

Mountain's Edge
Amended and
Restated Design and
Landscape Guidelines

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PURPOSE

The goal of these Mountain's Edge Amended and Restated Design and Landscape Guidelines (the "**ME Design Guidelines**") is to provide general design criteria and guidance for new and future homeowners for future enhancement of your home and visual compatibility to your home's particular architectural style.

The Mountain's Edge Architectural Review Committee ("**ARC**") has jurisdiction over design and aesthetic aspects of the Property. "**Property**" is defined as all real property covered by the Covenants and Restrictions of Mountain's Edge recorded on December 9, 2014 at Reception No. 2014105126 in the Jefferson County real estate records (the "**Covenants**"), and as may be amended from time to time. All terms used herein shall have the same meaning as ascribed to them in the Covenants unless otherwise defined herein. The Property includes your Unit. The ARC is a committee established and appointed as provided in Article 2 of the Covenants. Pursuant to the Covenants, the Mountain's Edge Metropolitan District (the "**District**") is authorized to adopt Rules and Regulations for the Property.

The ARC must approve all plans for any alteration of the exterior of the Unit or the Improvements, including architectural or landscape modifications *before* the modifications are made. The ARC also has the right to review modifications as they are constructed and give final approval of completed modifications.

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

The ARC may, from time to time, adopt additional, and/or amend existing standards.

EFFECT OF GOVERNMENTAL AND OTHER REGULATIONS

Use of the Property and any Improvements must comply with any applicable building codes and other governmental requirements and regulations. Owners are encouraged to contact Jefferson County ("**County**") for further information and requirements for Improvements they wish to make.

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

INTERFERENCE WITH UTILITIES

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

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

Please note, that public utility notifications typically do not include any privately installed utilities, including irrigation lines.

PROCEDURES FOR ARC APPROVAL

The procedures set forth in these ME Design Guidelines are intended to clarify the terms, provisions and requirements of the Covenants. As indicated in these ME Design Guidelines, there are some cases in which advance written approval of the ARC is not required if the ME Design Guidelines with respect to that specific type of Improvement are followed. In a few cases, as indicated herein, a specific type of Improvement is not permitted under any circumstances. In all other cases, including Improvements not included in these ME Design Guidelines, advance, or prior written approval, by the ARC is required before an Improvement to property is commenced.

PLAN SUBMITTAL PROCESS

A. DESIGN REVIEW

The intent of the design review process as described below is to ensure that the residential neighborhood developed within the Mountain's Edge community contributes to the character and quality envisioned for the Mountain's Edge community.

In order to ensure a consistent, high quality and integrated design throughout all phases of the Mountain's Edge community, the ARC reviews plans as they are submitted for approval. The ARC may require submission of additional information or material, and the request will be deemed denied until all required information and materials have been submitted.

These ME Design Guidelines are a supplement to the Covenants and all applicable government Codes and Regulations.

The Guidelines do not supersede or modify any existing applicable Jefferson County Codes or Regulations. Any requests for variances to the laws, regulations, or standards adopted by Jefferson County, or other applicable jurisdiction, shall be submitted to the appropriate municipal agency according to established procedures following review and approval by the ARC. In the event of conflict or discrepancy, or for subjects not addressed herein, the municipal regulations and codes take precedence, and the most restrictive standards shall apply. Provided that ARC acts in good faith, neither ARC nor any representative thereof shall be liable to any applicant or any other person for any damage, cost, expense, or other loss (including, without limitation, claims relating to loss of use of the Unit, or diminution in the value thereof) suffered or claimed on account of the review of plans, specifications or materials. The review and delivery of a form of approval or disapproval by the ARC is not to be considered an opinion as to whether or not the plans are defective, or whether the construction methods or performance of the

work proposed therein are defective, or whether the statements therein are correct or meet the Jefferson County building codes.

B. SUBMITTAL REQUIREMENTS

See form attached hereto as **Appendix A** and incorporated herein.

C. SUBMITTAL REVIEW RESPONSE TIME

After a submittal is accepted as complete and meets all requirements, the ARC's approval or disapproval shall be given within a reasonable time, not to exceed forty-five (45) days after submittal acceptance. If the ARC does not provide a response within said forty-five (45) day period, the submittal shall be deemed approved.

D. APPROVALS AND RE-SUBMITTALS

All submittals reviewed by the ARC shall be stamped as follows:

- i. **APPROVED:** Plans meet all ARC requirements
- ii. **APPROVED AS NOTED:** Plans meet all or most of the ARC requirements but may contain some minor items in need of clarification or correction. Plans will also be stamped **APPROVED AS NOTED** if the ARC wants to inform the applicant of certain conditions that may affect other plan submittals or construction improvements. If minor corrections are required, revised plans must be resubmitted for ARC files. If clarifications provided in writing by the applicant to the ARC are deemed sufficient in the ARC's sole discretion to address any clarification request, revised plans are not required. These clarifications shall be considered part of the application and may not be deviated therefrom.
- iii. **ADDRESS COMMENTS AND RESUBMIT:** Plans contain significant deviations or deficiencies from ARC requirements and must be corrected or clarified before the ARC will grant approval. All resubmittals to the ARC must be a complete plan set and must address each comment and any change to the plans in writing. Partial resubmittals of corrected sheets only, will not be accepted.
- iv. **DENIED:** Plans contain items that are not allowable under ARC standards or ME Design Guidelines. **CONSTRUCTION SHALL NOT BEGIN ON ANY IMPROVEMENTS UNTIL ALL SUBMITTALS FOR THAT TYPE OF IMPROVEMENT HAVE BEEN APPROVED.**

Any change to the plans after ARC approval, including those not specifically requested by the ARC, must be re-submitted for approval with the changes noted. Upon receipt of submittal comments, the applicant may contact the ARC to schedule a meeting to review and address such comments in further detail.

E. PROGRESS REPORTS

The ARC will make periodic in-progress inspections of construction to ensure compliance with the approved construction documents, plans and ME Design Guidelines. The Builder or Owner (as applicable) will provide the ARC with a written NOTICE OF CONSTRUCTION at least 7 calendar days prior to the start of construction.

BUILDER DESIGN GUIDELINES

Residential Architecture

A. VARIANCES

Approval of any proposed plans by the granting of a variance from compliance with any of the provisions of these ME Design Guidelines is at the sole discretion of the ARC when circumstances such as topography, natural obstructions, hardship, aesthetic or environmental considerations may require, as outlined in the Covenants. ARC makes no representation that the ARC is qualified to appropriately evaluate such circumstances potentially requiring a variance, and may request additional written information at the Owner's expense pertaining to circumstances requiring a variance.

B. ADDITIONS AND EXPANSIONS

The design of room additions, pop-tops, three or four season enclosed patios, ramadas, and attached garages, including colors and materials should be consistent with the main structure and must be maintained in a manner consistent with the Covenants in the sole judgment of the ARC. All vertical elements must be finished consistent with the exterior architectural style. Owners must comply with all requirements of Jefferson County.

C. DECKS, BALCONIES AND COVERED PATIO

The design of elevated decks, balconies and covered patios including colors and materials should be consistent with the main structure in the sole judgment of the ARC. All vertical elements (railings, supports and columns, fascia and overhead structures) should be finished consistent with the exterior architectural style. Columns and/or supports are encouraged to appear substantial and proportionate to the building mass of the home. Owners must comply with all requirements of Jefferson County.

D. PATIO COVERS

Must be consistent with architectural style and character of the home in the sole judgment of the ARC. Acceptable covers:

- i. Sloping roof element with roofing to match home.
- ii. Flat with parapet.
- iii. Trellis Cover.
- iv. Columns/posts shall be 6 x 6 minimum and shall be detailed same as all other columns/posts on exterior elevations of home.

E. ACCESSORY BUILDINGS

Free-standing accessory structures are not allowed on the Unit per the final plat for the Property. Notwithstanding the foregoing, privacy structures discussed elsewhere in these Rules and Regulations may be constructed, albeit only with the express written permission of the ARC. Prohibited structures include:

- i. Cabanas and Pool Houses.
- ii. Storage sheds.
- iii. Guest homes, guest Casitas, mother-in-law structures, or similar structures.
- iv. RV Tarps or Shelters.
- v. Detached Garages (unless platting allows).

F. RESIDENTIAL LANDSCAPING

- i. Rock and mulch must use fabric weed barrier and edging.
- ii. Owner of each Unit shall install landscaping on such Unit within one hundred eighty (180) days after acquisition of the Unit if the acquisition occurs between April 1 and July 31. If such acquisition does not occur between April 1 and July 31, landscaping must be installed by the following June 30.

DESIGN GUIDELINES

SPECIFIC ARCHITECTURE & LANDSCAPE GUIDELINES

Exterior Lighting

- Exterior lighting must be of low illumination level. Dark Sky Lighting Principles (as defined below) should be utilized.
- The Dark Sky Lighting Principle is a way of using lighting (or the lack of lighting) to significantly reduce pockets of dark and light. Contrasting pockets of dark and light causes users' eyes to adjust more slowly as they pass in and out of these areas. The goal of dark sky lighting is to see the item being lit (the house/porch) and not the light itself. The human eye automatically focuses on the brightest light source in range, and adjusts to that accordingly. When you eliminate glare and create an environment with relatively even light levels, the human eye can see very clearly in much less light than you would imagine.

Fences

- Fences of chain link, poultry wire, aluminum, sheet metal, plastic, fiberglass, reeds, straw, bamboo, rope and other similar temporary or commercial materials are not permitted.
- Solid wood fencing that becomes discolored may be required to be stained the natural color of the wood.
- No double fences shall be allowed along the same property line.

- Fencing shall not exceed 6' (six) feet in height.
- Community perimeter fencing bordering Mountain's Edge Metropolitan District property shall not be replaced with any other type of fencing other than what was installed by the Builder or installed, or caused to be installed by the Mountain's Edge Metropolitan District.

Pet Enclosures

- Pet enclosures (i.e., dog runs) must be submitted to the ARC for review for all Units. Standard type dog houses are allowed and do not need ARC approval as long as they do not exceed four (4) feet in height.
- Pet Enclosures should not be any higher than adjacent fencing. Four (4) feet when adjacent to cross buck fencing, or six (6) feet when adjacent to certain perimeter fencing.
- Chain link enclosures are not allowed.
- Wire mesh may be attached to existing cross buck fencing to enclose small pets using the following criteria:
 - Wire fencing shall not exceed the height of the top horizontal rail of cross buck fencing. Wire fencing may extend below the bottom horizontal rail to ground level or shall terminate at the bottom of the bottom horizontal rail of cross buck fencing.
 - Wire fencing shall be attached to the cross buck fencing rails using secure fasteners located no more than twelve (12) inches on center and fasteners shall be of a material coated to prevent rust and staining of cedar.
 - Wire fencing shall be installed on the Owner yard side of the cross buck fencing.
 - The wire fencing type should be 14 Gauge Galvanized Welded Wire Fence with two (2) inch by four (4) inch openings, which is available through many manufacturers.

Maximum Heights

- The maximum building heights of all Improvements shall be consistent with the standard of Jefferson County and/or any other applicable governmental agency.

Trees

- Feeding, maintaining, and irrigating the trees and landscaping in the Unit front yard is the Owner's responsibility. Each Owner shall maintain all landscaping on the Unit, in a neat and attractive condition, including periodic and horticulturally correct pruning, removal of weeds and debris and replacement of landscaping.

Pools and Spas

- Spas and similar water features such as swimming pools and hot tubs are permitted in rear yards (or side yards if they are wide enough) without ARC approval if they are at least five (5) feet from any fencing, are toned in color to compliment the exterior of the home (in the sole judgment of the ARC) or are screened with landscaping. A swimming pool, spa or other similar water feature must not damage existing walls or fences. All equipment shall be completely screened from view from publicly visible areas, and all reasonable efforts to minimize noise must be undertaken by the Owner.
- Privacy structures and fencing for pools and spas require ARC approval for all Units. Privacy structures and fencing should complement the exterior style and color of the home and/or existing fencing. Privacy fencing is allowed in certain areas, subject to “Fences” above, but privacy fencing is not allowed on the lot line.

Screen Doors

- Screen doors on the front door entrances shall be painted to match the color of the front door and the style must conform to the architectural character of the home. Screen doors do not need ARC approval if this criteria is met.

Storage Sheds/Utility Buildings

- Are not permitted.

Window Awnings

- Awnings must be submitted to the ARC for approval. Awnings must be compatible with the color and design of the existing home in the sole judgment of the ARC. The size, location, and form must be in scale with the window. Awnings must be properly maintained to the satisfaction of the ARC and may not be kept when frayed, spilt, torn, or faded. Temporary sun shades attached to the outer wall of the house, patio cover, or gazebo such as rolls of bamboo, fiberglass or reed are not permitted.

Flag Poles

- The installation of flag poles shall be submitted for ARC review and approval and will also require approval from the Jefferson County Planning Department. The Owner is responsible for obtaining any Jefferson County approvals necessary for installation of flag poles and must submit the approval to the ARC prior to any installation.

Front Yard Garden Art

- Front yard garden art exceeding two (2) feet in height must be approved by the ARC. A photograph of the anticipated front yard garden art must accompany the request.

Satellite Dishes/Antennae

- All satellite dishes, MMDS (an antenna designed to receive wireless cable) programming services via multichannel, multipoint distribution services); and DBS (an antenna designed to receive direct broadcast satellite service) that are one (1) meter (a/k/a 39 inches) in diameter or less are permitted and do not require ARC approval. Please note, it is suggested to not screw through roof shingles to prevent leaks.
- Antenna larger than one (1) meter (a/k/a 39 inches), except TVBS (an antenna designed to receive over-the-air television broadcast signals), are generally prohibited and must be submitted to the ARC to be reviewed on a case by case basis.

Solar Energy Systems

- Each Owner may install a solar energy system which serves his/her Unit so long as (a) the design and location of the solar energy system meets the requirements of all applicable governmental ordinances and (b) said design and location receive the prior written approval of the ARC.
 - Energy systems must be integrated into the roof design, to respond to the roof slope, and designed to minimize the profile of the collector. This is to be done in the sole judgment of the ARC.
 - Frames must be colored to compliment the roof.
 - Natural aluminum frames are prohibited.
 - Support for solar equipment shall be located in a manner which minimizes visual and noise impact.
- Nothing herein shall be construed as prohibiting any solar energy system.

Xeriscape

- ARC approval is required. Using drought tolerant plantings and other water conservation methods of landscaping is encouraged; however, the design must be approved. Xeriscape uses much less water than typical suburban residential landscape, but large areas of rock or mulch shall not be allowed in place of growing plant material. Living plant material is required.

PREAPPROVED IMPROVEMENTS

Address Sign

- All homes must have a house number visible from the street and all house number(s) replacing the original number(s) do not need ARC approval as long as they do not exceed six (6) inches in height and the entire area of the sign shall not exceed one (1) square foot. Acceptable materials shall include, but are not limited to, wood, ceramic tile, and metal.

Basketball Backboards

- The ARC has determined the following:
 - No permanent basketball goals, hoops, backboards or nets shall be installed in the front yard of a Unit. Permanent basketball goals, hoops, backboards or nets may be installed in the rear or side yard of a Unit without ARC approval if they are at least five (5) feet from any fencing and do not make use of neon color tones. Permanent basketball backboards may not exceed twelve (12) feet in height.
 - Basketball backboards that are free-standing and portable are not allowed in the public right-of-way, streets, sidewalks, parkways or driveway aprons. These backboards must be stored away from view when not in use.

Exterior Solar Lighting

- Exterior solar low illumination lighting is pre-approved and does not need ARC approval. All other exterior lighting must have ARC approval.

Playground Equipment

- The ARC has determined that no permanent playground equipment, trampolines or trampoline fences, or similar sport equipment shall be installed in the front yard or side (if the lot is wide enough) of a Unit. Permanent playground equipment, trampolines or trampoline fences or similar sport equipment may be installed in the rear yard of a Unit without ARC approval if they are at least five (5) feet from any property line and do not make use of neon color tones. Playground equipment may not exceed ten (10) feet in height.

MISCELLANEOUS ITEMS

Holiday Lighting and Decorations

- Placement and display of holiday lighting and decoration is permitted without ARC approval from October 15th-through January 31st only. Holiday lighting and decorations at any other time of the year, requires ARC approval.

Unightly Items

- All weeds, rubbish, debris, or unsightly materials or objects of any kind shall be

regularly removed from the Unit and shall not be allowed to accumulate thereon. All clotheslines, refuse containers, wood piles, storage areas, machinery, and equipment shall be prohibited upon any Unit unless obscured from view of adjoining streets, Units, sidewalks, homes, or property owned by the Mountain's Edge Metropolitan District, a quasi-municipal corporation and political subdivision of the State of Colorado.

Trash/Recycle Cans

- Must be stored in the garage or screened from view of street, common areas and adjacent neighboring properties, behind the fence. Trash cans and recycle cans are permitted to be on the street the day before and the day of pickup. All trash cans and recycle cans must be removed on the day of pickup and stored as designated above.

Other Conditions and Materials; ARC Approval: Any condition or material not set forth within these ME Design Guidelines shall be a matter of judgment on the part of the ARC. Unless specifically exempted by these ME Design Guidelines, all Improvements require ARC approval prior to installation or construction upon a Unit.

COMMUNITY GUIDELINES

Vehicle Parking Guidelines

1. Mopeds and motor bikes are subject to vehicle code restrictions and are limited to travel on public streets (i.e., both driver and moped/motor bike must be licensed if required by state and local laws).
2. No Owner shall conduct repairs to any vehicle upon their Unit unless performed in a closed garage.

Sign Guidelines

Please see Section 3.6 of the Covenants in regards to the sign guidelines (“**Sign Guidelines**”). In addition to those Sign Guidelines, the ARC has determined the following regarding “Open House” and “Garage Sale” signage within the Property.

1. Only one (1) sign (in total) per corner on major streets (a major street is defined as any street outside of the various developments). At a four-way intersection, there are four corners where one (1) sign may be placed on each corner.
2. Signs may not remain on Property overnight.
3. Signs not complying with these ME Design Guidelines may be summarily removed by the Mountain's Edge Metropolitan District.
4. The following criterion applies to “Open House” signs.
 - a) Owners (or their agents) wishing to advertise “Open House” for the purpose of selling their homes, must use a sign of not more than five (5) square feet in the aggregate.

5. The following criteria applies to “Garage Sale” signs:
 - a) Owners (or their agents) wishing to advertise “Garage Sale” for purposes of selling their goods must use a sign of not more than five (5) square feet in the aggregate.

Pet Guidelines

1. When not within the front or back yard of Owner’s Unit, all dogs shall be kept on a leash and in control of the Owner.
2. Each pet owner shall clean up all waste deposited by their animals upon the Property, sidewalks, property of other Owners, and their own property.
3. Excessive dog barking or other animal noise may be deemed a nuisance.

FORMS

See Appendix A for Architectural Review Request Form.

APPENDIX A: ARCHITECTURAL REVIEW REQUEST FORM

Design Review Application Form

Mountain's Edge Metropolitan District
c/o CliftonLarsonAllen LLP
8390 E. Crescent Parkway, Suite 300
Greenwood Village, Colorado 80111
(303)779-5710 phone

Received: _____	Internal Use Only Sent to Committee: _____
Response sent to Owner _____	Verification of Install _____
Notes: _____ _____ _____	

APPLICANT INFORMATION

NAME: _____ PHONE: _____

ADDRESS: _____ DATE: _____

EMAIL ADDRESS: _____

PROJECT START DATE: _____ PROJECT COMPLETION DATE: _____

PAINTING:

FIELD COLOR
(name/ number)

TRIM COLOR
(name/ number)

DOOR COLOR
(name/number)

Brick/Masonry Color: _____ Roof Color: _____ Front Door Color: _____

Garage Door – Field or Trim Color? _____ Same Color as Neighbors? _____

LANDSCAPING: (*Original installation, removal, replacement or addition trees, lawn, hedges, plants, paving stone, walls, etc.*) Describe color and type(s) of materials to be used and the manner of their use (please include drawings):

STRUCTURAL: (*Roofs, gutters, additions, fences, driveways, walkways, skylights, windows, etc.*) Describe type(s) and use of materials. Detailed horizontal and vertical drawings, site plan and evaluation drawings must be submitted. Jefferson County permit may be required.

NOTES:

Contractor Name: _____ Address: _____

Phone Number: _____ Fax Number: _____

Email Address: _____

Please return this form, with all drawings, material listing and/or samples and photographs of the area to be improved to CliftonLarsonAllen at the address above or to celeste.terrell@claconnect.com. As a reminder, submittal of this form does not mean automatic approval. The Architectural Review Committee has 45 (forty-five) days to make a decision regarding the submittal once it is considered complete. Should the Architectural Review Committee fail to respond within the 45 (forty-five) day time frame outlined in the Covenants and ME Design Guidelines, and the homeowner has proof of receipt of the request by CliftonLarsonAllen (such as a signed receipt or signed return receipt from registered or certified mail), the submittal shall be deemed approved. Please refer to the Covenants and ME Design Guidelines for additional information.