to require screening around the equipment, in the form of landscaping or otherwise.
- HH. HOLIDAY DECORATIONS - All seasonal decorations may not be installed more than thirty (30) days prior to a holiday and must be removed within thirty (30) days following that particular holiday or celebration. Consideration of neighbors should be exercised when decorating for any occasion.
- II. HOME NUMBERS - See Address Numbers.
- JJ. IRRIGATION SYSTEMS - Underground manual or automatic irrigation systems will not require approval of the Committee. Such systems should not be installed within five feet (5ft.) of the foundation.
- KK. JACUZZI - See Hot Tubs.
- LL. JUNK VEHICLES - See Motor Home Vehicles.
- MM. LANDSCAPE AND MAINTENANCE - Rear yard landscaping shall be completed by the owner within six (6) months after initial conveyance of the property to the owner, consideration given to planting seasons. Should an extension be foreseen due to time of year, written notice must be made to the DRC prior to the six – month expiration, at which time the DRC will issue a new time requirement to the Owner, but in no case later than 12 months after conveyance.

Flower and vegetable gardens/beds and should be shown on landscape plan submittal. Details regarding the material used for construction of “raised” garden/beds should be included with plans. The use of railroad ties is prohibited. Vegetable gardens are limited to side and back yards and height of mature plants shall not exceed 6 feet. All gardens shall be kept in a neat, weed-free condition.

There shall be no interference with the established drainage pattern over any lot or property within the Community except as approved in writing by the DRC. Approval shall not be granted unless provision is made for adequate alternate drainage. The

“established drainage pattern” shall mean the drainage pattern that exists at the time the overall grading of any property is completed and shall include any established drainage pattern shown on any plans approved by the DRC. The established drainage pattern may include the drainage pattern: (a) from District Properties over any Lot or Tract; (b) from any Lot or Tract over the District Properties; (c) from any property owned by any third party over any Lot or Tract; and (d) from any Lot or Tract over property owned by any third party; or (e) from any Lot or Tract over another Lot or Tract. In addition:

1. Each property owner is required to contain mud, silt, or other debris on his/her own property. Owners are not allowed to increase or decrease historical flows of water onto adjacent property.
  2. Planting in District Property is not permitted.
  3. Landscaping shall comply with requirements set forth by builders’ warranty.
  4. Landscaping shall follow all requirements of the City of Thornton.
  5. Gravel, rock, and/or soil piles left in front or on visible side yards of parcels, or on the driveway shall be left no longer than a period of fifteen (15) days. Gravel, rock, and or soil piles are not permitted on the street.
  6. Delivery and placement of landscape materials shall not damage greenbelt, entry, or median areas. Delivery trucks are not allowed to cross the greenbelt, entry, or median areas (to avoid sprinkler and landscape damage). If this regulation is violated and damage to the District Property results, the Owner will be held financially responsible for repairing the damage caused by the Owner or the Owner's agent, guest, invitee, or tenant.
- NN. LIGHTS AND LIGHTING - All exterior lighting must be in compliance with the following guidelines:
1. All lighting, including any security type fixture, shall either be indirect or of such controlled focus and intensity so as not to disturb the residents of adjacent or nearby property.
  2. Walkway lighting must be directed to the ground and shall not exceed 24” in height.
  3. String lights/patio décor lighting must be approved by all adjacent neighbors in writing.
  4. Lighting fixtures shall match other exterior fixtures in style and scale for uniformity.
  5. Exterior lighting must be conservative in design and be as small in size as is reasonably practical.

6. Exterior/landscape lighting shall be placed on a timer, switch, or otherwise be programmable to not illuminate from 10:00 p.m. to 6:00 a.m.
  7. Light bulbs used in exterior fixtures (garage carriage lights, front/back door lights, etc.) shall be white or clear. Colored light bulbs shall be used only on a temporary basis as part of holiday lighting/decorations and/or special event recognition of a short-term duration (maximum 30 days).
  8. DRC reserves the right to require a reduction of the number of exterior landscape lighting installed if deemed necessary.
  9. Holiday lighting and decorations do not require approval. They shall not be installed more than 30 days prior to the holiday and shall be removed promptly within 30 days following the holiday. "Holiday" for the purposes of this provision shall include Memorial Day, 4th of July, Halloween, Thanksgiving and Christmas and/or Chanukah.
- OO. MOTOR HOME VEHICLES - Not permitted to be located or parked permanently within the Community. These vehicles must be moved from the Community within seventy-two (72) hours unless approved in writing by the Committee. This seventy-two (72) hour period is allowed for loading or unloading before and after trips. Such vehicles may be stored only within garages. The Metropolitan District does not permit enclosed structures other than garages for this type of storage.
- PP. MOTORIZED VEHICLES - Motorized vehicles include, but are not limited to, snowmobiles, golf carts, motorcycles, minibikes, go-carts, mopeds, and delivery trucks, but exclude lawn cutting, snow removal, or maintenance equipment. Motorized vehicles shall not be parked so as to be visible from any of the Homes or the street. Motorized vehicles are not to be driven on greenbelts or District Property.
- QQ. OVERHANGS - CLOTH OR CANVAS - See Awnings/Overhangs.
- RR. PAINTING - Committee approval is not required if color and color combinations are identical to the original color painted by builder. Color and color combination changes require Committee approval. Changes include any paint or color scheme other than the original brand paint, color number, and scheme which is on file with the builder or the Committee. The DRC will take into consideration the color tone and brightness, Architectural style, stone or brick accents, roofing colors, and compatibility with other colors. No adjacent properties or properties located directly across the street or cul-de-sac from each other shall be allowed to use the same color scheme. Color samples must be at least 8"x10" and marked clearly as to the areas in which they will be used. The submittal package must also include a color picture of the home that indicates the current color scheme, and pictures of adjacent properties/properties located directly across the street/across the cul-de-sac. Exterior finishes shall be compatible with the generally established neighborhood theme. Accent and "punch" colors, such as front doors, shutters, etc. may be more pronounced; however, in no case shall bright, neon, fluorescent, or primary tones be allowed. In addition:

1. All roof vent caps, louvers, plumbing stacks, chimney flashing, valley flashing, etc., are to be painted a color not in contrast with the color of the roofing.
  2. It is recommended that all Homes be painted on a regular schedule to avoid chipping and peeling. Paint schemes must be different from neighboring Homes. The Committee will not approve Design Review Requests which do not include a description with neighbors' paint colors.
  3. Garage doors are to be the same color as the siding or trim of the Home, unless otherwise approved by the Committee. Outlining the garage door panels in a contrasting color or in a checker board design is not permitted.
  4. Most Homes have multiple tone paint schemes (e.g., siding color, trim color, and accent color for shutters and doors). New colors submitted should, but are not required to, preserve this multiple tone scheme. For example, if the trim was a different color than the doors and shutters originally, it should also be different in the submitted colors.
  5. Color selection Design Review Requests to the Committee should include four sets of manufacturer's paint chips. Please indicate which color chips are for trim, siding, and accent (doors and shutters) color. PLEASE PLAN AHEAD AND SUBMIT DESIGN REVIEW REQUESTS TO ALLOW FOR THE COMMITTEE'S FORTY-FIVE (45) DAY REVIEW TIME FRAME PROVIDED FOR UNDER THE DECLARATION AND THESE DESIGN GUIDELINES.
  6. In general, after approval, only those areas that are painted may be repainted; only those areas stained may be restained; unpainted surfaces and unstained areas (such as brick) shall remain unpainted and unstained.
- SS. PATIOS - See Decks/Patios.
- TT. PAVING - Committee approval is required for front yard changes, regardless of whether for walks, driveways, patio areas, or other purposes.
- UU. PETS - See Animals.
- VV. PIPES - See Utility Equipment.
- WW. PLAY/SPORTS EQUIPMENT/TRAMPOLINES - Not Permitted.
- XX. PLAYHOUSES - Not Permitted.
- YY. POLES - See Flagpoles, Utility Equipment, Basketball Backboard, etc.
- ZZ. POOLS - See Hot Tubs.
- AAA. RADIO ANTENNAS - See Antennas.

- BBB. RENEWABLE ENERGY GENERATION DEVICES AND ENERGY EFFICIENCY MEASURES - All such devices must be integrated into the existing design of the home, and if roof mounted, shall be at the same pitch and angle of the existing roof. No exterior plumbing may be visible from the street or adjoining properties. All solar energy devices must be installed by a professional.
- CCC. ROOFS - Submit colors and type of materials to be used. Uniformity with existing Homes in the Community is required.
- DDD. ROOFTOP EQUIPMENT - Not permitted.
- EEE. SAUNAS - See Hot Tubs.
- FFF. SETBACKS - The City of Thornton's requirements must be met.
- GGG. SEWAGE DISPOSAL SYSTEMS - Not permitted.
- HHH. SHEDS/EXTERIOR BUILDINGS - Not Permitted.
- III. SHUTTERS - Exterior shutters must be the same materials and painted to match the color scheme of the exterior of the Home.
- JJJ. SIDING - Siding must be essentially the same as the siding installed by the builder on other Homes in the Community, must be high-quality hardboard siding, and must be painted according to these Design Guidelines.
- KKK. SIGNS - All Signage in the Community is subject to the City of Thornton's Sign Code. No advertising or signs of any character shall be erected, placed, permitted, or maintained other than a name plate of the occupant and a street number, and except for a "For Sale," "Open House," "For Rent," or security sign(s) of not more than a total of five square feet (5 ft<sup>2</sup>) posted only for the purpose of selling, renting, or evidencing the existence of a security system on such Lot, and such other signs, for such length(s) of time, which have the prior written approval of the Committee or are otherwise expressly permitted by law; provided, however, that any and all such advertising or signs shall be subject to any and all specifications and/or rules and regulations adopted by the Committee or the Board of Directors, from time to time. Notwithstanding the foregoing, any signs, advertising, or billboards may be used by the Declarant or by a builder (with the Declarant's prior written consent) without regard to any specifications or any rules and regulations of the Committee, and without the prior written approval of the Committee. The Owner or occupants of a Home or Lot may display political signs during the period that begins forty-five (45) days prior to an election and ends seven (7) days after an election, provided that such signs are no larger than the smaller of (a) the size of political signs allowed by local ordinance or (b) thirty-six inches by forty-eight inches (36"x48").

- LLL. SPAS - See Hot Tubs.
- MMM. SPRINKLER SYSTEMS - See Irrigation Systems.
- NNN. STATUES, FOUNTAINS, LAWN ORNAMENTS, and WATER FEATURES - The Committee will consider limited statues, fountains, lawn ornaments, or water features in rear yard if the Proposed Improvement is consistent with the overall Lot landscape theme, is consistent with Home colors (both field and trim), is harmonious with other Homes in the Community, and its height shall not exceed three feet (3 ft.).
- OOO. STORAGE SHEDS - See Sheds.
- PPP. STORM DOORS - See Doors.
- QQQ. SUNSHADES - See Awing's/Overhangs.
- RRR. TELEVISION ANTENNAS - See Antennas.
- SSS. TEMPORARY VEHICLES - See Motor Home Vehicles.
- TTT. TRAILERS - See Motor Home Vehicles.
- UUU. TRASH CONTAINERS - Trash containers shall only be placed at curbside for pick-up after 7:00 p.m., on the eve of trash day and shall be returned to a proper storage location by 9:00 p.m. the day of pick-up. Trash containers shall be stored out of sight at all times except on the day of pick-up and shall be kept in a clean and sanitary condition.
- VVV. TREE HOUSES - Not permitted.
- WWW. UNDERDRAINS - Modification or impeding the flow of drainage is prohibited.
- XXX. UTILITY EQUIPMENT - Installation of utilities or utility equipment requires Committee approval unless the equipment is to be located underground or within an enclosed structure. Pipes, wires, poles, utility meters, and other utility facilities must be kept and maintained, to the extent reasonably possible, underground or within an enclosed structure.
- YYY. VEHICLES - See Motor Home Vehicles.
- ZZZ. VENTS - See Rooftop Equipment.
- AAAA. WALLS - RETAINING - Retaining walls must be constructed to conform to local municipal code requirements. The Owner shall provide a detailed landscape plan, indicating the size and exposure of the retaining wall, as part of the Design Review Request. Owners are responsible for maintaining appropriate Lot drainage and shall not impair adjacent Lot drainage patterns. Retaining walls shall be constructed of brick, treated wood,

natural stone, or similar materials, subject to approval by the Committee. Exposed concrete retaining walls will not be permitted.

BBBB. WELLS - Not permitted.

CCCC. WIND TURBINES - Not permitted.

DDDD. WINDOWS - Committee approval is required for all windows that are not of the same style or design as was originally installed by the builder. Design Review Requests submitted to the Committee shall include a description of the window frame material and color. Mill finish on aluminum windows is not permitted. Security window bars are not permitted.

EEEE. XERISCAPE - Xeriscape is defined as the incorporation of native drought tolerant, or low water use plant material into landscape plans. Xeriscape offers Owners an opportunity to select plants and plant materials that are more compatible with local Colorado conditions. Xeriscape landscapes must include a combination of rock, mulches, shrubs, trees, grasses, and ground covers. A minimum of sixty-five percent (65%) of the area to be landscaped must be covered by plant material at maturity. Contact your local nursery for suggested plant species to incorporate in a xeriscape landscape plan.

### III. PROCEDURES FOR COMMITTEE APPROVAL

A. GENERAL - All Proposed Improvements, including Proposed Improvements not contained within Section II. of these Design Guidelines, shall have been first submitted to and approved by the Design Review Committee before a Proposed Improvement is commenced.

B. ADVISING OF NEIGHBORS - It is suggested and recommended that Owners advise neighbors of their Proposed Improvements prior to making a Design Review Request to the Committee. The Committee, in its discretion, may request adjacent neighbor input as part of its deliberation process.

C. DESIGN REVIEW REQUEST - Prior to commencing any improvement to any Lot or Home in the Community, an Owner must make a Design Review Request in accordance with these procedures.

All Design Review Requests should be made to the District's Management Company and must include the following:

1. One (1) copy of the "Design Review Request" form, attached to these Design Guidelines, which must be signed and dated by the Owner; and
2. One (1) copy of complete drawings, specifications, and plans, as further described in these Design Guidelines.

3. One (1) copy of Owner's plot plan.
- D. DRAWINGS, SPECIFICATIONS, AND PLANS -The Declaration requires an Owner to submit to the Committee, prior to commencement of any Proposed Improvement, drawings, descriptions, plot plans, construction plans, specifications, and samples of materials and colors, etc., as well as such other materials and information that may be required by the Committee in order to show exterior design, height, materials, color, and location of any Proposed Improvement plotted horizontally and vertically, location and size of driveways, location, size, and type of landscaping, fencing, walls, windbreaks, and grading plan in relation to the Proposed Improvement.

Whether done by the Owner or professionally, the following provisions should be followed in preparing drawings, specifications and plans.

1. Plans should be done to scale, and should depict the property lines of the Lot and the outside boundary lines of the Home as located on the Lot. Drawings made from a Lot survey base are preferred;
2. Existing Improvements, in addition to the Home, should be shown on the drawing, specification, or plan, and identified or labeled. Such Existing Improvements include driveways, walks, decks, trees, bushes, etc.;
3. The Proposed Improvements should be shown on the drawing, specification, or plan and labeled;
4. Either on the drawing, specification, or plan, or on an attachment, there should be a brief description of the Proposed Improvement, including the materials to be used and the colors;
5. The drawing, specification, or plan and other materials should show the name of the Owner, the address of the Home or Lot, and a telephone number where the Owner can be reached;
6. The drawing, specification, or plan shall include dimensions, setbacks, roof slopes, types of materials and both elevation and plan views of all proposed expansions or additions and;
7. Applications for paint change must be accompanied by samples or chips of the colors to be approved, along with a written description of color schemes of adjacent Homes.

Drawings, specifications, plans, color samples, and other materials submitted by Owner as part of the Design Review Request process will be retained by the Committee in accordance with its obligations as further detailed in the Declaration.

- E. REVIEW FEE - No fee is charged at the time the Design Review Request is submitted for review by the Committee. All costs for review of Design Review Requests shall be borne

by the submitting Owner, shall be assessed to the submitting Owner, and shall be payable prior to final approval. Potential costs for review of Design Review Requests may include any reasonable engineering consultant fees or other fees incurred by the Committee in its review.

- F. ACTION BY THE COMMITTEE - The Committee will meet as required to review submitted Design Review Requests. The Committee may require submission of additional information or material and the Design Review Request will not be deemed submitted until all information and materials required by the Committee have been received by the Committee. The Committee will act upon all Design Review Requests within forty-five (45) days after receipt of the complete Design Review Request or forty-five (45) days after receipt of all additional information and materials requested by the Committee, whichever is later, unless the time is extended by mutual agreement. The Committee may obtain input from the Board related to any Design Review Request. All decisions of the Committee will be in writing.
- G. RE-SUBMITTAL OF PLANS - In the case of disapproval of any submission, any re-submission of plans will follow the same procedure as an original submittal.
- H. PERFORMANCE OF WORK - After approval of any Proposed Improvement by the Committee, the Proposed Improvement should be accomplished as promptly and diligently as possible and in complete conformity with the approved plans, drawings and descriptions as well as any other terms and conditions of the approval. The work must be completed, in any event, within one (1) year after approval by the Committee.
- I. NOTICE OF COMPLETION - Upon completion of the Improvement, the applicant shall give written "Notice of Completion" to the DRC. Until the date of receipt of such Notice of Completion, the DRC shall not be deemed to have notice of completion of such Improvement.
- J. ENFORCEMENT OF DECLARATION AND DESIGN GUIDELINES - The District shall have the responsibility to enforce the architectural requirements of the Declaration and these Design Guidelines.
- K. INSPECTION - The Committee shall have the right, but not the obligation, to inspect any Proposed Improvement prior to, during, or after completion of the same, in order to determine whether or not the Proposed Improvement is being completed or has been completed in compliance with the Declarations, Design Guidelines, and Committee approval. The right of inspection shall terminate thirty (30) days after the DRC has received Notice of Completion from the applicant and the DRC has been provided access to inspect the work if needed. Unless the DRC expressly states in a written document that an Improvement is being completed or has been completed in conformance with the approval therefore, no such conformance shall be inferred from any inspection of the Improvement.
- L. COMPLAINT - Owners may submit written complaints to the District for violations of the

architectural requirements of the Declaration and these Design Guidelines within the Community (“Complaint”). Upon receipt of a Complaint the District will investigate the same if such Complaint is dated and signed by the submitting Owner. The District shall use all reasonable means to maintain the anonymity of complaining Owners. The District shall be allowed access to the property of the Owner filing the Complaint for purposes of verification of the Complaint.

If a violation is found, the District shall notify the Owner whose Lot or Home is in violation, in writing, requesting that appropriate action be taken to achieve compliance. If such Owner does not bring the violation into compliance with the Declaration and Design Guidelines within the time specified by the notice, the District will request that the violation be referred to the Board for enforcement action, which may include the District fining the Owner for such non-compliance.

- M. RIGHT TO APPEAL - If, after review, the DRC gives notice of any noncompliance, the applicant may appeal to the Board of Directors by giving written notice of such appeal to the Board of Directors and DRC within thirty (30) days after receipt of notice of noncompliance.
- N. NON-LIABILITY OF THE DRC AND DECLARANT - Neither the DRC, or their respective successors or assigns, shall be liable in damages to anyone submitting plans. This exemption from liability shall be for any reason, including because of mistake in judgment, negligence or nonfeasance. Every owner or other person who submits plans to the DRC for approval agrees, by submission of such plans and specifications, that he or she will not bring action or suit against the DRC to recover damages.
- O. VARIANCES, WAIVERS, AND NO PRECEDENT -
  - 1. Variances - The Committee may grant reasonable variances or adjustments from any conditions and restrictions imposed by the Declaration or these Design Guidelines in order to overcome practical difficulties or prevent unnecessary hardships.
  - 2. Waivers - The approval or consent of the Committee to any Design Review request, variance, or adjustment shall not be deemed to constitute a waiver of any right to withhold or deny approval or consent by the Committee as to any application or other matters whatsoever as to which approval or consent may be subsequently required.
  - 3. No Precedent - The approval or consent of the Committee to any Design Review Request, variance, or adjustment shall not be deemed to constitute a precedent as to any other matter.

AMENDMENT – These Design Guidelines may at any time, from time to time, be added to, deleted from, repealed, amended, modified, reenacted, or otherwise changed by the Committee in its discretion, with the advice of the Board.