

The Ranch Property Owners Association
ARCHITECTURAL COMMITTEE RULES

GENERAL:

THE PURPOSE of these Architectural Committee Rules (the “RULES”) is to define the specific standards and procedures for Architectural Committee review and the guidelines for architectural design, placement of buildings, landscaping, color schemes, exterior finishes, materials and similar features, for use in THE RANCH. The RULES shall be consistent with the purposes of the AMENDED AND RESTATED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS, DATED June 06, 2006 (the “REVISED DCCRS”). Any conflict between these RULES and the REVISED DCCRS shall be resolved with the REVISED DCCRS taking precedence.

A) APPLICATION FOR APPROVAL OF IMPROVEMENTS. Any OWNER, or their agents, proposing to perform work of any kind that requires the prior approval of the Architectural Committee shall notify the Architectural Committee of the proposed work in writing, in duplicate, a minimum of thirty (30) days prior to the start of the proposed work. Such notice shall contain, as applicable, the following information (the “Plans”):

- 1) A plot plan showing the location of all existing and proposed IMPROVEMENTS including a description and the location of all utilities;
- 2) Floor plans showing principal dimensions;
- 3) Drawings showing all elevations and principal dimensions;
- 4) A description of exterior materials and colors with color samples if required by the Architectural Committee;
- 5) Landscaping Plans;
- 6) The OWNER’S proposed construction schedule; and
- 7) Such other documents as may be required by the Architectural Committee.

In addition, the Architectural Committee may require further documents and/or a professional inspection for a proper review of the application in connection with any IMPROVEMENT to be constructed. The fee for any professional inspection will be set by the Architectural Committee and payable by the applicant.

B) BASIS FOR APPROVAL OF IMPROVEMENTS. the Architectural Committee shall grant the requested approval only if:

- 1) The OWNER has complied with the provisions of Paragraph A above.
- 2) The Architectural Committee determines that the IMPROVEMENT:

a) Conforms to the REVISED DCCRS, and as set forth in the Preamble:

“The Property shall be known as ‘THE RANCH.’ It is the intent and purpose of this ...Declaration to preserve the great charm and natural beauty of the Property through the use of a coordinated plan of development.... It is assumed that each

purchaser of property in The Ranch shall be motivated to preserve these qualities through community cooperation and by enforcing not only the letter but also the spirit of this instrument and it is the intention of this instrument that each covenant, condition and restriction contained herein shall be understood and construed to achieve the objective of preserving the charm and natural beauty of the area and the value of each LOT therein”;

b) Conforms to the Architectural Committee RULES in effect at the time the plans were submitted.

c) Demonstrates the same quality of workmanship and the materials are similar to and the design and character and the topography and finished grade is consistent with other structures and land uses in the immediate vicinity and with the view corridors and all other pertinent criteria (as determined by the Architectural Committee) which should be evaluated in making such a determination for IMPROVEMENTS in THE RANCH; and

d) The overall effect is such that the IMPROVEMENTS shall blend with and shall not be set apart from the natural topography and designs in THE RANCH.

- 3) Approvals will be in writing with one of the following decisions:
- APPROVED OR APPROVED WITH COMMENTS;
 - APPROVED WITH LIMITING CONDITIONS
 - DISAPPROVED.
- 4) Any change or deviation from approved plans either during or after completion of construction that alters the exterior appearance of a LOT or improvements thereon must have the prior approval of the Architectural Committee.

C) INSPECTIONS. Members of the Architectural Committee to determine compliance with approved Plans will perform from time to time inspections of construction or improvements. Revisions may be required of any items that were overlooked during the review process. A final inspection by the Architectural Committee will be required prior to issuance of the County Certificate of Occupancy.

D) VIOLATIONS: Any violation of these RULES will subject the violating party to the remedial provisions of the REVISED DCCRS including, but not limited to, Section 7.03.

E) APPEALS. The Architectural Committee is tasked through the RPOA Covenants with the enforcement and interpretation of these Architectural Rules and the related portions of the Covenants. Any disagreement by an owner over an A.C. ruling can be appealed to the RPOA Board only on the following basis: failure of the Committee to follow the proper procedures; a provable bias against the owner; or application of unapproved rules by the committee.

SPECIFIC RULES:

1. **Improvements and Alterations.** No improvements, excavation or other work which in any way alters the exterior appearance of any LOT (planting of lawns, shrubs and trees by an OWNER shall not be considered an alteration of the exterior appearance of a LOT except in the case of initial landscaping as discussed in paragraph 11. below) or the IMPROVEMENTS located thereon, from its natural or improved state existing on the date such LOT was first conveyed in fee by DEVELOPER to an OWNER or added to the RANCH whichever is later, and no sprinkler systems and no grading work which materially alters natural flows or involves the handling of more than ten cubic yards, at once or in stages, shall be made, installed or done without the prior approval of the Architectural Committee given pursuant to the terms of Section 3.02 of the REVISED DCCRs, unless specifically authorized by other provisions therein or by the Architectural Committee. Subsequent transfers of LOTS from one Owner to another Owner does not provide relief from the provisions of these Architectural Committee RULES.
2. **Setback Requirements.** For LOTS included in property described in Exhibit "A" of the REVISED DCCRs, there shall be a minimum side setback requirement of five (5) feet, and a twenty-five (25) foot street setback measured from the foundation of the building closest to the relevant property line to that property line except for garages which can be no closer than fifteen (15) feet from the property line contiguous to any street easement. For LOTS added by steps described in Section 2.02 of Article II of the REVISED DCCRs, there shall be a minimum side setback requirement of ten (10) feet and a twenty-five (25) foot street setback measured from any portion of a building, excepting garages which can be fifteen (15) feet from street easement. The location of each improvement must be approved in advance by the Architectural Committee. Dwellings on Ranchettes numbers 7, 8, 9 and 10 are to be located between the street property line and the rear berm. As a matter of clarification, there is no setback limit against the common ground except where recorded utility easements apply. No permanent structures or encroachments will be permitted on such easements or in the Common Ground.
3. **Height Limitations.** Every effort shall be made to design and locate new construction so as to minimize view obstruction for neighboring lot owners. All houses on Lots 11-25, 68-72 & 87A shall not exceed twenty-two (22) feet in height. Height restrictions will be 28 feet 6 inches for Phase II-C2. Height restrictions for Phase II-DI and Phase II-D2 (lots 89-99 & 102-107) shall not exceed 22 feet at the highest point, excepting lots 108 & 109, which shall not exceed 28 feet 6 inches at the highest point. Elevations of existing developed and undeveloped lots must not be altered without specific prior written approval of the Architectural Committee.

The base point from which all heights will be measured will be determined as follows:

- The relative elevations of the highest and lowest property markers on the property lot lines will be determined prior to any construction or other disturbance of the

property;

- The elevations will be averaged;
- The difference between the average and the elevation of the undisturbed ground at the highest or lowest property marker (the one least likely to be disturbed in construction defined as the "selected property marker") will be calculated (the "Elevation Adjustment");
- The base elevation for the measurement of the height of all buildings will be the elevation of the undisturbed ground at the Selected Property Marker plus or minus (as appropriate) the calculated Elevation Adjustment.

The Owner and one or more members of the Architectural Committee will execute an acknowledgment of the calculations and elevations before any excavation or other disturbance of the property is commenced. Immediately prior to the pouring of permanent foundations, the Owner and his general contractor will physically demonstrate to the Architectural Committee that the height of the poured foundation will permit the residence to be constructed within the permitted height limitation. All parties will then execute a signed acknowledgement that this measurement has been performed and is in compliance with the above requirements before any foundation is poured.

4. Minimum Square Footage. Every single-family residence, excluding townhouses, shall not have less than 1,500 square feet of floor area devoted to living purposes and shall have a garage of sufficient size to house two automobiles. Exception to this provision shall be limited to the following:
 - Ranchettes: shall not have less than 1,800 square feet of living area.
 - Phase II-C2: Minimum square footage for single family homes will be 2000 sq. ft. (excluding lot 76, which remains at 1,500 minimum square feet).
5. Roof Pitches. All roof pitches shall range between 5:12 and 7:12 (inches of rise per inches of run) unless otherwise approved in writing by the Architectural Committee.
6. Exterior Finishes. Rock and earth-toned colored (colors made from naturally colored clays or minerals that are less intense than synthetic colors, e.g. ochers, siennas and umbars) woods are the only permitted exterior building materials. All exterior features of the building (including, but not limited to, windows, doors, screen doors, decks, fences, architectural features, etc.) shall be stained or painted in a limited number of compatible earth-toned colors and must be approved in writing by the Architectural Committee. All roofs are to be finished with wood shakes or equivalents. Shakes made of fabricated materials (and other roofing materials as evaluated and approved from time to time by the Architectural Committee and set out in Attachment 1 hereto) may be used in all new construction or as a replacement roof material. The Architectural Committee's prior written approval of both the material

and the color is necessary before any roofing or re-roofing is commenced. Stucco and copper materials may be used on up to twenty percent (20%) of the surface area of any building as determined from the aggregate exterior elevations of the building (net of doors, windows, garage doors, roofs and other areas where stucco is not generally considered a practicable building material). Plans for the application of stucco and copper must be submitted to the Architectural Committee for review and approval before application is begun. On all new construction and on any changes from original colors of existing structures, owners must submit earth tone color samples to the Architectural Committee for approval before application. Ancillary decorations must be appropriate to the prevalent themes of the Ranch, in good taste and compatible with the natural surroundings.

7. Continuity of Construction. Actual construction time is not to exceed 270 days from date building permit is issued. No development of any kind will commence until the Owner provides a copy of the county building permit to the Architectural Committee.
8. Driveways. All driveways from the street to a resident's home are to be constructed of permanent hard-surfaced materials (asphalt, concrete, etc.). Any asphalt or concrete coloring other than natural must have specific Architectural Committee approval before installation. Gravel being used alongside the street must be 1-1/2 inch washed rock spread three feet wide. Larger gravel may be used with specific Architectural Committee approval.
9. Animals. The Architectural Committee must approve the location and design of any building used to house animals.
10. Antennas. Antennas, direct broadcast satellites (DBS) dishes, or other digital satellite dishes, may be installed on an OWNER'S premises, provided such installation has advance written approval of the Architectural Committee. The 1996 Federal Telecommunications Act allows homeowners to install one (1) satellite dish, up to one meter in diameter (39 inches). Reasonable efforts must be made to install the antenna system in an inconspicuous location not visible from the street or common areas. The objective is not to interfere with the required performance but to make it as visually appealing as possible under the circumstances. This may require installation of an architecturally compatible buffer or treatment of the dish. The Architectural Committee shall make the final determination whether or not any installation meets this requirement.
11. Plantings and Lawns and their maintenance. Each OWNER shall grade, landscape and plant his LOT within ninety days after house completion unless house construction is completed after September 1 of a calendar year as evidenced by the Certificate of Occupancy. In such latter event, the LOT shall be graded and landscaped as set forth above, but need not be planted until June 1st of the following calendar year. If not already existing, OWNER shall plant trees and shrubs on that part of his LOT fronting on public streets which total not less than three (3) trees (excluding Elm, Cottonwood and Box Elder) of 1-1/2 inch diameter or better and ten (10) five gallon shrubs. OWNER shall further plant in the LANDSCAPED AREA

Turf Grass covering a minimum of 50% of the LANDSCAPED AREA. XERISCAPING principles may be used in landscaping, provided these minimum standards are met. Initial or replacement landscape planning must be reviewed and approved by the ARCHITECTURAL COMMITTEE pursuant to section 3.02 herein. Each owner shall care for all shrubs, trees, grass and planting of every kind on the Lot and, in addition, keep all planted areas between the LOT and adjacent streets, if any, neatly trimmed, properly cultivated, and free of trash, weeds, and other unsightly material. During periods of County water use restriction, OWNERS will comply in all respects with such restrictions while making reasonable efforts to comply with these planting and maintenance requirements. Upon termination of the period of County water use restriction, OWNERS will, within 60 days, restore their LOT(S) as nearly as possible, to the condition required by these provisions. The BOARD shall have the right at any time to plant, replace, maintain and cultivate, at ASSOCIATION expense, trees or shrubs on each LOT within a distance of six feet from the right of way of any street. No OWNER shall remove, alter, injure or interfere in any way with any tree or shrub placed in such area by DEVELOPER or the BOARD. Upon violation of the provisions of this Paragraph by OWNER, the BOARD shall give thirty (30) days written notice of such violation to OWNER requesting that such violation be corrected. In the event said violation is not corrected within the specified 30-day period, the BOARD and its authorized agents shall have the right to enter upon the OWNER'S LOT during daylight hours of any day except Sunday for the purpose of correcting any such violation without liability for trespass or other damages necessarily caused as the result of such work.

12. Nuisances. No trash, rubbish or debris of any kind shall be placed or permitted to accumulate upon or adjacent to any LOT, and no odors shall be permitted to arise therefrom, or other nuisance activity carried on or permitted to exist so as to render any LOT or portion thereof unsanitary, offensive, or detrimental to the comfortable occupancy for residential purposes of other property in the vicinity thereof. Excessive noise emanating from a LOT shall be considered a "nuisance activity". Without limiting any of the foregoing, no exterior speakers, horns, whistles, bells, or other sound devices, except security devices used exclusively for security purposes, shall be located, used or placed on any LOT. The Architectural Committee must approve yard lighting. Lights shall be located to limit beams to each OWNERS LOT and shall not be of an intensity, which unreasonably illuminates any area, which is visible from neighboring property. Seasonal lighting must be limited to 60 days unless otherwise specifically approved by the Architectural Committee.
13. Trash containers and collection. All garbage, rubbish and trash shall be placed and kept in covered containers of a type and style, which shall be approved by the Architectural Committee. In no event shall such containers be maintained where visible from neighboring property except to make the same available for collection and then only for twenty-four hours. During periods designated by the Board as periods of high bear activity, containers shall not be left out at night. Use of containers shall comply at all times with applicable government regulations.

14. Fences. Above ground fences shall be permitted only on those LOTS listed on Exhibit "C" of the REVISED DCCRs. Fences shall not be permitted on townhome LOTS nor on properties situated in the interior of THE RANCH. Above ground fences shall not be greater than five (5) feet in height, shall be made of wood and shall provide an open and see-through appearance. No fences including plantings such as hedges or trees which would be in the nature of a fence shall be placed on that portion of a LOT fronting on a public street between the public street and a line drawn parallel to the centerline of such street through the closest edge of the house or garage on such LOT. Pet fences of the below ground electronic type shall be permitted on any LOT. The BOARD shall have the authority to amend Exhibit "C" of the REVISED DCCRs by a majority vote to reflect the addition of new LOTS or to reflect the consolidation of LOTS. The above restrictions shall not apply to the use of fencing type materials on a temporary basis to protect trees, shrubs and property from wildlife so long as such fencing is neither highly visible nor of an objectionable color. The Architectural Committee shall review and approve the design and materials of all permanent fences before construction is commenced. In general, decorative exterior walls are subject to the above, except that they must be constructed of masonry or rock and will not be higher than three feet.

15. Window Air Conditioners. Any window air conditioner installation must be approved in advance by the Architectural Committee. Window air conditioners must not be visible from the street and efforts shall be made to shield them from the view of neighboring property.

16. Heating, Ventilation and Air Conditioning (HVAC): Whole house HVAC units will be permitted so long as every reasonable effort is made to:

- place units inside the residence wherever possible,
- locate units, which must be placed outside the residence, in a location which minimizes the noise and aesthetic impacts on surrounding Owners, and
- avoid the creation of a Nuisance (Par. 12 above).

The location, installation and operation of any external unit must be approved in writing by the Architectural Committee before installation.

17. Removal of Trees. In order that the beauty of THE RANCH may be enhanced, no living tree shall be destroyed or removed from any LOT after the transfer of such LOT or parcel by DEVELOPER to a PUBLIC PURCHASER or the annexation thereof into THE RANCH, whichever occurs later, without the express written consent of the Architectural Committee. In the event of a violation of this Paragraph W, the BOARD may cause such tree to be replaced with another tree of similar size and type whereupon the OWNER of such LOT shall reimburse the ASSOCIATION for all reasonable expenses incurred by it.

18. Garages. No garage shall be converted to residential living space or any other use

except uses normally associated with a garage, such as storage of vehicles, boats, campers, workbench activities, etc..

19. SAFETY. During periods of heightened fire danger, as determined by government authorities, firewood and other highly flammable materials must not be placed next to any structure on the exterior of the dwelling. All other applicable governmental rules regarding open fires, barbecues, gas powered tools must be observed. No private or commercial vehicles will be permitted to park on any uncultivated part of the common property.

20. Use of Common Facilities: Modification or contemplated long-term usage of specific facilities owned in common by the ASSOCIATION (e.g. waterways, common ground, roadways, and similar features) shall require approval in advance by both of the Architectural and Maintenance Committees. Any permission to modify common areas by owners must take into account those principles that apply to the original purpose of such facilities: the views enjoyed by neighbors must be preserved; any underground system cannot be adversely affected; roadways cannot be impacted; ponds or waterways cannot be screened by vegetation nor altered to affect the flow of water or the operation of irrigation equipment by material or vegetation; and access for the common ground maintenance must be maintained. In line with these principles, any approval shall be subject to the execution by the Owner of a written agreement assuming responsibility for the installation, maintenance and upkeep of the modification or usage and the assumption of liability for any consequences of such modification or usage, which agreements shall be recorded at owner's expense and apply to subsequent Owners. The Board shall resolve any disagreements between the Committees regarding any request to modify or use.

21. Contractor Requirements. Contractors are responsible for the actions of all of their employees, subcontractors and their employees, their agents or anyone performing work under their contract.

Contractors with contracts of \$5,000 or more for work at The Ranch must provide a \$500 cash deposit and a certificate of insurance before work begins. For contracts requiring approval of the Architectural Committee, the deposit must be made before approval is granted. The deposit will be held in the general account of the RPOA until a maximum of 31 days after the later of issuance of the certificate of occupancy or completion of the contract. The purpose of the deposit will be to cover any assessments for damage to The Ranch property or violations of the Architectural Committee RULES by contractors, their employees, subcontractors and their employees, contractors' agents or anyone doing work covered under the general contract for which the \$500 deposit was made.

Any violation by the Contractor of the REVISED DCCRS or these Architectural Committee RULES may be assessed a minimum \$25 fine for each occurrence. An example of violations will include, but not be limited to, the following:

- Loud music or any unnecessary noise (essential power tools excepted)
- Pets running loose..
- Failure to observe the Ranch speed limit (15 m.p.h. on all roads).
- Damage to property at The Ranch - actual cost for repair of damage instead of a \$25 fine.
- Failure to provide suitable refuse containers and/or to maintain the construction site in as neat and clean a condition as possible at all times during the construction period.
- Causing excessive damage to adjacent undeveloped properties during the construction period as determined by the Architectural Committee.

In the event any contractor's fine or charges for actual costs for repair of damage should exceed the \$500 deposit, a subsequent \$500 will be required and so on until completion of the contract. In the event a contractor's deposit falls below \$100.00, no further construction will be allowed until the balance of \$500.00 is restored. Actual assessments of fines will be made at the sole discretion of the Board of Directors of the RPOA based upon recommendations by the Architectural Committee. These assessments are not intended to punish contractors, but to deter potential violators. This deposit procedure in no way limits a contractor's liability to \$500.

Work may be performed on weekdays between the hours of dawn and dusk. Any work to be done on Saturdays must not commence before 8:00 a.m. and must end by 5:00 p.m. Only work of an emergency nature, such as work to prevent serious damage to the structure, is to be conducted on Sundays and the following holidays: New Year's Day, Memorial Day, 4th Of July, Labor Day, Thanksgiving and Christmas. Any exceptions to this schedule or work on Sundays or holidays must have specific written Architectural Committee approval in advance.

Contractors must provide their own sanitary restroom facilities, located on the lot as far from the street as practical, and maintain these in place during the entire construction period.

The Ranch Property Owners Association
ARCHITECTURAL COMMITTEE RULES

ATTACHMENT 1

Alternate permitted roofing materials at June 12, 2006:

- **Artificial Shakes (Seneca EcoStar Cedar Shake Tiles by Carlisle SynTec Corp. and similar).**
- **Lightweight Concrete Roof Tiles (Eagle Roofing, Westile and similar).**
- **Presidential TL Shake (Asphalt) by CertainTeed Corp.**
- **Owens Corning Woodcrest & Woodmoor Collection.**