



ARCHITECTURAL DESIGN AND CONSTRUCTION GUIDELINES

April 12, 2005

DESIGN GUIDELINES FOR THE CLIFFS

DESIGN GUIDELINES

The design guidelines apply to the development of a home and other improvements on your homesite at The Cliffs. The purpose of the design guidelines is to enhance the aesthetic experience at The Cliffs, to promote rich harmonious residential design, and to protect and enhance property values. They extend to such matters as height, size, materials, massing, and color. The Cliffs design guidelines are administered by The Cliffs Design Review Committee, which includes experienced architectural consultants. This committee's job is one of assistance, helping you and your architect to maximize your living experience at The Cliffs.

The Cliffs Design Review Committee will focus on creative ideas and concepts for those wishing to build homes in Cliffs.

We strongly urge that owners wishing to build homes at The Cliffs have their architects get in touch with a Cliffs Design Review Committee representative prior to the commencing the design phase of a residence, so that these professionals may gain a complete understanding of the Cliffs Design guidelines.

PREFACE

What follows are Design Guidelines for residential property at The Cliffs. The Design Guidelines may be modified or supplemented from time to time so that different standards may apply to different portions of The Cliffs to reflect variance in topography, housing types, lot sizes, and orientations and other relevant items affecting appearance and general aesthetic considerations; however any such modification or supplements will retain the overall aesthetic values and general appearance of The Cliffs.

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I. INTRODUCTION TO OBJECTIVES

A. PRESERVATION OF THE ENVIRONMENT AND ARCHITECTURAL VERNACULAR

In contrast to the usual methods of residential development, in which concern for the natural environment is subordinated to the desire to develop as efficiently and economically as possible, the Developer of The Cliffs has chosen to approach its planning from a more sensitive viewpoint. At The Cliffs, emphasis will be given to development that is planned to harmonize, blend and complement, rather than dominate, the natural environment.

The philosophy of The Cliffs is the sensitive integration of the Lifestyle of man to the natural environment. Its goal is the subtle blending of people, structures and the built environment into a harmonious and aesthetically pleasing community with emphasis on the preservation of major portions of the natural environment as a unifying visual theme throughout The Cliffs.

These residential Design Guidelines have been written to communicate this philosophy of developing with sensitivity for the preservation and maintenance of the environment. These are minimum standards of design, justified in part by the climate, terrain, and the fragile environment of the site. They provide direction in the planning, design, and construction of residential structures to ensure compatibility with that environment. The purpose of the Design Guidelines is not to create look-alike residential structures, but to ensure that designs are compatible with each other, the site, and the overall mountain environment of The Cliffs. Creativity, innovative use of materials and design, and unique methods of construction are encouraged, so long as the final result is consistent with these Design Guidelines and this overall philosophy. Special attention must be given to the unique character of the Durango area and Regional architecture so as not to create a stand-alone community but instead to be a unique and compatible blend of architecture, in keeping with the regional character.

It is expected that the design of each residence in The Cliffs will be tailored to the unique features of each individual lot in an effort to achieve a synthesis of nature and residence. To preserve the natural features of each lot, such as views, significant existing plant materials and drainages, each residence will need to be individually sited to minimize disruption of the existing environment.

The purpose of the Cliffs Design Committee is to evaluate each proposed design for appropriateness to its lot and compliance with the objectives of the Design Guidelines. The Design Committee may determine that what was found acceptable in one situation

might not be acceptable in another. The goal is for the appearance and character of all residences and improvements to harmonize with, and enhance, their natural and manmade surroundings, rather than to dominate and/or contrast sharply with them.

It is strongly recommended that each owner retain a competent, talented, and licensed architect for planning and design services. A thorough analysis and understanding of a particular lot and the owner's special needs and the skill to translate these factors into building form, as well as the ability to convey to the Cliffs Design Review Committee the concept and design of a proposed residence or other improvement, are all elements of the design review process. If an owner elects to do his own design or to obtain non-professional services, and The Cliffs Design Review Committee does not approve the result in either case; the Committee has the right to require that an owner thereafter utilize an architect for professional design services.

B. ENERGY ETHICS

As stewards of our land and all its natural resources, The Cliffs encourages the minimum usage of all non-renewable energies and encourages the adoption of appropriate passive energy technologies and the utilization of renewable resources. These technologies include a wide variety of materials, hardware and systems such as insulation, set back thermostats and high efficiency appliances. Most importantly, they involve developing a conscientious lifestyle and adopting habits in daily living that minimize waste and take advantage of solar energy resources

Good analysis and planning is essential in minimizing energy use and waste. The following are just a few of the factors your architect should consider in planning your new home:

1. Orient your home so that its patios, courtyards and windows take maximum advantage of the sun's heat in the winter.
2. Protect all glass areas exposed in the summer with deep recesses, overhangs or other devices to minimize heat gain.
3. Properly distribute areas of thermal mass and properly locate high resistance insulation to help stabilize the interior's mean radiant temperature.
4. Consider the advantages and disadvantages of prevailing breezes.
5. Remember that you are designing for mountain terrain above Durango, Colorado. Study your parcel's specific climate and natural environment and consider the elevation of your building site. These efforts will pay dividends.

II. SITE DEVELOPMENT GUIDELINES

OVERVIEW

The existing landscape at The Cliffs is fragile and may take years to mitigate impacts to its site or vegetation naturally. Due to these concerns, the Committee has developed regulations intended to provide protection for the land and its vegetation. Many of the homesites are visible from the surrounding areas and it is the intent to have the homes blend into the environment and not have negative visual impacts on adjacent sites or the community. As determined in the pre-design site meeting, each lot will consist of the natural area, pasture, limited use area and the building envelope. This concept has been created to provide the maximum amount of long-term flexibility in sighting your home, amenities, and future additions, while preserving significant natural areas and “view corridors”.

To insure minimum disturbance of the project lands, the concept of creating natural areas, pasture, limited use areas and building envelopes was established. In general terms, it is the intent that the natural areas are to remain natural, undisturbed and not fenced. The pasture may have a perimeter fence but will not contain buildings or interior fences. The limited use areas are for barns, out buildings, parking areas, and recreation facilities. All structures designed to be primarily occupied by humans such as homes and offices must be located within the building envelopes. All improvements located on the tract must blend into the environment and be screened from the view of neighboring tracts and the road.

Washes and drainage ways will, to the extent practical, be left free and unimpeded in their natural state. Natural features such as slopes, major trees, ridges, knolls, and rock formations will be carefully considered and, if possible, integrated into the form of development at The Cliffs. Landscaping will be carefully controlled to integrate well with the natural area, utilizing indigenous plants where possible. Finally, the goals will be for the appearance and character of all buildings and other improvements to harmonize with and enhance their natural settings, rather than contrast sharply with them. Pursuant to the approved development plan, as may be amended from time to time; density of development will be carefully controlled in an effort to preserve substantial open spaces and view corridors.

SITE ANALYSIS

Prior to the initial site visit, the owner's architect shall prepare a comprehensive analysis considering the specific opportunities and constraints for the site. Considerations of view corridors, visual impacts from off site, vegetation, unbuildable slopes, solar paths, summer breezes, winter winds, natural features, potential entry locations, set backs, topography, geologic hazards, cliffs, occupant safety, and the impact on neighboring properties shall be the basis for evaluating the proposed improvements on the building envelope, limited common area, pasture, and natural areas.

NATURAL AREA

The natural area as shown on the plat must remain as undisturbed natural landscape except for the driveways, buried utilities, wells and approved forest management and enhancement. The natural area may not be fenced.

BUILDING ENVELOPE

An appropriate building envelope has been identified and depicted on the plat for each tract based on the natural features of the parcel, views, relationship to adjoining tracts, topography, and privacy. The "Building Envelope" is the portion of each lot where the main residence, garage, guesthouse, office, studio, driveway and parking may be built. All tracts, except Tract 1, are limited to having one single-family residence along with a garage. If approvals and permits are obtained from La Plata County, each tract may also have one guest house, one caretakers quarters and one office/studio. No more than a total of five (5) buildings are allowed on any tract including both the building envelope and the limited use area. All swimming pools, hot tubs, ponds, tennis courts, solar devices, and greenhouses shall be contained within the building envelope or the limited use area. Any uses approved for the limited use area or pasture are also allowed within the building envelope.

LIMITED USE AREA

In addition to the building envelope, a limited use area has been identified and depicted on the plat for most of the parcels based on the natural features of the parcel, views, relationship to adjoining tracts, topography, and privacy. The "Limited Use Area" is the portion of each lot where barns, detached garages, accessory buildings, driveways, parking, and screened recreational vehicle parking may be built. Only one detached garage, one barn and two accessory buildings are allowed on each tract. The two accessory buildings can total no more than 600 sq. ft. combined. No more than a total of five (5) buildings are allowed on any tract including both the building envelope and the limited use area. All swimming pools, hot tubs, ponds, tennis courts, solar devices, and greenhouses shall be contained within the building envelope or the limited use area. Any uses approved for the pasture are also allowed within the limited use area.

PASTURE

In addition to the building envelope and the limited use area, a pasture area has been identified and depicted on the plat for most of the parcels based on the natural features of the parcel, vegetation, views, relationship to adjoining tracts, topography, and privacy. The "Pasture" is the portion of each lot where grazing of limited livestock and perimeter pasture fencing is allowed. No barns, outbuildings, or any other buildings are allowed in the pasture with the exception of one well house not to exceed 100 square feet. No corrals, paddocks, exercise equipment, or any other improvements are allowed within the pasture area with the exception of a perimeter pasture fence, a single non-looping driveway, and buried utilities.

Existing meadowland and native grasses on The Cliffs are inadequate for pasture grazing of horses. Supplemental feeding of all horses may be required. However, a minimum of ½ acre per horse pasture turnout will be required. The keeping of any pets, horses, or livestock shall not be conducted in any way that constitutes a nuisance to the Owners of other Tracts within the Property. The maximum number of horses and/or other livestock per Tract shall be: Tract 1 is not allowed to have livestock, Tracts 2 and 3 are limited to two (2), Tract 4 is limited to three (3); Tracts 7, 8, 9, 10, 11, 12, and 13 are limited to four (4), Tracts 5, 6 and 14 are limited to five (5), and Tract 15 is limited to six (6).

COMBINING LOTS

In cases where the owner owns two contiguous lots and wants to combine the two lots into a single home site, the owner must receive the consent of the Cliffs Design Review Committee. A reconfiguration of the building envelope, limited use area, and pasture shall be submitted by the owner's architect early in the design phase, and the Cliffs Design Review Committee must have approved the reconfiguration, at its sole discretion, prior to the preliminary submittal. In connection with the combining of lots, a relocated building envelope and limited use area may, at the committee's discretion, span the common lot line. However, it is possible that such a location could negatively impact views from nearby lots and thereby be unacceptable.

GENERAL SITE PLANNING RECOMMENDATIONS

Consider the potential impact of future homes and improvements on neighboring and nearby lots upon the views and privacy of your own home. Conversely, consider the impact of your home upon the views and privacy of your neighbors and the community.

Give careful consideration to the daily and seasonal paths of the sun and take advantage of the potential for passive solar heating. Also consider the advantages of planning your garage, kitchen, pantry, and service areas in close proximity to one another and the desirability of morning light into the kitchen and breakfast areas.

Evaluate the daytime versus nighttime quality of your views and arrange your living spaces to correspond to these differences.

Position your driveway and garage so they do not dominate the entry experience of your home or significantly impact the views or enjoyment from your living and entertaining areas.

Carefully consider site drainage and building runoff. Avoid unnatural modifications of existing drainage. Avoid soil erosion.

These sites are in a mountain environment and careful consideration should be given to the snow, snow storage, winter shadows, and snow falling from roofs. It is desirable for driveways and parking areas to have good sun exposure.

Geologic hazards may exist on your tract. Careful consideration should be given to geologic conditions to protect the safety of you, guests, and all occupants and visitor.

GENERAL SITE REQUIREMENTS

While the natural topography in The Cliffs varies from lot to lot, the following general limitations will apply in the absence of special circumstances:

- A. Cut and fill slopes may not be exposed following completion of construction;
- B. No change in natural or existing drainage patterns for surface waters shall be made upon any lot that could adversely effect another owner;
- C. No excavation of a depth of more than 18 inches shall be made without prior approval by the Design Review Committee.
- D. Geologic hazards shall be avoided.

In the event of any violation of A, B, C, or D above, the Cliffs Design Review Committee or the developer may cause the lot to be restored immediately to its existing state prior to such violation. The owner of such lot shall reimburse the Master Design Committee and/or the Developer for all expenses incurred by them in performing their obligations under this paragraph. The Cliffs Design Review Committee shall have the right to require complete or partial restoration of cut and fill areas.

SITE DRAINAGE AND GRADING

Site and drainage grading must be done with the goal of minimum disruption to the lot. Surface drainage shall not drain to adjoining lots or open spaces except as established by natural drainage patterns, nor cause a condition that could unnaturally lead to offsite soil erosion on open spaces. It is the intent of these Design Guidelines to discourage excessive cut and fill, and no grading may be done outside the Building Envelope or Limited Use Area except for the construction of one non-looping driveway. Any alterations to washes carrying 50 cubic feet per second or more resulting from a 100-year storm will require special consideration for approval by the committee.

Structures, roads, driveways or any improvement should be designed with the objective of fitting the existing contours of the site as nearly as possible, with minimal excavation.

Carefully evaluate the erosion potential and safety of the site based upon the percentage and direction of slope, soil type, and vegetation cover. When a change in the drainage way within a given lot is absolutely necessary, avoid right angle diversions, and

create a positive drainage in a logical and natural manner. Minimize soil erosion in disturbed areas through the use of plant materials or other erosion protection approved by the committee.

GEOLOGIC HAZARDS

Geologic Hazards may exist on the Tracts and within the Building Envelopes and Limited Use Areas. Prior to construction of any structures, the Owner is required to obtain a geology/engineering report from a qualified professional engineer or geologist verifying the constructability and safety of the proposed structure. At the time that a building permit application is made, a Geology/Engineers report for any proposed improvements may be required by the La Plata County Building Department. All improvements should avoid geologic hazard areas. Due care should be taken to ensure the safety of all occupants and guests.

DRIVEWAY ENTRANCES

Subject to the approval of the Cliffs Design Review Committee, a driveway entrance statement and gate is allowed within an area that is 75 feet wide by 75 feet long at the point where the driveway leaves Durango Cliffs Drive, or at the point where a shared driveway only serves one Tract. No drive-under entrances shall exceed 14 feet in height. No gates, fences, or other obstructions shall be placed upon or across Durango Cliffs Drive or any shared driveway. This restriction shall not prevent an Owner from placing a gate on a driveway on his or her Tract, so long as all Owners using the driveway consent.

One driveway per tract is allowed to cross the natural area. It shall be located in general conformance with the locations shown on the plat. Only one non-looping driveway is allowed per tract. Driveways should be located so as to minimize their visual impact on important natural features of a lot such as large or significant plant material, washes or drainage ways, and to minimize disruption of the existing landscape. Driveways shall meet the minimum requirements of the fire district's design guidelines. All driveways shall be hard surfaced concrete or asphalt pavement.

WALLS AND FENCES

In keeping with the Cliffs philosophy, only the pasture area, limited use area or building envelopes may be enclosed by fences. Any wall, fence, or berm shall be of an approved fencing or wall type and designated on the master site plan. Encouraged fencing materials are split rail, zig zag, log, pole section, or other fencing material that blends with the natural mountain environment. Chain link, barbed wire, galvanized pipe, plastic or PVC fencing, or other materials or colors that stand out and do not blend into the environment will not be approved. Rusted or dark colored pipe and high tensile wire are approved fencing types.

Fences will be subject to the Design Guidelines and will be constructed so as to allow, to the extent reasonably possible, the movement of big game, including deer and elk, on the Property. No gates, fences, or other obstructions shall be placed upon or across the Private Road or any shared driveway, or the Natural Areas. Only a perimeter fence and no internal fences or corrals are allowed in the Pasture Area.

WASHES, PONDS, AND DRAINAGE EASEMENTS

Natural drainage ways and springs occur throughout The Cliffs and should be dealt with sensitively. Structures and other improvements should be sited to avoid these washes, although they can be sited at the edge of a wash. Bridging by buildings and other improvements, designed so as not to obstruct 100-year storm flows, are encouraged.

Drainage washes with projected 100-year storm flows greater than 50 cubic feet per second shall be designated on the Master site plan. These washes are areas of special consideration due to the potential for water flows of a high volume, and must remain unaltered and unobstructed except as may be approved by the Cliffs Design Review Committee. As with any wash, improvements designed and constructed to bridge or dam these flows shall be designed by a Colorado licensed civil engineer. The engineer shall be approved by The Cliffs.

Water features shall be conceived to fit into The Cliffs architectural vernacular.

In general, the surface drainage across a lot must enter and leave the lot in the same quantities and locations as before construction of improvements.

SWIMMING POOLS

Swimming pools, should be designed as being within or visually connected to the residence through the use of walls or courtyards, and must be screened from view from adjacent lots, roads, and public spaces. They must be constructed according to all applicable regulations.

BASKETBALL HOOPS

Basketball hoops and backboards may be installed on any residence, when approved by the Cliffs Design Review Committee. The installation of such items may be subject to stipulation imposed by the committee. Particular attention will be given to the privacy of adjacent lots, as well as color and obtrusiveness of its location. The basketball hoop and backboard must come down when no longer utilized.

ANTENNA

No exterior radio, television, internet, microwave, communication, or other antenna or antenna dish or signal capture and distribution device or other such equipment shall be permitted without the prior written consent of the Committee and appropriate screening as required by the Design Guidelines. Any antenna or dish must be contained within the Building Envelope or Limited Use Area and they must not be visible from any other Tract or the Private Drive.

FOREST MANAGEMENT PLAN

A timber, brush and forest management plan shall be adopted by the Association and any removal of native vegetation or trees must be in compliance with the forest management plan. Plans for timber and existing vegetation removal for building construction, driveway corridors, and view corridors must be submitted for review and approval by the Design Review Committee prior to any removal activity and shall comply with the forest management plan. Each Owner shall be responsible for the creation of a wildfire defensible space surrounding all of their buildings in accordance with the Forest Management Plan and the guidelines of the Colorado State Forest Service.

REFUSE CONTAINERS

All refuse containers within the Property shall be shielded from view from the Private Road and from adjacent Tracts and be kept in a clean, sanitary and animal proof shelter. Refuse containers shall comply with Wildlife Proof Refuse Container (WPRC) requirements as approved by the Colorado Division of Wildlife. Refuse containers are allowed to be kept outside only on the days for refuse pickup and they must be kept inside during night time hours. No unsightly lumber, metals, scrap, refuse, trash, or the like shall be kept, stored or allowed to accumulate on any Tract so as to be visible from roadways or other Tracts.

RECREATIONAL VEHICLE STORAGE

Not more than one tent, camper, or Recreational Vehicle may be used by an owner or his guests for recreational camping and temporary residence (not to exceed 14 days at a time or 28 days per year). Mobile and modular homes are specifically and expressly prohibited. All recreational vehicles whether being stored or used temporarily shall be parked within the building envelope or limited use area and they shall be completely screened from view by any adjoining residence.

SIGNS

All security, construction, financing and other similar signs are prohibited within the Cliffs. Signs are not allowed to be displayed on any portion of a Tract except: signs required by law; or no more than one temporary "For Sale" or "For Rent" signs, the size of which shall be no larger than 10 square feet and they shall be positioned at the location designated by the Committee; address markers which shall be obvious and easy to find, but the numbers or letters depicting the address shall be no larger than 8 inches tall; and the temporary construction sign described in the construction guidelines. No trespassing or no hunting signs no larger than 2 square feet each, and containing only the colors of black, white and green, may be placed only near the perimeter of the exterior boundaries of The Cliffs of Durango Property at intervals no more frequent than every 300 feet. No trespassing signs are not allowed at individual driveways or on Tract boundaries that are not on the perimeter of The Cliffs of Durango Property.

ADDRESS IDENTIFICATION

Individual address identification devices for each approved residence may be installed by the lot owner. Such devices shall be clearly visible and meet the design criteria approved by the County Emergency Services department. The letters and numbers shall be no larger than 8 inches tall. The materials, color, design and style must be approved by The Cliffs Design Review Committee as part of site approval. All addressing devices within The Cliffs shall be similar in nature.

SITE LIGHTING

The Cliffs goal to maintain a predominance of undisturbed mountainside extends to nighttime as well as daytime views. In order to preserve the dramatic vistas of city lights and night sky, which will tend to be obscured by excessive local lighting, the design guidelines have established the following requirements for residential site lighting.

“Site Lighting” means all lighting not mounted directly onto a building. All site lighting must be shielded so that the light source is not visible from any location more than fifty feet from the light. Up-lighting is only allowed on the monument address sign.

“Building mounted lighting” means lighting built into or attached to buildings on walls, ceilings, eaves, fascias or other locations for the purpose of providing general illumination, area illumination, security illumination, or decorative illumination. Any up-lighting on a building shall have a shield above (deck, cove, or roof covering) that prevents any light traveling directly into the sky.

Security lighting means lighting intended to provide bright general illumination of the area adjacent to a residence during emergency situations.

- A. Site up-lighting is only allowed on the monument address at the driveway entrances.
- B. Building mounted lighting must be shielded so that the light source is not visible from any location more than 50 feet from the light.
- C. All exterior lighting must provide for complete shielding of light sources; no bare lamps will be permitted. Care should be taken to shield the lamp from view. One should see the effect of the light, not the lamp itself!
- D. Only incandescent lamps with a maximum wattage of 75 watts will be allowed unless approval is received from the committee.
- E. Security lighting, which by its nature, is bright and generally, will be permitted only with the understanding that it will only be used in emergencies. Its separate circuiting and controls shall be shown on the final plan submittal.

TENNIS COURTS AND OTHER RECREATIONAL SURFACES

In cases where the owner of a lot wishes to construct such an improvement, the following criteria must be met:

1. Any grading required to create a level playing surface must achieve a balance of cut to fill.
2. The playing surface must be screened from view of any neighboring tracts.
3. A combination of solid walls and approved fencing is recommended and may be required. The height of perimeter protection may be limited if, in the opinion of the Design Committee, such devices would be unattractive. Galvanized fencing will not be allowed.
4. Additional landscaping with indigenous trees may be required to mitigate the court's visibility from adjacent residences, nearby streets, lots, and common areas.
5. The objective is to create the most inconspicuous tennis court or sport/recreation area, as is reasonably achievable.

There are some Parcels that will not be suitable for tennis courts because of visual impacts, slope conditions, vegetation, limited area, etc.

DOG KENNELS

In cases where the owner of a lot wishes to construct such an improvement, the following criteria must be met:

1. The maximum area enclosed shall be no more than 250 square feet.
2. The kennel must be screened from view of any neighboring tracts.
3. A combination of solid walls and approved dark colored fencing is recommended and may be required. Galvanized fencing will not be allowed.
4. Additional landscaping with indigenous trees may be required to mitigate the kennel's visibility from adjacent residences, nearby streets, lots, and common areas.
5. The objective is to create the most inconspicuous facility as is reasonably achievable.

III. ARCHITECTURAL GUIDELINES

BUILDING HEIGHTS

The terrain of The Cliffs is varied and unique, with cliffs, ridge lines, hilltops, mountainsides, valleys and other changes in elevation, making absolutely uniform applicability of height restrictions for residences both inadvisable and impractical. These Cliffs Design Review Guidelines are intended to discourage and/or prevent any residence or other structure which would appear excessive in height when viewed from a road, public space, other lot, or our community, and/or which would appear out of character with other residences because of height. Consequently, despite the maximum heights generally permitted as hereinafter specified in this paragraph, the Cliffs Design Review Committee may disapprove a proposed residence or other structure if, in the Committee's opinion, it would appear excessive in height when viewed from the road, public space, or any other property, and/or would appear out of character with other residences, or be prominent because of height, even though the proposed residence or other structure may comply with said maximum height restrictions. These considerations will be of particular importance concerning residences to be constructed on lots along the cliff, on tops of ridges, near Durango Cliff Drive, or in open clearings. Without limiting the generality of the preceding sentence, in such circumstances, the Design Committee could refuse to allow any portion of the residence or other structure to exceed the 46 foot standard maximum height. The owner and his architect is encouraged to review their plans with the La Plata County personnel prior to bringing their design to the Cliffs Design Review Committee.

Main residences may be sited partially below grade. The maximum height of any building mass of a residence may not exceed 30 feet in height, measured from the lowest natural grade adjacent to the top of the mass element. The caretaker residences and guest houses may not exceed 28 feet measured from the lowest point of natural grade to the top of the mass or ridge. Barns may not exceed 38 feet in height measured from the lowest point of natural grade to the top of the mass or ridge.

Retaining walls and other walls not directly supporting a building structure, except screen walls, shall not exceed 8 feet in height, measured from the lowest natural grade adjacent to the wall. The appearance of such walls over 6 feet in height must be softened by landscaping with trees or large shrubs. Screen walls or approved fencing may not exceed 4 feet 8 inches in height measured from natural grade in the manner described above for retaining walls. In no case shall the overall height of a residence exceed 46 feet measured in a vertical plane from the highest point of the ridge to the natural grade at the lowest point adjacent to the residence exclusive of driveway.

BUILDING SIZES

Unless specifically given a variance, residences will contain at least 3,200 square feet of living floor area. Main residences shall have a maximum size of 12,000 square feet of floor area. However, smaller residences may be approved by the Design Committee if, in its opinion, the design would not result in a residence which would be out of character or value with the other residences in the area. Caretaker and guesthouses have a maximum size of 2,000 square feet of floor area. Barns have a maximum size of 2,880 square feet of floor area.

BUILDING MASSING

In order to enhance the concept of predominance of the environment, building masses will be evaluated based upon composition and proportion set in the natural environment.

Unless otherwise approved by the Design Committee, each residence shall be composed of at least three visual building masses whose height differ by at least 4 feet. Each mass shall have a minimum of a 4 foot setback from any adjoining mass. Height of each mass shall be measured from the highest adjacent natural grade at each building mass. While it is anticipated that the building masses will mold to the natural site contours, nothing in these guidelines shall prohibit residence with a single floor level or multistory structures provided the building height and massing and grading guidelines are met.

BUILDING MATERIALS AND COLORS

Exterior surfaces must generally be made of materials that harmonize with the natural landscape and the Cliffs architectural vernacular as well as provide an outer skin that will withstand the climate extremes. Log, stone, clapboard siding, shake, and stucco are such materials, and their use is strongly encouraged.

Specifically prohibited are: plywood siding, metal siding, opaque glass, vinyls and plastics, reflective materials, reflective exterior artwork and sculpture, or aluminum windows, natural aluminum, and other materials whose appearance in the judgment of the Design Committee does not convey strength, permanence or durability. Glass may not be mirrored.

The use of wood is allowed but requires careful consideration in detailing and finish, particularly as a wall surface material.

The use of paint is discouraged outside except on limited amount of house trim, the use of stain is strongly encouraged.

Avante grade or highly contemporary styles and materials are also strongly discouraged, and may be rejected by the Design Committee at its sole discretion.

In keeping with The Cliffs philosophy color schemes shall be of earth tones to blend with the natural environment. Color schemes will be considered when submitted on a comprehensive color board along with the preliminary design submittals. Color schemes whose appearance in the judgment of the Cliffs Design Review Committee does not harmonize with the natural environment will be prohibited.

Colors for exterior artwork and sculpture should also be muted tones chosen to blend rather than contrast with the surrounding residences surroundings.

Accent colors on front doors, window sashes and other incidental elements are allowed as long as, in the opinion of the Design Committee, the accent does not overwhelm the building's basic color or create a visual distraction from the road, adjacent lot, or common area.

ROOFS

Since roofscapes form an important part of the visual environment, they must be carefully designed. In keeping with our goals of visual harmony and sensitivity to the predominant mountain architectural vernacular, the Design Committee discourages flat roofs, in favor of pitched types.

Pitched roofs must comply with the following:

- A. Minimum slope of 6 in 12
- B. Incidental shed masses and porches have a minimum slope of 3 in 12.
- C. Flat roofs have a minimum slope of ¼ in 12.
- D. Flat roofs cannot make up more than 15% of the total roof area.

- E. Tile roofs must not be light color or glossy
- F. No mechanical equipment shall be located on pitched roofs
- G. Roof mounted mechanical equipment is prohibited on any roof, unless in the judgment of the design committee, it does not adversely affect views from roads, other lots, or public spaces. When permitted, such equipment must be screened from view from streets, other lots, or public spaces
- H. Flat roofs must be screened by the use of parapet walls a minimum of 2 feet in height
- I. Approved roofing materials include fire treated shake shingles, tile, concrete tile, standard seam rustable steel, aged copper, and slate. (Nothing shiny)

BUILDING PROJECTIONS

All projections from a building including, but not limited to, chimney caps, vents, gutters, down spouts, utility boxes, porches, railings, and exterior stairways shall be visually integrated into the overall design and generally match the color of the surface from which they project, unless otherwise approved by the design committee. Projections must be contained within the building envelope.

ANTENNAE/SATELLITE DISHES/FLAGPOLES

There shall be no antennae of any sort either installed or maintained, which are visible from neighboring property, street, or public areas except as expressly permitted by the design committee. Satellite dishes shall be screened with landscaping and out of view. Freestanding flagpoles are not allowed on any lot that would be visible from any other parcel, or roadway.

SKYLIGHTS AND WINDOWS

Skylights and windows are important sources of natural light and can be positive contributors of passive solar heat. However, they are also sources of undesirable reflections and glare, particularly at night. Care must be taken in locating, positioning and sizing of all windows and skylights.

Skylights must be either tinted bronze or gray, not white or clear.

PATIOS, DECKS AND COURTYARDS

Patios, decks and courtyards are encouraged and should be designed as integral parts of the residence so that they maximize the enjoyment of Durango's climate and capitalize on the views of and from the lot.

By properly orienting these outdoor spaces, breezes can be captured or deflected, sun can be controlled and privacy can be maintained.

SOLAR APPLICATIONS

Passive solar applications, or the orientation and design of the residence for maximum winter solar heat gain, will reduce the winter heating needs and will be encouraged. Insensitively positioned solar collectors can cause excessive glare and reflection, and will be approved only if they are integrated into the structure or landscaping and are not visible from neighboring properties.

SCREEN WALLS

Screen walls should be visual extensions of the architectural design of the residence. They may be used to separate the private areas from the rest of the building envelope and as screening for parking and service areas. The colors and materials of walls must conform to the residence.

Finish materials on all building walls and screen walls must be continued down to finish grade, thereby eliminating unfinished foundation walls.

SERVICE YARDS

All above ground refuse and trash containers, mechanical equipment, and other outdoor maintenance and service facilities must be screened by walls from other property, roads, or public spaces.

RADON GAS PROTECTION

Although there has been no indication that significant amounts of radon gas are present in the soil of the Cliffs, the Design Committee recommends that each individual lot be tested by a competent professional for the presence of radon gas. If a determination is made that a radon gas ventilation system is needed, the Design professional should be made aware of this and include it in the design of the residence.

GUEST HOUSES/CARETAKER RESIDENCES

Such structures may be attached or detached but should be in the same architectural style as the residence, and should be visually related to it by walls, courtyards, or major landscape elements. And any guesthouse or caretaker's residence must comply with all zoning restrictions or other county permits or regulations which could include approval by the La Plata County Planning Commission and County Commissioners. Modular or mobile homes are prohibited.

NO VISIBLE STORAGE TANKS

All fuel tanks, propane tanks, water tanks, or similar storage facilities shall either be shielded from view by walls or structures or shall be located underground with all visible projections screened from view. Use and/or construction shall comply with all applicable codes and ordinances.

BARN AND OUTBUILDINGS

Southwestern Colorado has a wealth of barn and stable archetypes. Due to the nature of the scale and the importance to the visual themes of The Cliffs, the aesthetic design of barns and stables will be a top priority to the design review committee. Barns, stables, well houses, and pool equipment shall conform to the Cliffs mountain architectural vernacular, its material, colors and other restrictions. Submittals shall be included for the preliminary design review and indicated on the preliminary master plan as the

location for future development. Prefabricated pre-engineered steel buildings, prefabricated sheds are acceptable, provided they are accented appropriately with architectural elements and natural materials that are consistent with the ranch vernacular. Mobile structures of any type are prohibited.

IV. LANESCAPE GUIDELINES AND FOREST MANAGEMENT

INTRODUCTION

The goal of The Cliffs is to preserve the beauty and character of the properties natural landscape. Toward this end, we have established the “Building Envelope”, “Limited Use Area”, and “Pasture” concepts to minimize the disturbance of what exists there today, and further we have established guidelines to control what can be added in the future.

The distinct character of our natural landscape is primarily a function of the height, color, density, and distribution of its trees. While there are many different types of trees in the Durango area, the Ponderosa Pine, Spruce, Fir, Aspen, Pinion, Juniper, and Scrub Oak are the most prevalent at The Cliffs. To preserve the existing landscape’s texture and color and avoid sporadic “foreign” elements on the horizon, the use of other types of trees that are typically out of the existing character in height and color will be limited to lower areas.

Because many of these varieties that are “foreign” to the predominant landscape are riparian in nature and found along waterways and lower drainage areas, their use may be appropriate around low areas of the meadows, near springs, ponds, and the main entry area. Trees, other than ponderosa pine, spruce, fir, pinion, juniper, and aspen may also be used in certain public or common areas where the scale of these trees can be controlled by long range planning to achieve subtle visual transitions and adequate densities.

Similar standards of preservation of the natural environment at The Cliffs will apply to ground cover as well. The native wild grasses and wild flowers shall be preserved as the predominant ground cover in natural areas on private property, as well as along roadways, and natural areas.

NATURAL AREAS

The areas platted as natural areas must continue in their natural state as a permanent feature of the landscape.

The intent is that the natural area on a lot be free from any improvements and scars resulting from construction. As long as the vegetation and land surface are not permanently damaged, it is possible to clean and trim in natural areas to enhance recuperation, and for approved fire mitigation measures. Landscaping such areas is not allowed unless needed to repair vegetation which has been destroyed. Such repair must be with indigenous materials only. This repair is the responsibility of the lot owner.

DEVELOPED AREAS

Developed areas disturbed by construction shall be replanted to make a pleasing visual translation between natural and private areas.

PRIVATE AREAS

The private area is the least restrictive in terms of what plants, shrubs, and trees can be planted therein. The private area includes, for example, a courtyard or atrium, or the area behind a wall where non-indigenous plants would be appropriate despite their increased watering needs. The private area may be designed as an area which may be as lush and varied as desired by the owner and not visible from a street or public area or from an adjacent lot. Lawns and irrigated landscape shall be limited to 15,000 square feet per tract.

PROTECTION AND PRESERVATION

Care should be taken to protect all plants at the Cliffs; all improvements should be sited to avoid as many of the existing trees as possible. It is recommended that competent landscape professionals be consulted prior to the cutting, thinning, or transplanting any natural materials. Thinning of dead trees and bushes is permitted. Compliance with the State Forest Service Defensible Space around buildings is permitted and encouraged, however the plan must also be approved by the Design Review Committee. Thinning of trees may be allowed or encouraged to promote the overall health of the forest, but any thinning plan must have prior approval of Design

Review Committee and shall be guided by a competent landscape and forest expert approved by the Committee. Clear cutting to open up views from the building site is strictly prohibited.

PROHIBITED PLANT MATERIALS

The prohibited plant materials include species with characteristics, which are potentially destructive to the natural areas and indigenous plants by reason of profuse and noxious pollen, excessive height, and weed-like characteristics of excessive growth, high water demands, and similar traits. Under no circumstance is it permissible to plant any prohibited plant in Cliffs. Tract Owners shall be responsible for noxious weed or plant abatement. Any plant listed on the La Plata County's list of noxious weeds must be sprayed or removed to minimize or eradicate the spread of noxious weeds. All spraying must be done in accordance with the EPA standards. Precaution must be taken to keep from damaging existing native vegetation and to keep from impacting the neighboring Tracts.

SITWORK

Be creative in the design process. Plan to alter the site as little as possible from its original native condition, protecting existing watershed and drainage ways wherever practical. Limit structures to the area on the sites where drainage, soil and geological conditions will provide a safe foundation. Soil analysis shall be obtained to assure proper foundation design.

Typically, residences should be nestled into the land as to be part of the site rather than being perched on it; thus avoiding unnecessary height. Attempt to step buildings and improvements down slopes, using split and multi-level solutions wherever possible to follow existing contours and achieve a balance of cut and fill. When the construction is finished, the earth around the residence and site walls should lie against the walls as near as possible to the original angle of the slope.

Once a preliminary plan is well enough defined, it is recommended that the corners of the building be staked out on the ungraded site and elevations taken at each corner. With this information it is often possible to determine exactly how to further adjust the design to maximize the structure's views and conformance to the existing contours

V. CONSTRUCTION GUIDELINES

CONSTRUCTION REGULATIONS

In order to assure that the natural mountain landscape of The Cliffs is not unduly damaged during construction, the following construction regulations shall be made a part of the construction contract documents for each residence or other improvements on a lot. All builders and owners shall be bound by these regulations and any violation by a builder shall be deemed to be a violation by the owner of the lot.

PRECONSTRUCTION CONFERENCE

Prior to commencing construction, the builder must meet with the Design Committee's Architectural Representative to review construction procedures and to coordinate construction activities. Builders will be asked to fill out a form, including a list of subcontractors and suppliers, in order for them to gain access to the project. In addition, the builder must have a letter from the Design Review Committee to start construction.

OSHA

All applicable OSHA regulation and guidelines must be strictly observed at all times.

CONSTRUCTION FIELD OFFICES

Any owner or builder who desires to bring a construction trailer, field office, or the like to the Cliffs shall submit a copy of the architect's site plan with proposed locations of the construction trailer or field office, the portable toilet, and the trash receptacle noted thereon. Such temporary structures shall be removed upon completion of construction.

If it is necessary to conduct construction activities outside of a building envelope to complete an improvement falling within the envelope, the owner of the lot or his architect may submit to the design committee a boundary description of the proposed encroachment and the committee will require the construction area outside the building envelope to be returned as closely as possible to its original condition.

The committee will only permit such construction areas outside of the building envelope when it is unreasonably difficult to achieve the construction activity within the approved limits.

DEBRIS AND TRASH

Builders shall clean up all trash and debris on the construction site at the end of each day. Trash and debris shall be removed from each construction site frequently and not be permitted to accumulate. Lightweight materials, packing, and other items shall be covered or weighted down to prevent them from being blown off the construction site. Builders are prohibited from dumping, burying, or burning trash anywhere on The Cliffs except as expressly permitted by the Design Committee. Wash out areas from concrete trucks shall be designated and approved by the design committee prior to the placement of any concrete. During the construction period, each construction site or the route to and from the construction site, shall be kept neat and clean, and shall be properly policed to prevent it from becoming a public eyesore or affecting others' lots or any open space. Unsanitary dirt, mud, or debris from activity on each construction site shall be promptly removed and the general area cleaned up.

SANITARY FACILITIES

Each builder shall be responsible for providing adequate facilities for his construction workers. Portable toilets or similar temporary toilet facilities shall be located only within the building envelope in an area approved by the design committee.

EQUIPMENT AND WORKER VEHICLE PARKING

Construction crews shall not park on, or otherwise use, other lots or any open space. Private and construction vehicles and machinery shall be parked only within the building envelope or in areas designated by the design committee. All vehicles shall be parked so as not to inhibit traffic.

Each builder shall be responsible for its subcontractors and suppliers obeying the speed limits. Fines will be imposed against the builder and/or its builder's bond for repeated violations.

PROTECTION AND CONSERVATION OF NATURAL LANDSCAPE

Builders are advised that the lots and open spaces contain valuable native plant and other natural features, such as topsoil, that should be protected during construction.

EXCVATION MATERIALS

Excess excavation materials must be hauled away from The Cliffs.

BLASTING

If any blasting is to occur, the Design Committee must be notified far enough in advance to make sure that the applicant has obtained the advice of expert consultants that blasting may be accomplished safely. These consultants must so advise the Design Committee in writing. No blasting or impact digging causing seismic vibrations may be undertaken without the approval of the Design Committee based upon such advice from a qualified consultant. Applicable governmental regulations concerning blasting must be observed. The Design Committee's only responsibility is to require evidence of such consultant's expertise, and shall have no liability for the blasting.

RESTORATION AND REPAIR OF OTHER PROPERTY DAMAGES

Damage and scarring to any property, open space or other Lot, including, but not limited to roads, driveways, concrete curbs, gutters, utilities, vegetation and/or other improvements, resulting from construction operations will not be permitted. If any such damage occurs, it must be repaired and/or restored promptly and any expenses are those of the builder and he shall be held responsible.

PROBITED PRACTICES

All owners will be responsible for the conduct and behavior of their agents, representatives, builders, and contractors, while on the premises of The Cliffs.

THE FOLLOWING PRACTICES ARE PROHIBITED:

- Changing oil on any vehicle or equipment on the site itself or at any other location within The Cliffs other than at a location, if any, designated for that purpose by the Design Committee.
- Allowing concrete suppliers, plasters, painters, or any other subcontractors to clean their equipment anywhere but the location specifically designated, if any, for that purpose by the Design Committee.
- Removing any rocks, plants topsoil, or similar items from any property or others within The Cliffs including other construction sites unless approved in writing by the Design Committee.
- The discharge of any type of firearms within The Cliffs.
- Using disposal methods or equipment other than those approved by the Design Committee.
- Careless treatment or removal of plant materials.
- Transit across common areas or other lots.
- Pets, particularly dogs, may be brought into The Cliffs by construction personnel, although such pets must be kept within the Building Envelope. **ALL PETS MUST BE LEASHED.** In the event containment is not accomplished, the Design Committee shall have the right to contact authorities to impound the pets, to refuse to permit the builder or subcontractor involved to continue work on the project, or to take such other action as may be permitted by law.

CONSTRUCTION ACCESS

The only approved construction access during the time a residence or other improvement is under construction will be the approved driveway for the Lot unless the Design Committee approves an alternative access point. In no event shall more than one construction access be permitted on to any lot.

DUST AND NOISE

The builder shall be responsible for controlling dust and noise, **including music from the construction site.**

CONSTRUCTION SIGNAGE

Temporary construction signs shall be limited to one sign per lot. Signs shall be single sided and no more than 6 square feet. The sign shall be free standing within the Building Envelope or at the point where the driveway exits the main roadway, and its design and location shall be subject to the review and approval of the design Committee.

In an effort to maintain the residential character of The Cliffs, the Design Committee will require all construction signs to meet the following criteria.

Signs shall be single-faced, panel type with a maximum area of six square feet. No additional signs may be attached to the main sign or be suspended below it.

Only the following information shall appear on the construction sign:

Architect's Name

Builder's Name

Cliffs Estates Address

One Telephone Number

DAILY OPERATIONS

Daily operations on each construction site shall be conducted between the following hours:

Monday thru Friday 7:00 am to 6:00 pm

Saturday 9:00 am to 3:00 pm

NO work may be conducted on Sunday or holidays.

IV. DESIGN REVIEW AND APPROVAL PROCESS

COMMITTEES AND PROCESS

PURPOSE, AUTHORITY AND ORGANIZATION OF THE DESIGN GUIDELINES AND COMMITTEE.

A Design Committee has been created to oversee the overall residential development of the Cliffs in accordance with these Design Guidelines and any other Design Guidelines as may be created for parcels or specific condition.

In order to assist each owner in the planning and designing of ones residence, and to take full advantage of the unique opportunities of the Lot, a comprehensive design review process administered by the Design Committee has been established. This process provides an opportunity for the owner to draw upon expertise and knowledge, which has been acquired during the planning and development of the Cliffs. The Design Committee is charged with the responsibility of maintaining the standards set forth in the Design Guidelines. As provided in the Design Guidelines, the Design Committee has the authority to issue all formal approvals or disapprovals of projects and enforce the Design Guidelines. Each residence must meet the criteria of the Design Guidelines.

The Design Committee will review designs only after determining that it has all information necessary, after adequate time for professional review, it will take one of the following actions: (A) Approval, (B) Approval with stipulations, or (C) Disapproval. Final action will be taken by the committee, which will either inform the applicant directly of its action. Or refer the matter to the Developer for action.

It is strongly recommended that an owner retain competent, experienced architectural services for planning and design. A thorough analysis and understanding of a particular Lot and the owner's special needs, and the skill to translate this into building form, as well as the ability to convey the concept and design of a proposed residence or other improvement to the Design Committee are all elements critical to the design and review process. If an owner elects to do his own design or to obtain non-professional services, and the Design Committee does not approve the result in either case, the committee has the right to require that the owner thereafter utilize architectural design services. If a submittal is rejected more than twice, and additional review fee will be charged.

GENERAL DESIGN REVIEW PROCESS

The design review process was developed to provide adequate checkpoints in an effort to minimize time and money spent on residential designs, which do not adhere to the Design Guidelines, or to the overall philosophy of The Cliffs. An attempt has been made to streamline this process and eliminate excessive delays. Nevertheless, each owner is himself responsible for complying with the Design Guidelines, and all the rules and regulations of any governmental authority, in order to bring the design review process to a speedy and satisfactory conclusion.

The design Committee will conduct reviews of projects during their regular meetings or at such other times, as they deem appropriate. Owners, Architects, or Builders shall have NO right to attend any meeting unless specifically requested to do so by such committee. The Design Committee will respond in writing no later than 15 working days after a submittal is completed. Results of reviews will not normally be discussed over the telephone. Any responses an owner may wish to make in reference to issues contained in The Design Committee's notice following review of submittals should be addressed to the Design Committee in writing.

ALTHOUGH THE DESIGN COMMITTEE WILL ENFORCE ALL PROVISIONS OF THE DESIGN GUIDELINES, THE FOLLOWING WILL BE OF PARTICULAR CONCERN:

- A. Building envelope usage with regard to the home's location and its sensitivity to views and privacy from other lots or open spaces.
- B. Building heights and massing
- C. Exterior elevation of residences in an effort to establish and maintain a high level of aesthetic quality.
- D. Exterior stain and material colors, as well as color usage and distribution.

The Cliffs seeks to acknowledge the appropriateness of much of Durango's "Mountain Architectural Vernacular" without dictating adherence to a strict set of rules. While this approach promotes greater diversity and creativity, its inherent subjective nature places greater demands on the design and review processes and relies exclusively on the sensitivity and talent of the architect and the judgment of the reviewers.

While The Cliffs has taken several steps to make its objectives clear with its illustrated guidelines, experience has proven that compliance with guidelines does not guarantee good composition or beauty. In addition to being proactive in the communication of our goals and review process, experience has prompted us to become positive contributors in design situations where the design Committee is dissatisfied with the abstract issues of general composition, or integrity, or the lack of visual strength, durability or

permanence. In these cases, sketches may be offered to illustrate specific areas or elements of dissatisfaction, and the committee may require a personal meeting with the applicant to discuss possible alternatives.

REVIEW PROCESS

In general, the design review process is divided into five phases:

- The Pre-Design meeting
- The Preliminary Submittal
- The Final Submittal
- The Construction process
- The Final Inspection

A. PRE DESIGN SITE MEETING

To initiate the review and approval process prior to preparing preliminary design drawings for a proposed improvement, it is necessary that the owner and/or architect prepare a comprehensive site analysis drawing and meet with a representative of the Design Committee to discuss the proposed residence and to explore and resolve any questions regarding building requirements or interpretation of the Design Guidelines or the design review process. This informal review is to establish the developable area and offer guidance prior to the initiation of the preliminary design. An appointment for the Pre-Design Meeting should be made at least one week in advance.

Site Analysis at a scale no less than 1"=50'-0" on 24" x 36" or 36" x 48" showing the general proposed location of proposed buildings, driveways and other improvements, view corridors, vegetation including the location of all existing trees clusters, contours at 5 foot intervals, geologic hazards, building envelope boundaries, drainage ways, easements, solar paths, natural features, potential entry locations, set backs, topography, and the impact on neighboring properties.

B. PRELIMINARY SUBMITTALS

Preliminary drawings, including all of the exhibits outlined below, must be submitted to the Design Committee after the Pre-Design meeting.

C. PRELIMINARY SUBMITTALS SHALL INCLUDE:

1. A Master Site Plan at a scale no less than 1"=50' on a 24 x 36" or a 30" x 42" sheet showing the entire Building Envelope and Limited Use Area, with the locations and areas of the primary residence, guest house, caretaker residence, barns and all other buildings, major structures, driveway, parking areas, patios, pools, walls, proposed utility service facilities and routes, ponds, site drainage, site grading including existing and proposed contours at one foot intervals, and topographic features such as washes, rock outcroppings and existing trees within twenty five feet of proposed improvements and major shrubs to be retained and relocated, and elevations of all building floors, patios, and terraces, shown in relation to site contour elevations.
2. A survey at the same scale as the Master Site Plan prepared by a registered Colorado land surveyor, showing building envelopes based on a field survey and found or set monumentation, all building site angle points and Limited Use Area angle points shall be staked on the site with a 5 foot tall metal fence T-post, the plan shall show setbacks, and dimensions, existing surface contours at one foot intervals, a site benchmark, major terrain features such as rock outcrops, washes, existing trees larger than 3 inches in diameter, and all designated plant materials that will be removed during construction or that are within 25 feet of the proposed improvements or any disturbed areas. Each Owner submitting drawings for approval to the Design Committee shall be responsible for the accuracy of all information contained therein. If the survey is incomplete it is not acceptable for submittal purposes.
3. Roof Plan and Floor Plans at no less than 1/8" = 1'0". Roof Plan should show areas of flat and sloped roofs and all skylights, roof mounted equipment such as air conditioning units, if permitted, solar collectors, etc.
4. Exterior elevations of all sides of the residence, at the same scale as the floor plans, with both existing and proposed grades lines shown and all exterior materials. Elevations (heights) of all parapets and roof ridgelines shall be shown. Lines of all existing natural grades.
5. A Design Review fee of not less than \$250 per submittal must accompany the submittal.

6. Any other drawings, materials, or samples requested by the Design Committee. On the Preliminary Submittal, all accessory improvements contemplated on the Lot must be shown.

To assist the Design Committee in its evaluation of the Preliminary Submittal, The Owner shall, if requested, provide preliminary staking at the locations of the corners of the residence or major improvements and at such other locations as the Committee may request. The staking will be at such heights as may be necessary to indicate proposed elevations.

Master Site Plan
Survey
Roof Plan
Floor Plans
Exterior Building Elevations
Design Review Fee
Material and Sample Boards

D. FINAL SUBMITTAL

Final submittal is required only if modification has been made to the initial approved documents. The Owner shall notify the Design Review Committee of any such modifications or changes to the initial approved documents.

IV. RIGHTS AND ORGANIZATION

A. AMENDMENT OF DESIGN GUIDELINES

The Design Committee may, from time to time and in its sole discretion, adopt, amend, and repeal, by a 75% vote, rules and regulations to be incorporated into the Design Guidelines, which, among other things interpret, supplement, implement or entirely revise the provisions of those Guidelines. All such rules, regulations, or amendments, as may from time to time be adopted, amended, or repealed, should be appended to and made a part of the Design Guidelines, and shall have the same force and effect as if they were set forth in, and were part of, the applicable Guidelines. Each owner is responsible for obtaining from the Design Committee a copy of the most recently revised Design Guidelines, and should inquire if any substantive amendments to the Design Guidelines have been adopted since the most recent printing of the Design Guidelines.

B. NON LIABILITY OF DESIGN REVIEW COMMITTEE AND DEVELOPER

Neither the Design Committee, any member thereof, nor the Developer, or their respective successors or assigns, shall be liable in damages to anyone submitting drawings or specifications to them for approval, or to any Owner or other person by reason of mistake in judgment, negligence, or nonfeasance arising out of or in connection with the approval or disapproval or failure to approve any drawings or specifications to the design Committee. By submission of such drawings and specifications for approval, an Owner agrees that he will not bring any action or suit against the Design Committee, and member thereof, or the Developer. Approval of a submittal shall not be deemed to be a representation or warranty that the Owner's drawings or specifications or the actual construction of a residence or other improvement complies with applicable governmental ordinances or regulations. It shall be the sole responsibility of the owner or other person submitting drawings or specifications to the design Committee or performing any construction to comply therewith.

C. ENFORCEMENT

The Design Committee or the Developer may enforce these Design Guidelines.

D. RIGHT OF WAIVER

The Design committee reserves the right to waive or vary any of the procedures or standards set forth at its discretion, for good cause shown.

IIIV. APPENDIX

SUBMITTAL CHECKLIST

Per-design meeting

- Site analysis
- Proposed developable area, natural areas, and building envelopes

Preliminary Submittal

- Site plan
- Survey of lot
- Roof plan and floor plan
- Exterior elevations
- Design review fee

Preliminary approval from Design Committee

Final Approval

- Sample of all exterior materials, colors, and glass specifications
- Landscaping Plan
- Exterior lighting plan and lighting fixture cut sheets
- Tagging of any plants

Final approval by Design Committee

- Building Permit
- Builder must post Builders Bond
- Builder must, if required, meet with a representative of the Design Committee prior to commencement of construction.

Construction Regulations

Approval from the Design Committee must be obtained prior to bringing in any construction trailer or field office, etc.

Prohibited Material

Reflective glass
Opaque glass
White vinyl clad

Mill finish aluminum
Aluminum windows
Fiberglass or plastic