

RESIDENTIAL IMPROVEMENT GUIDELINES

AND RESIDENTIAL SITE RESTRICTIONS

FOR

FOUNDERS VILLAGE

I. **INTRODUCTION**

1.1 **Basis for Guidelines.** These Residential Improvement Guidelines and Residential Site Restrictions are intended to assist homeowners in Founders Village in making landscaping and other improvements to their property, and as provided for in the Master Declaration of Covenants, Conditions and Restrictions, to list the rules and regulations adopted by the Community Association with respect to the use of Residential Sites. ***"IMPROVEMENTS TO PROPERTY" INVOLVING A RESIDENTIAL LOT IN THE FOUNDERS VILLAGE DEVELOPMENT AND THE COMMUNITY DECLARATION FOR FOUNDERS VILLAGE DEVELOPMENT REQUIRES PRIOR APPROVAL OF THE ARCHITECTURAL CONTROL COMMITTEE BEFORE ANY "IMPROVEMENT"***. "Improvement to Property" is very broadly defined in the Covenants, Conditions and Restrictions. For instance, an "Improvement to Property" would include any landscaping or change of the grade of property; the construction or installation of any accessory building, patio, deck, pool or hot tub; the demolition or removal of any building or any other modifications to the lot or home. In order to assist homeowners, the Covenants, Conditions and Restrictions authorize the Architectural Control Committee to establish guidelines and pre-authorizes designs for several types of Improvements to Property from the requirement for approval. This booklet contains the guidelines established by the Architectural Control Committee with respect to residential property. Throughout this document the term "property" shall refer to a Residential Site.

1.2 **Contents of Guidelines.** In addition to the introductory material, these Guidelines contain (a) a listing of specific types of improvements which homeowners might wish to make with specific information as to each of these types of improvements; (b) rules and regulations applicable to Residential Sites; (c) a summary of procedures for obtaining approval from the Architectural Control Committee; (d) some pre-approved designs for such things as fences and trash enclosures; and (e) some helpful landscaping ideas and information.

1.3 **Architectural Control Committee.** The Architectural Control Committee consists of five members and is appointed as outlined in the Master Declaration of Covenants, Conditions and Restrictions.

1.4 **Committee Address and Phone.** The address of the Architectural Control Committee will be the same as the address of the Committee Association. The present address is c/o PCMS 7000 S. Yosemite Street, Suite 150, Englewood, CO 80112. The telephone and fax numbers are (303)224-0004, and (303)224-0002, respectively. Email address is corpoffice@pcms.net.

1.5 **Effect of Community and Supplemental Declarations.** The Covenants, Conditions and Restrictions for Founders Village Development is a document governing

property within Founders Village. Particular areas or group of lots become part of the Community Association Area by annexation pursuant to a Supplemental Declaration. Copies of the Covenants, Conditions and Restrictions and the applicable Supplemental Declaration are delivered to new home buyers when they purchase their homes and are available at any time at the Community Association office. Each homeowner should review and become familiar with the Covenants, Conditions and Restrictions and the Supplemental Declaration applicable to his or her property. Nothing in these Guidelines can supersede or alter the provisions or requirements of the Covenants, Conditions and Restrictions or of the applicable Supplemental Declaration and, if there is any conflict or inconsistency, the Covenants, Conditions and Restrictions and the applicable Supplemental Declaration will control, until otherwise amended and recorded.

Founders Village Development or its successors or assigns may record or cause to be recorded Supplemental Declarations creating restrictions and protective covenants for each subdivided parcel of land within Founders Village. These supplemental Covenants, Conditions and Restrictions may provide for a sub-association and/or separate Architectural Control Committee (ACC) to review and approve the architecture, design, and permitted uses within that subdivided parcel. In addition to approval of improvements to property by the Master Architectural Control Committee, (MACC) approval shall also be required by the ACC of the sub-association. If at some future date the powers and duties of the MACC are transferred to the ACC, approval by the MACC will no longer be required.

1.6 Effect of Development Guide. A Planned Development Guide for Founders Village Development was approved by the Town of Castle Rock. The Development Guide defines permitted uses in the various areas of Founders Village and contains some provisions which could affect improvements by homeowners. The Development Guide establishes, among other things, minimum lot area and in some cases, minimum lot width, minimum front yard, side yard and rear yard distances (i.e., "set backs") and maximum building height. The Development Guide identifies permitted Accessory buildings and uses and sets development standards for signs. Finally, the Development Guide contains provisions on off-street parking which, for instance, require that garages be kept and maintained so as to be accessible and usable at all times.

1.7 Effect of Governmental and Other Regulations. Use of property and Improvements to Property must comply with applicable building codes and other governmental requirements and regulations. Approval by the Architectural Control Committee will 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. For general information about the Town of Castle Rock requirements, homeowners may write or call the Town of Castle Rock Building Department, 1469 Columbine St., Castle Rock, Colorado, 80104, 303-660-1066. ***Note, where a building permit is required, a copy of the permit shall be submitted to the ACC within 90 days of approval by the ACC, or such approval shall be automatically revoked.***

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

Castle Rock Water Department 660-1015
Intermountain Rural Electric 688-3100

1.9 Goal of Guidelines. Compliance with these Guidelines and Restrictions, the provisions of the Covenants, Conditions and Restrictions and the applicable Supplemental Declaration will help preserve the inherent architectural and aesthetic quality of Founders Village. It is important that the improvements to Property are compatible with standards established for Founders Village. If a question ever arises as to the correct interpretation of any terms, phrases or language contained in these Guidelines and Restrictions, the Architectural Control Committee's interpretation thereof shall be final and binding.

II. SPECIFIC TYPES OF IMPROVEMENTS - GUIDELINES

2.1 General. Following is a listing, in alphabetical order, of restrictions as well as a wide variety of specific types of improvements which homeowners 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 ARCHITECTURAL CONTROL COMMITTEE AND THE WRITTEN APPROVAL OF THE ARCHITECTURAL CONTROL COMMITTEE OBTAINED BEFORE THE IMPROVEMENTS ARE MADE. YOUR HOMEOWNER ASSESSMENTS MUST BE CURRENT IN ORDER FOR ANY PROPOSED IMPROVEMENTS TO BE REVIEWED BY THE ARCHITECTURAL CONTROL COMMITTEE.*** In some cases, where it is specifically so stated, a homeowner may proceed with the improvement without advance approval by the Architectural Control Committee if the homeowner follows the stated guideline. In some cases, where specifically stated, a type of improvement is prohibited. If you have an improvement in mind not listed below, Committee approval is required. To proceed prior to Architectural Control Committee approval may result in your having to remove the improvement and lose all money invested in the project. In certain instances, the Architectural Control Committee may want to retain jurisdiction on the approval of certain improvements or additions to your property. An example of this retained jurisdiction would be wind chimes installed when no one lives on the lot adjacent to your property or the current neighbors don't mind the wind chimes. At some time in the future when new neighbors move in and do oppose the wind chimes, the Committee would ask you to remove them.

2.2 Accessory Buildings. Committee approval is required. Approval will be based upon, but not limited to, the following criteria:

- A) Must be of the same or generally recognized as complimentary architectural style and color as that of the residence.
- B) Maximum sizes will be 8' x 10' x 8' in height including skirts, foundation or concrete slab. Requests for approval will be reviewed on a case-by-case basis, taking into consideration the lot size, square footage of the home and proposed location of shed or Accessory building.
- C) Must be screened by a fence.
- D) Should be located in the side yard whenever possible.
- E) Roof should be complimentary to existing roof on residence.
- F) Should not unreasonably obstruct adjacent neighbor's view of mountains or open areas.
- G) Shrubs and/or trees equal to 3/4 the height of the shed or Accessory building at planting may be required for screening purposes. Amount, size and location of vegetation will be at Committee's discretion.
- H) Materials other than wood, masonite or that resembling the home will generally be discouraged.
- I) Should be set back a minimum of 3' from side of property lines and 5' from rear property lines or comply with subdivision setback requirements.

2.3 Additions and Expansions. Committee approval is required. Additions or expansions to the home will require submission of detailed plans and specifications.

2.4 Address Numbers. See Section 2.67

2.5 Advertising. See Section 2.67

2.6 Air-conditioning Equipment. Committee approval is required. Seasonal air-conditioning equipment and vents are not permitted. Central air-conditioning units should be installed in such a way that any noise to adjacent property owners is minimized. Installation of air-conditioning equipment on the roof of the house is not permitted. Installation of an air-conditioning unit in the front of a house, visible from the street or an open space area will not be permitted.

2.7 Antennae. Installation inside of the home, such as in an attic, does not require approval by the ACC.

2.8 Awnings. See Section 2.47

2.9 Balconies. See Section 2.19

2.10 Basketball Backboards. Committee approval is not required if garage mounted with backboard and support structure painted to match or is generally recognized as a complement to existing color scheme of the residence or if backboard is painted a standard white. Garage mounted backboard in front yard may not project more than two feet from the front of garage. Portable Basketball hoops may be left out, unscreened from view, from April 1st through October 30th, provided they are not placed on any public sidewalk or street.

2.11 Birdbaths, Birdhouses and Birdfeeders. Committee approval is not required if limited to 1 foot by 2 feet and if no more than one in number is installed on any lot. A birdhouse or birdfeeder which is mounted on a pole may only be installed in the backyard and height cannot exceed six (6) feet in height.

2.12 Boats. See Section 2.18

2.13 Cable TV. Cable television can be installed without prior approval of the ACC provided that all cable lines running from the cable box to the home are properly buried underground and all cable lines running on the siding of the home are properly hidden so as not to look in poor condition. Lines should run parallel with the siding and with all trim boards and be painted to match the exterior colors of the home.

2.14 Carport. Committee approval required. No carport may extend past front building line and must comply with other set back requirements.

2.15 Circular Driveways. See Section 2.23

2.16 Clothes Lines and Hangers. Not permitted.

2.17 Cloth or Canvas Overhangs. See Section 2.47

2.18 Commercial/Recreational Vehicles. Each Filing within Founders Village has a set of Supplemental Declarations of Covenants, Conditions and Restrictions particular to that

recreational type vehicles, including but not limited to, campers, trailers, motor homes, water crafts, snowmobiles, etc. If your Filings Supplemental Declarations address commercial or recreational type vehicles, then the Master Association may enforce the regulation of the Filing, until such time as the homeowner(s) in that Filing amend and record a revision to the current Supplemental Declarations.

If your Filings Supplemental Declarations are silent regarding recreational type vehicles, the Master Association requires that all commercial and recreational type vehicles be parked, (parking for this reference is as defined by the Town of Castle Rock's Zoning Ordinance), in a completely enclosed garage or a side yard completely screened from view and approved by the Architectural Control Committee, effective January 1, 1999. Owners/residents may load and unload commercial or recreational type vehicles in the community (Loading and Unloading for this reference is as defined by the Town of Castle Rock's Vehicles and Traffic Ordinance).

A commercial vehicle is defined as a vehicle that has a business name or logo on it, has equipment attached to it or used for the purposed of providing services to an individual or business. In the case of a commercial vehicle(s), if the commercial vehicle will not fit in the owner's/resident's garage, due to size limitations and has been in the possession of the owner/resident prior to January 1, 1999, the owner/resident can file a petition to the Master Association for a temporary exemption to this regulation. All temporary exemptions must be filed by March 31, 1999 and if approved by the Master Association, will expire on or before December 31, 2001, as determined in the sole discretion of the Master Association.

All owners or residents that purchase or move into the community after January 1, 1999 must comply with the commercial vehicle regulation and will not be granted a temporary exemption.

2.19 Decks. Committee approval is required. Must be redwood or other material similar to the material of the residence and painted a similar or generally accepted as a complementary color to the residence. Must be installed as an integral part of the residence and patio area. Must be located so as not to obstruct or diminish greatly, the view of adjacent property owners or to create an "unreasonable" level of noise for adjacent property owners. Construction of decks over a slope area is discouraged and generally not permitted.

2.20 Dog Runs. Committee approval is not required if located in rear yard, abutting the home and substantially screened from view, provided it is limited in size to 250 square feet, is no more than five feet high in maximum height and is constructed of chain link or wire mesh with wood or metal posts. Dog Runs must be fenced from view.

2.21 Doors. Committee 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 lathe color is generally accepted as a complementary color to that of existing doors on the house. Complementary colors would be the body color of the house or white.

A) Storm Doors. Committee approval is not required for storm doors, if the Forever View door by Emco or equivalent is used. Colors to be utilized should be either Antique Almond or White. In all cases the color should be complementary with the color scheme of the home. Homeowners wishing to utilize a different storm door or color must first obtain approval from the Architectural Control Committee.

A) Security Doors and Windows. All Security or security-type doors and windows must be approved by the Architectural Control Committee prior

2.22 Drainage. Committee approval is required for any change affecting drainage. There should be no interference with the established drainage pattern over any property except as approved in writing by the Architectural Control Committee. The established drainage pattern means the drainage pattern as engineered and constructed by the builder/developer prior to (or in some cases, immediately following) conveyance of title from builder/developer to the individual homeowner. 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, ponding near or against the house foundation, walkways, sidewalks and driveways into the street. The Architectural Control Committee may require a report from a drainage engineer as part of landscaping or improvement plan approval. Landscaping should conform to the established drainage pattern. No landscaping such as grass or plants requiring extensive watering is permitted within five feet of the house foundation. The use of gravel or crushed stones is encouraged.

2.23 Driveways. Extension, expansion or redesign of driveways requires prior Committee approval. Approval or requests for width extensions over three (3) feet on driveways will be based on, but not limited to the following criteria:

- A) Minimum distance between the new extension and any other driveway, sidewalk or public right-of-way shall not be less than ten (10) feet.
- B) Upon completion, the maximum width of the driveway should not exceed twenty-four (24) feet.
- C) Extensions shall be constructed of identical materials and design to that of the existing driveway.
- D) Extensions shall not encroach upon neighboring property boundaries or change the existing drainage pattern or grade.

Replacement or repair of any existing driveway or sidewalk with identical materials and design will not require Committee approval. Any approved driveway expansion shall not be intended to promote access to parking or storage of any vehicle off the driveway on a side yard.

2.24 Evaporative Coolers. See Section 2.6

2.25 Exterior Lighting. See Section 2.43

2.26 Fencing Guidelines.

General. Fences and walls are both architectural and landscape architectural design elements, depending on how they are used. Fencing generally serves three functions: it creates outdoor areas or spaces; it protects what it surrounds; and it defines spaces such as entrance ways. Too much fencing can have the same ill effects on the landscape as too little fencing. As a result it should be used judiciously.

It is important that fences and walls have carefully considered design elements that:

- A) Relate directly to the architecture in terms of materials, color and detail.
- B) Relate to the placement and massing of landscape architectural materials

and land forms.

As a fence is moved farther from the house itself, it should become more transparent, lower in height, and less architecturally related to the house.

Fence Definitions. There are four (4) types of fencing to be considered at Founders Village.

- A) Perimeter Fencing: these fences define a major development boundary and occur along all major roadways.
- B) Open Rail Fence: an open rail fence can be either two or three rail fencing.
- C) Six foot Privacy Fence: located on rear and side yard property lines. Available in standard cedar 4" or 6" "dog eared" pickets.
- D) Standard Gate: a gate placed in any connecting fence.

Each of these fence types is to be coordinated and controlled to assure the unity of a development. Fences are to be left natural or stained with a semi-transparent stain. Cedar color only, pigment can be added to the stain, if desired. Sunwood, treated fencing may also be used for posts and rails. These standards should be viewed as a guideline.

Fences

- E) Fences for Founders Village. In no event will the Founders Village Architectural Control Committee approve or permit the constriction of any privately owned fence which runs parallel to or in the same general direction as a previously installed Founders Village theme fence unless said privately owned fence is located at least 10 feet away from the Founders Village theme fence. Side yard fences may connect with a theme fence so long as a height is properly transitioned as approved by the Architectural Control Committee for Founders Village.
- B) General Statement. Fences and/or walls constructed by Founders Village Development along or abutting property lines, arterial streets, collector streets and local streets may not be removed, replaced, painted or altered, including adding a gate without approval of the Architectural Control Committee. If any such fences and/or walls constructed by Founders Village Development which are located upon a homeowner's property are damaged or destroyed, the homeowner shall repair and recondition the same at the homeowner's expense. Some fences and/or walls may be located upon property owned by the District or Association and, if so, the approval of such must also be obtained before any such fence and/or walls are removed, replaced, painted or altered.
- A) Drainage Under Fencing. 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 a space of 2" to 3" between the bottom of the fence and the ground elevation so as not to block these drainage patterns.

- A) Pre-approved Fence Design. Fences planned to be located in the rear or

side yards along property lines may be constructed without Architectural Control Committee approval if they are constructed exactly in accordance with the specifications as outlined in these guidelines. Property line fences may be solid or open depending on the location of the lot within a subdivision. An interior lot (one which does not abut a greenbelt, open space or major arterial or collector street) may have a six foot solid fence, or an open rail fence along any lot line abutting another lot or road right of way. On a lot abutting a proposed or existing greenbelt or open space, the Perimeter Fence must be used.

- A) Fences requiring Architectural Control Committee Approval. Any fence improvement that varies from the pre-approved fence guideline will require Architectural Control Committee approval. Alternative fence types and locations which would require Architectural Control Committee approval include, without limitation, the following:
- 1) Front yard property line fencing. Height limitation will be six feet. Use and design must be approved by the ACC.
 - 2) Property Line Abutting a Right of Way. If different from a pre-approved design, height limitation will be six feet. A 2" x 6" top cap treatment may be used.
 - 2) Chain-link or welded wire property line fencing. Not permitted.
 - 4) Fences located within property line. (Not considered a property line fence.) Must be wood or chain link and must be an integral part of the landscape design and not visible from adjacent property.
 - 5) Open Rail. Open rail fences may be used along interior lot lines. When using an open rail fence, the rear yard must be maintained as if no fence were used.

The Architectural Control Committee will look favorably upon fences which are similar to those initially constructed within Founders Village with the distance between posts or pilasters the same, and using similar materials and colors.

No chickenwire, hogwire, barbed wire or strand wire fences will be allowed. Wood material used for any fence may be unstained cedar or redwood, other rough sawn materials or other materials as specified on fence detail sheets. Fence sections which front or abut any public or private street, common walkways, greenbelt, park or non-urban area must be constructed such that the side of the fence which is generally accepted as being the most "finished" side faces said public or private street, common walkway, etc. and comply with the fence designs specified for these areas. All property line fence height differentials must be treated with a section of transition fence. As to lots with a slope rising away from the house, the Committee will consider a privacy fence located at the foot of the slope rather than on the property line at the top of slope, or a three foot six inch open fence on the property line at the top of the slope. In this case a landscaping and maintenance plan for the slope area may be required by the Architectural Control Committee.

2.28 Flagpoles, Flags. A maximum of two 3 foot x 5 foot flags, National or State, attached to a pole, not to exceed 6' in height and 2" in diameter, may be affixed to the front or back of a house with Committee approval. The top of the flag pole may not be higher than 9 feet above the front door entry floor elevation.

2.29 Garbage Containers. See Section 2.80

2.30 Gardens - Flower. Committee approval is not required. All flower gardens must be weeded, cared for and carefully maintained. Flowers should not exceed three feet in height unless approved by the Committee.

2.31 Gardens - Vegetable. Committee approval is not required if located in the rear or side yard and screened or substantially screened from view of adjacent homeowners.

2.32 Gazebos. Committee approval is required. Must be an integral part of the landscape plan. Must not obstruct adjacent property owner's view. Must be similar in material and design to the residence and the color must be generally accepted as a complementary color to the exterior of the residence and must comply with all existing set back requirements. Roof material should match that of house.

2.33 Grading and Grade Changes. See Section 2.22

2.34 Greenhouses. Committee approval is required.

2.35 Hanging of Clothes. See Section 2.16

2.36 Hot Tubs. Committee approval is required. Must be an integral part of the deck or patio area and of the rear yard landscaping. Must be in the rear yard. Should 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.

2.37 Irrigation Systems. Underground manual or automatic irrigation systems will not require approval of the Architectural Control Committee.

2.38 Jacuzzi. See Section 2.36

2.39 Junk Vehicles. See Section 2.46

2.40 Kennels. See Section 2.20

2.41 Landscaping. Committee approval will not be required if the landscaping plan closely resembles the landscaping that exists in any of the homes within your Filing, and if at least 30% of the front yard area is lawn. Otherwise, Committee approval is required. Homeowners may feel it desirable, in any event, to discuss landscaping plans with neighbors and submit the same to the Architectural Control Committee for their review and suggestions.

2.42 Latticework. Committee approval is required for any type of trellis or latticework.

2.43 Lights and Lighting. Committee approval is not required for exterior lighting if in accordance with the following guidelines: exterior lights must be conservative in design and be as small in size as is reasonably practical; exterior lighting should be directed toward the house and be of low wattage to minimize glare sources to neighbors and other homeowners; lighting should not spill over into neighbors yards; lighting glare should not be visible from above the light source; lighting for walkways generally should be directed to the ground; lights on poles should be placed on wooden standards; and lighting fixtures should be dark colored so as to be less obtrusive. Low voltage lighting offers safety advantages over conventional house-voltage systems. Any variance from these guidelines or use of high-wattage spotlights or flood lights requires Committee approval.

2.44 Microwave Dishes. See Section 2.60

2.45 Motor Homes. See Section 2.18

2.46 Motor Vehicles. Existing Covenants, Conditions and Restrictions and some Supplemental Declarations provide that no, tractors, trucks, 3/4 ton or larger, may be stored or parked. Such vehicles may be kept only within garages, or enclosed structures approved by the Committee. Inoperable vehicles cannot be repaired, constructed or allowed to remain on any property so as to be visible from or impact any other property.

No vehicle including operable, licensed automobiles shall be allowed to be parked or stored on a residential lot unless it is located on the driveway, in the garage or screened from view by an enclosure which has been approved by the Architectural Control Committee. Parking on lawns or on areas not designated for vehicular purposes is prohibited.

2.47 Overhangs - Cloth or Canvas. Committee approval is required. Must be an integral part of house or patio design. The color must be the same as or generally recognized as a complementary color to the exterior of residence.

2.48 Painting. Architectural Control Committee approval is not required if color and/or color combinations are identical to the original color established on the home. Any changes to the color scheme or color changes must be submitted for approval. The ACC has created a paint pallet book to make it easier for you to select a new color scheme and to make the approval of your architectural request simpler and faster. The paint pallet book can be viewed

Committee and setting up an appointment to stop by his/her home.

If you select one of the colors or color combinations from the paint pallet book, you will need to submit the architectural request listing your proposed colors and color codes and a general description of the colors of the house on either side of your home, no color sample is needed. Please remember that the color combinations have been approved by the ACC in their current combination as outlined in the paint pallet book. This means that in some cases paint color combinations cannot be changed, such as utilizing a “punch” color for the main body color of your home.

If you choose not to use the suggested color scheme, you will need to submit the Architectural Request Form with your color samples painted on a hard surface at least 18" X 18", with a general description of the colors of the house on either side of your home.

2.49 Patio Covers. Committee approval is required. Must be constructed of wood or material generally recognized as complementary to the home and be similar or recognized as complementary in color to the colors in the home. Free-standing patio covers may be permitted as well as extensions of the roof. Roof materials must match the house.

2.50 Patios - Enclosed. See Section 2.3

2.51 Patios - Open. Committee approval is required. Must be an integral part of the plan and must be located so as not to create an unreasonable level of noise for adjacent property owners. Must be similar or generally accepted as a complementary color and design of the residence and conform to standard development set backs.

2.52 Paving. Committee approval is required regardless of whether for walks, driveways, patio areas or other purposes and regardless of whether concrete, asphalt, brick, flagstones, stepping stones, precast patterned or exposed aggregate concrete pavers are used as the paving material.

2.53 Pipes. See Section 2.84

2.54 Play and Sports Equipment. All play and sports equipment must be in a fenced yard. Committee approval is required on all play and sports equipment. Use of the equipment should not create an unreasonable level of noise for the neighbors. For basketball hoops see Section 2.10.

2.55 Playhouses. Committee approval is required.

2.56 Pools. Committee approval is required. Above ground pools will be discouraged. See Section 2.36

2.57 Radio Antennae. See Section 2.7

2.58 Roofing. Committee approval is not required for re-roofing with the same material as originally installed on the home or accessory structure. Committee approval is required for re-roofing of a home or an accessory structure with a composition style shingle if not originally installed on the home or accessory structure. Composition shingle must have a minimum 25-year warranty, weight load per square must be a minimum 245 pounds with color tones to be either gray, black or brown. Recommended roofing manufacturers would be:

2.59 Rooftop Equipment. Committee approval is required. Must be painted a color similar or generally accepted as a complementary color to the exterior of the house and installed so as to minimize the visibility of the equipment on the roof.

2.60 Satellite Dishes. Due to the development of satellite dish technology and the Telecommunications Act of 1996, the Architectural Control Committee (ACC) has established the following Guidelines for satellite dish installation in the community:

A) Satellite Dish. One (1) small satellite dish (reception, only), no larger than one meter in diameter (equivalent to 39 inches), may be installed and maintained on any attached/detached lot, but only upon compliance with the following conditions:

- 1) ACC approval **is not** required if the satellite dish is installed in accordance with manufacturers' specifications, in the rear yard of the home, below the fence line and not visible to any street or open space property. The satellite dish must be installed with emphasis on being as unobtrusive as possible to the adjacent neighbors.

- 1) Written approval **is** required by the ACC for all other potential locations for installation of a satellite dish. If, due to the inability to receive an acceptable quality signal, the dish must be installed on a building surface, it may need to be painted the same color as the surface on which the dish is mounted. If, due to the inability to receive an acceptable quality signal, the satellite dish must be located in the front yard of a home, it must be placed as close to the home as possible and must be screened from view by installing it as an integrated part of the landscaping. Satellite dishes located in front of the home may also be required to be painted to match the color scheme of the home or its surrounding location, as approved by the ACC. No requirement of the ACC will substantially increase the cost of installation, maintenance or use.

- 3) Any satellite dish installed at a residence is restricted for the personal use of the owner or lessee of the residence and their assigns.

- 4) Installation of the satellite dish must comply with any zoning requirements and building codes, if applicable.

NOTE: Architectural Control Committee approval of a satellite dish is in no way to be construed as a representation, guarantee, warranty, etc. by the Architectural Control Committee and/or the Founders Village Master Association, Inc. that reception signals will be adequate or will remain

2.61 Saunas. Committee approval is required for all exterior installations. See Section 2.36

2.62 Screen Doors. See Section 2.21

2.63 Seasonal Decorations. Do not require Architectural Control Committee approval prior to the holiday and must be removed within fifteen days of the holiday.

2.64 Sewage Disposal System. Committee approval is required. Cesspools, septic tanks or other non-central systems, other than recycling systems, will not be approved.

2.65 Shutters. Committee approval is required.

2.66 Siding. Committee approval is required.

2.67 Signs. Committee approval is required for most signs. Temporary signs advertising property for sale or lease which are no more than four feet in height and two feet by three feet in dimension and are conservative in color and style must be installed within 10 feet of the foundation of any lot unless said lot does not have a foundation. There will be no more than one sign per lot allowed. Sold signs must be removed within 24 hours after closing, unless required by law, following the sale of a lot.

All other signs, including address numbers and name plates must be approved by the Committee. No lighted signs will be permitted on any lot, unless associated with a builder in Founders Village or the Metropolitan District(s). No exterior advertising is allowed.

2.68 Skylights. Committee approval is not required if 2 feet by 3 feet or smaller.

2.69 Solar Energy Devices. Committee approval is required. See Section 2.60

2.70 Spas. See Section 2.36

2.71 Sprinkler Systems. See Section 4.10

2.72 Statues. Committee approval is not required if they are installed in rear yard and of a height not greater than 5 feet, including any pedestals, and are not visible from adjacent property.

2.73 Storage Sheds. See Section 2.2

2.74 Swamp Coolers (Evaporative). See Section 2.6

2.75 Swing Sets. See Section 2.54

2.76 Television Antennae. See Section 2.7

2.77 Temporary Structures. Committee approval is required. Tents, shacks, temporary structures or temporary buildings are prohibited without the prior consent of the Architectural Control Committee and except, in unusual circumstances, such consent will not be given. Camping tents for occasional overnight sleeping by children will not require Committee approval if left up for no longer than 72 hours and are not placed in the front yard.

2.78 Temporary Vehicles. See Section 2.46

2.79 Trailer. See Section 2.18

2.80 Trash Containers and Enclosures. The Covenants, Conditions and Restrictions provides that refuse, garbage, trash, lumber, grass, shrub or tree clippings, plant waste, compost, metal, bulk materials, scrap, refuse or debris or any kind may not be kept, stored or allowed to accumulate on any lot except within an enclosed structure or appropriately screened from view (except that a container for such materials may be placed outside at such times as may be necessary to permit garbage or trash pickup).

2.81 Treehouses. Not permitted.

2.82 Trucks. See Section 2.46

2.83 Underground Installations. Committee approval is required.

2.84 Utility Equipment. Installation of utilities or utility equipment requires Committee approval unless located underground or within an enclosed structure. Under the Covenants, Conditions and Restrictions, 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.

2.85 Vents. See Section 2.6

2.86 Walls/Fencing. See Section 2.26

2.87 Walls - Retaining. Requires Committee Approval.

2.88 Water Systems. Committee approval is not required if the water system is completely contained within dwelling unit and causes no architectural change to the exterior of said dwelling unit. The Covenants, Conditions and Restrictions prohibits individual water supply systems except as approved by the Committee and except if designed, located, constructed and equipped in accordance with requirements, standards and recommendations of any applicable water and sanitation district or other governmental authorities having jurisdiction.

2.89 Wells. Not permitted. The Community Declaration prohibits use of the property covered by Supplemental Conditions, Covenants and Restrictions for the purpose of mining, quarrying, drilling or boring or exploring for or removing oil, gas or other hydrocarbons, minerals, rocks, stones, gravels or earth (except drilling for underground water by Founders Village Development or an entity designated by Founders Village Development).

2.90 Window Bars. Window bars require Committee Approval. Suggested guidelines for application would be mounted inside of the home and match the existing mutton bar design in the glass. If the homes windows do not have the mutton bar design in the glass, the window bars still must have the mutton bar design to match the existing homes in that particular filing. All bars must match the existing window frame color.

2.91 Window Well Covers. Window well covers which meet the following guidelines will be accepted without the need for the Architectural Control Committees approval:

A) Cover must be made of either clear plastic or metal. If the cover is clear plastic, it cannot extend more than 6 inches beyond the edge of the window well. If the cover

- A) If cover is custom made to fit the window well, cover must be equivalent.

All other types of window well covers must first be approved by the Architectural Control Committee before installation of the cover.

2.92 Windvanes, Windchimes, Directionals, etc. Committee Approval is required. Requires notification and disclosure to neighbors.

2.93 Wood Storage. Committee approval is not required. Must be located in the side or backyard, adjacent to the house, must be neatly stacked at a height not to exceed 6 feet and must not be located so as to block any existing drainage pattern on the lot.

III. PROCEDURES FOR COMMITTEE APPROVAL

3.1 General. As indicated in the listing of specific types of improvements, there are some cases in which advance written approval of the Architectural Control Committee is not required if the guidelines with respect to that specific type of improvement are followed. In a few cases, as indicated in the listing, a specific type of improvement is not permitted under any circumstances. IN ALL OTHER CASES, INCLUDING IMPROVEMENTS NOT INCLUDED IN THE LISTING, ADVANCE OR PRIOR WRITTEN APPROVAL BY THE ARCHITECTURAL CONTROL COMMITTEE IS REQUIRED BEFORE AN IMPROVEMENT TO PROPERTY IS COMMENCED. THIS SECTION OF THE GUIDELINES EXPLAINS HOW SUCH APPROVAL CAN BE OBTAINED.

The Committee shall have the right to disapprove any such documents which are not in compliance with the standards, requirements, objectives, and purpose of the aforementioned guidelines or are not suitable or desirable, in its opinion, for aesthetic, architectural, or other design reasons.

3.2 Drawings or Plans. Homeowner(s) are required to submit to the Architectural Control Committee, prior to commencement of work on any Improvement to Property, "descriptions, surveys, plot plans, drainage plans, elevation drawings, construction plans, specifications and samples of materials and colors" as the Architectural Control Committee may reasonably request showing "the nature, kind, shape, height, width, color, materials and location" of the proposed 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 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 you or professionally, the following guidelines should be followed in preparing drawings or plans.

- A) The drawing or plan should be done as close to scale as possible and should depict the property lines of your lot and the outside boundary lines of the home as located on the lot. If you have a copy of an improvement survey of your lot obtained when you purchased it, this survey would be an excellent base from which to draw.
- B) Existing improvements, in addition to your home, should be so shown on the drawing or plan and identified or labeled. Such existing improvements include

15
driveways, walks, decks, trees, bushes, etc.

- C) 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 (Example: Redwood deck, 10 feet by 12 feet with two inch by four inch decking. Natural stain, include stain color chip).
- D) The plan or drawing and other materials should show the name of the homeowner, the address of the home and a telephone number where the homeowner can be reached.
- E) The following additional information will be helpful when preparing and submitting your plan for approval.
 - 1) For single family detached residential project areas, this shall be at a scale no smaller than 1" = 100'
 - 2) For all other project areas, plans shall be prepared at a scale no smaller than 1" = 50'
 - 3) For individual residences, a site plan drawn accurately to scale showing location and extent of the following items:
 - a) Lot lines
- a) Layout of proposed construction, including dimensions as appropriate.

3.3 Submission of Drawings and Plans. One copy of the drawing or plan should be submitted to the Architectural Control Committee at the address stated in the introductory part of these Guidelines. The copy will be kept for the Committee's records.

3.4 Review Fee. The Architectural Control Committee can establish and collect a fee for review of plans of proposed improvements. At the Committee's discretion, a fee shall be collected from the homeowner prior to review of any such plans. (At the Committee's discretion, upon cancellation the entire fee may be refunded.)

3.5 Action by Committee. The Architectural Control Committee will meet regularly to review all plans submitted for approval. The Covenants, Conditions and Restrictions states that the Committee may require submission of additional material and the Committee may postpone action until all required materials have been submitted. The Committee will contact you by phone if possible, if the Committee feels additional materials are necessary or if it needs additional information or has any suggestions for change. The Architectural Control Committee must act on the plans within 45 days after receipt of all materials required by the Committee (unless the time is extended by mutual agreement). As a courtesy, a written notice with the decision of the Committee, will be mailed to you within this time period. Hopefully, the review process will be speedy so as to give you as fast a turnaround time as possible.

3.6 Prosecution of Work. The Community Declaration requires that after approval, a

proposed improvement to property should be accomplished as promptly and diligently as possible in accordance with the approved plans and description. Under this provision, the work must be completed, in any event, within one year. The Covenants, Conditions and Restrictions gives the Committee the right to inspect the work and gives the Committee the right to file a notice of noncompliance where warranted.

3.7 Rights of Appeal. A homeowner may enter an appeal to the Board of Directors of Founders Village Community Association, Inc., in the event of adverse action by the Architectural Control Committee.

3.8 Questions. If you have any questions about the Committee's procedures, feel free to call and talk to the Committee or its representative at the phone number and address listed in the introductory part of these Guidelines.

3.9 Submittal Form. All submittals to the Architectural Control Committee must be submitted on the Founders Village Community Association Architectural Submittal Form attached to these guidelines. If your proposed improvement impinges upon your neighbors, a properly executed Disclosure Statement must accompany your submittal form.

IV. LANDSCAPING SUGGESTION

4.1 General. The purpose of this section of the Guidelines is to help you prepare an appropriate landscaping plan for your homesite. Careful landscape planning and design of your site will greatly enhance the ultimate appearance of the community. The information set forth in this section is suggestive only.

4.2 Slopes. In some cases, there may be relatively steep slopes on an owner's property. It is important to note that if slopes are left unlandscaped, severe erosion and silting may occur. As a result, it is recommended that slopes be landscaped by the homeowner as soon as possible after moving in. Slopes and banks should be planted with drought tolerant plants. Erosion of slopes can be lessened by terracing, or surfacing with stone or other free-draining materials. Loose aggregate or wood chips are not recommended on slopes unless measures are take to prevent erosion or displacement by wind an/or water. Slopes can also be seeded with ground covers, shrubs and bushes to prevent slope erosion and create a landscape amenity.

4.3 Drainage/Grading. Soils in this area of Colorado on which your lot and home have been constructed may consist in part of a soils material commonly termed "expansive soils." The prime characteristic of this material is it swells when introduced to water, it in essence, acts as a sponge. When this expansion takes place, extreme pressures are exerted on foundations and other man-made structures which are placed in the ground, the results of which can cause severe structural problems to your home. Your foundation and lot have been designed and engineered according to the latest state-of-the-art procedure for minimizing these problems.

It is our intent to remind you that a potential hazard exists when proper drainage is not maintained and/or when these "expansive soils" adjacent to your foundation are allowed to be introduced to excessive amounts of water.

Residents should investigate the existing drainage conditions and preserve and accommodate the drainage situation which exists on their particular site at the time they purchased their home from the developer or builder. See guidelines under "Drainage" in the listing of specific types of improvements. Minor drainage modifications may be made to your lot providing you do not alter the engineered drainage pattern of the lot existing at the time the lot was conveyed to you from the builder or the previous homeowner. Grading can be used to create berms, slopes and swales which can define space, screen undesirable views, noise and high winds.

Grassed slopes of berms are suggested not to exceed three feet of horizontal distance to one foot of rise or vertical height (3 to 1 slope), in order to permit greater ease of mowing and general maintenance.

4.4 Soil Preparation. Soil conditions may vary throughout the project. Individual soil testing is suggested for each lot to determine the exact nature of the soil and the desired level of amendment needed such as mulch, sand and fertilizer to optimize plant growth. Local nurseries may offer assistance in determining the proper quantity and type of soil amendment. After the soil has been amended, make sure that the existing drainage pattern is reestablished on your lot.

4.5 Retaining Walls. Retaining walls may be used to accommodate or create abrupt changes in grade. Such walls should be properly anchored to withstand overturning forces. Stone walls should be made thicker at the bottom than at the top to achieve stability. To avoid destructive freeze-thaw action, all retaining walls should incorporate weep holes into the wall design to permit water trapped behind them to be released. Timbers for walls or other landscape use should be treated to resist decay. Walls should not be located so as to alter the existing drainage patterns, and should provide for adequate drainage over or through (by means of weep holes) the wall structure. A porous blanket behind a stone wall will prevent the soil from washing through the wall.

4.6 Climate and Soils. Typical climatic conditions of this area include low precipitation, low average humidity, variable winds, and a fairly wide temperature range.

The geologic formations underlying Founders Village which you may encounter, are the Denver and Dawson Formations. Founders Village lies near the southwestern edge of the Denver Basin, a sediment-filled area extending from Colorado Springs north to Greeley, and from the foothills eastward approximately 60 miles into the plains. Soil types include sandy clays and eolian or wind blown sand deposits.

4.7 View and Solar Obstructions. In planning landscaping, you should review the provisions contained in most Supplemental Declarations. These provisions state that no vegetation or other improvements shall be planted, constructed or maintained in such location or of such height as to unreasonably obstruct the view from any other lot in the vicinity or so as to unreasonably obstruct the operation of any previously existing solar energy installation.

4.8 Screening Views and Directing Winds. Pleasant vistas such as views of the mountains can be framed by plant materials. Less desirable views of adjacent land (e.g., highways) can be screened with dense coniferous plantings, earth mounds, fences or walls. High velocity winds can be effectively directed by dense planting. Care should be taken, however, to respect and preserve views of adjacent lots.

4.9 Rockscapes. Boulders and cobbles present an attractive alternative landscape element if used sensitively within the overall landscape composition. Large expanses of this type of material are not permitted. Check with the Architectural Control Committee.

4.10 Irrigation. Watering is recommended to be done in the early morning or evening. One of the most common tendencies is to over-saturate your lot. We urge each homeowner to conserve water and as a result minimize problems on their own lots as well as on adjacent property owner's lots caused by over watering.

Several types of systems can be used to water your lawn: manual and automatic sprinkler systems and portable sprinklers. The following are some facts to consider in selecting the type and location of the sprinkler system you are going to use:

- A) Size and shape of areas to be watered.
- A) Type of turf or ground cover.
- A) Available water supply and pressure.
- A) Environment of the area - wind, rain, temperature, exposure and grades.
- A) Low spraying irrigation devices may help to minimize wasted water due to wind.
- A) Installation of an irrigation system directly adjacent to front sidewalks may eventually cause undermining and deterioration to concrete and paved areas.
- A) Type of soil and its ability to accept water. Local nurseries or do-it-yourself sprinkler stores have detailed information concerning the type and installation of irrigation systems.
- A) Drip irrigation systems are recommended for tree and shrub areas.

4.11 Paved Areas. Paving may be used to define areas of intense activity and circulation patterns such as patios, walks and steps. Materials that can be used to create attractive patterns and textures are brick, flagstones, stepping stones, precast patterned or exposed aggregate concrete pavers. These materials are often more desirable than asphalt or poured concrete. It is suggested that paving materials be earth tone colors. Sufficient slope should be maintained in all paved areas to insure proper drainage.

4.12 Shade. Shade trees should be placed relatively close to the house where they can shade walls or outdoor activity areas. Avoid shading a solar collector, or inhibiting the effectiveness of passive solar design measures. For example, broad-leafed deciduous trees screen out the intense summer sun, but allow winter warmth to penetrate. Trees and shrubs in general should not be planted within existing drainage swales so as to block designated drainage patterns.

4.13 Landscape Materials. Deciduous trees, such as cottonwoods, and evergreen trees such as pinon pines provide summer shade or can be used as a windbreak. Evergreens provide good backdrops for displaying ornamental trees and contrasting flowers as well as

providing a visual screen.

Shrubs such as junipers may be used as specimens or in masses. Shrubs can also be used in combination with trees as windbreaks or to add color and texture to the landscape. Low growing, spreading shrubs may be used as a groundcover treatment and present an attractive method of reducing water consumption.

Ornamental trees such as flowering crabapples provide accent, color and additional interest to the residential landscape and may be a more appropriate scale for small areas of a lot.

Ground covers such as creeping mahonia play an important role in consolidating the surface of fine-grained soils to prevent erosion and sedimentation. They may be useful in place of a lawn, especially on steep banks where they will also require less water than turfgrass.

Vines may be used as a groundcover or as a shading element over a trellis or as a screen when planted adjacent to a fence.

Garden flowers may be used as elements of seasonal color. Perennials and annuals should be considered.

Vegetable gardens may be integrated with planting beds and used ornamentally.

4.14 Mulches. Mulches modify the extremes of soil temperature and improve soil by producing humus, and reducing evaporation loss. Suggested minimum depth for mulches is three inches. Mulches are typically used in shrubs and groundcover beds and may consist of a variety of organic materials such as ground bark, wood chips, pole peelings or chipper ships. Suitable crushed aggregate of dark, earth-toned colors may be used as an alternative mulch material.

4.15 Landscape Maintenance. Consistent maintenance is essential for healthy plant materials. The following are some suggested maintenance considerations and ways of minimizing maintenance problems:

- A) Plant with regard to Founders Village's climate. Consider ultimate size, shape and growth rate of species.
- B) Locate plants and irrigation heads out of the way of pedestrian/bicycle traffic and traffic signage.
- C) Provide simple guying systems for trees for a minimum of two years and wrap trees most susceptible to sun scald with burlap or paper during fall and winter month.
- D) Make provisions for efficient irrigation: drain and service sprinkler systems on a regular basis and conduct operational checks on a weekly basis to insure proper performance of the system.
- E) Provide good soil mixes with sufficient organic material - 30% per tilled depth is

desirable. (3 yards of material per 1,000 S.F. of landscaped area, filled 6"deep)

- F) Use mulch at least three inches deep to hold soil moisture and to help prevent weeds and soil compaction.
- G) Provide required fertilization, weed and pest control, etc., as required for optimum plant growth.
- H) Prune woody plants when needed.
- I) Space groves of trees or single trees to allow for efficient mowing.
- J) Locate plants with similar water, sun, and space requirements together.
- A) Plant in easements at your own risk.

