

EXHIBIT C
TO
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
OF
PLUM CREEK, FAIRWAY 10

SUBMITTAL REQUIREMENTS AND GENERAL DESIGN GUIDELINES
OF
PLUM CREEK, FAIRWAY 10

These submittal Requirements and General Design Guidelines (“Design Guidelines”) are attached to and incorporated in that certain Declaration of Covenants, Conditions and Restrictions of Plum Creek, Fairway 10 (“Declaration”) (terms which are defined in the Declaration shall have the same meanings herein unless otherwise defined). As provided in the Declaration, these Design Guidelines may, at any time, from time to time, be amended, supplemented, repealed, or otherwise changed by the Executive Board of Plum Creek, Fairway 10. As of the date of recording of the declaration in Douglas County, Colorado, until changes as aforesaid, the Design Guidelines shall be as follows: **(If these Guidelines are more restrictive than the Official Development Plan (ODP) approved for the community, these more restrictive guidelines shall apply. If any portion of these guidelines is less restrictive than the ODP, the ODP shall apply.)**

1. Submittal Fee

As of the date of recording of the declaration, the fee for each first time submittal and review of a plan is Three Hundred Dollars (\$300.00). Once a plan is approved for the subdivision, subsequent submittals of that plan require only a \$50.00 submittal fee. However, the amount of such fees is subject to change, at any time, from time to time, without notice. The fees are non refundable, regardless of what action or lack of action may be taken by the Architectural Review Committee (“Committee”) with respect to such plan submittal.

If the Committee reviews a plan and must return the plan to the Builder with a correction(s), another \$50.00 resubmittal fee may apply if these corrections have not been completed on the resubmittal. The fee must be paid prior to, or with the resubmittal.

2. Review and Plan Submittal Procedure

The Review and Plan Submittal Procedures provided in these design Guidelines have been written to accommodate the most complex conditions that may exist in the variety of development activities that may occur in the Common Interest Community.

There will be cases where some of the step-by-step procedures will not have to be followed or certain lists of submittal items may not be required.

The Architectural Review Committee (“Committee”) should be consulted if there is a question concerning what documents and information the Committee will require for its review. The Committee will meet at regularly scheduled intervals to review all proper submittals, which have been submitted since the previous meeting. In

addition, the Committee may elect to meet at times other than the regularly scheduled meetings, if, in the opinion of the Committee an additional meeting is warranted.

All submittals for review must be received three days prior to the scheduled review date. Submittals are to be sent to:

John O'Connor
Pristine Communities
P. O. Box 124
Castle Rock, CO 80104
Ph: 303-663-3615
Fax: 303-663-6314
Email: jjoco1@earthlink.net

a. Architects

All preliminary drawings and working drawings must be prepared by an architect licensed in the State of Colorado. The Committee reserves the right to waive this requirement based on the background and experience of the applicant or his agents and if the submittal is otherwise complete and adequate.

b. A total of two (2) sets of preliminary drawings is required to be submitted to the Committee, each set to consist of the following items:

i. Site and Grading Plan

Locations and finished floor elevations of garage, and walkout basements and elevations for top of foundation, at a scale of 1" = 20', or 1" = 30 and including:

- Legal description; north arrow; name, address and telephone number of the owner
- Property Lines
- Building envelope dimensions with centroid of the envelope, if relevant, established in relation to property lines or the setback requirements as established.
- Front, rear and side yard dimensions to building from property lines.
- Drives, parking areas (if any) and walkways
- Square footage of the building footprints for each building
- Topography of site at two foot (2") intervals showing existing and proposed contours and drainage courses and cut/fill areas, or as an alternative to the topography, show proposed existing grades at outside corners of foundation, elevations of all property corners of foundations, elevations of all property corners, elevation of proposed high point of grade, and proposed drainage courses.
- Location and elevation of access road and off street parking lot design, if any, including ingress and egress points
- Location, elevation and square footage of any other improvements such as, tennis and basketball courts, swimming pools and patios.
- Reference to adjoining properties, streets, utility and other easements and drainage courses; and reference to buildings on adjoining properties and their uses.

- Landscape Plan, if installed by Builder
- Fencing Plan, if installed by Builder
- Exterior Lighting Plan, if installed by Builder

ii. Building Plan

Indicate for all buildings the following at a scale of 1/8 inch = 1 foot or ¼ inch = 1 foot:

- Pitch, valley, hips, materials and overhangs
- Main structures and all accessory structures, including balconies, decks and square footage of each floor within the main building.
- All exterior elevations with materials, and dimensions.
- Sections, which will include finish grade, finish floor and maximum roof height.

c. Final submission to Committee

All working drawings must be approved by the Committee prior to submittal to the Town of Castle Rock for a building permit, and prior to commencement of any construction.

A total of two (2) sets of working drawings and specifications must be submitted to the Committee, each set consisting of the following items:

- All of the revised, final drawings required under the Preliminary Submittal
- Sufficient exterior construction detail to allow the Committee to review finish design.
- Exterior colors, materials and finishes, which shall be presented displaying each material in sufficient size to evaluate its final use and appearance. Proposed paint or stain finishes shall be applied to the trim and siding materials in the same manner as will be done on the building. Finishes shall identify precuts brand and color identification. Such sample board must indicate the name of the applicant and legal description of the property. Final exterior colors may be submitted at a later date; however, no exterior finishes, including application of brick, stucco or stone, may take place without prior approval by the Committee. The Architectural Review Committee (“Committee”) may allow submittal of an “exterior finish package” for the subdivision in lieu of a submittal of a color board for each individual lot. Once the exterior finish package is approved, only a color sheet for each residence needs to be submitted to the Committee for approval.
- Final site and grading plan in conformance with subsection b., above, incorporating any comments and changes proposed by the Committee.
- Fencing, landscaping and exterior lighting plans required under the Preliminary submittal.

d. Committee Action

Following the submittal, the Committee will schedule a meeting to:

- i. Approve the submission, in which case the applicant may proceed with construction as per the approved submission.
- ii. Conditionally approve the submission, in which case the applicant must revise the plans to comply with the conditions, submit revised plans to the Committee, and obtain written approval from the Committee prior to beginning construction.
- iii. Disapprove the submission, in which case the applicant will be required to submit new plans for approval (with a new submittal fee in the amount in affect at the time for the new submission), with adjustments to address the requirements, conditions and comments of the committee.

d. Previously Approved Plan

- i. Once a model (plan) has been approved by the Committee, the second and subsequent submittals of that plan require only the following for Submittal.
 - Fifty Dollars (\$50.00) plan submittal fee.
 - Two (2) sets of the Site and Grading Plan as called out in 2bi.
 - Submittal of an exterior color package as called out in 3c. However, if the exterior finish package for the subdivisions has been approved by the Committee, only 2 copies of the exterior color sheet need to be submitted.
- ii. If a plan previously approved by the Committee has revisions made to the exterior of the plan, two (2) sets of exterior drawings are required to be submitted to the Committee. The Committee reserves the right to waive this requirement if it feels the changes are insignificant enough to impact the overall appearance of the plan.

3. **Construction Regulations and Procedures**

a. Regulations

The committee may establish construction regulations or requirements, for the benefit of Unit Owners, residents, in order to promote neat and orderly activities during construction.

It is of the utmost importance that anyone conducting construction activities in the Common Interest Community exert care in preventing conditions that are unsafe or that could constitute fire, wind or other hazards.

b. Storage of Materials and Equipment

Unit Owners and contractors are permitted to store construction materials and equipment on the construction site during the construction period. It shall be neatly stacked, properly covered and secured. Storage of material or construction equipment outside the approved construction site (Unit Owner's unit) may be done only with the prior approval of the Committee unless such storage is otherwise permitted in the Declaration.

Any storage of material or equipment shall be the responsibility of the owner thereof or contractor, and may be done only in conformance with all applicable governmental ordinances, rules and regulations (e.g. fire codes).

c. Dirt Removal

Dirt may not be removed from any Unit to the Common Elements or another Unit, but must be retained on the Unit from which the dirt comes or until the dirt is removed. Each violation of this subsection may result in the Association assessing against the Unit Owner from which the dirt is removed a fine not in excess of Two Thousand Five Hundred Dollars (\$2,500.00) plus the cost of removal and disposition of the dirt from the Common Interest Community.

4. **Restrictions**

a. Exterior Masonry (includes brick, stone and stucco).

Front Elevation: All homes in the Common Interest Community shall have, as a minimum, 35% of the full front elevation as masonry. The masonry shall wrap around each side elevation of the home a minimum of two (2) feet, or to a natural break line. As an alternative to this two (2) foot wrap, the side elevation(s) may have a minimum masonry wainscoting of three feet (3'0") to a natural break line. The Committee must approve this alternative.

Corner Lots: Each corner lot will require a "site-specific" submittal to the Committee for approval. Corner lots require a minimum of 35% of masonry on the complete side elevation of the home facing the street.

Golf Course Locations: All walk-out or garden level homes shall have a minimum of 35% of the rear elevation up to the first floor plate line as masonry. All other conditions require a minimum of three (3') feet of wainscoting along the entire rear elevation. The masonry shall wrap around each side elevation of the home a minimum of two (2) feet, or to a natural break line. All homes on the golf course will require a submittal of the "site specific" exterior elevations for approval.

b. Square Footage of Houses

No one-story or ranch-style home shall consist of less than 1,950 square feet of finished living area, excluding basements (finished or unfinished), open porches and garages.

No home of more than one-story shall consist of less than 2,400 square feet of finished living area, excluding basements (finished or unfinished), open porches and garages.

c. Setback Requirements

Setbacks are set forth on the Plat and Official Development Plan of Plum Creek, Fairway 10, Subdivision Filing No. 1, as amended, recorded in Douglas County, Colorado.

Additionally, building setbacks shall be in accordance with the requirements of any utility, drainage or other easements which may be applicable to a particular lot and which may be more restrictive than the building setback requirements otherwise set forth in this Section. No variance from these requirements, or requirements relating to any easements may be requested unless the prior written approval of the Committee has been obtained.

d. Roof

The roof pitch should be consistent with the architectural style of the proposed building, and of a maximum height conforming to the Official development Plan (3'), or as may be permitted by height limit variances that may be applicable to certain Units in Plum Creek, Fairway 10, with prior approval of the Committee and Douglas County.

The minimum roof pitch allowed on a major roof form is 5:12. The pitch of lesser elements such as porches, dormers, etc. may be greater or lesser if consistent with the design.

The maximum roof pitch of a major roof form shall not exceed 12:12. Variation to these will be considered if consistent with architectural design and theme. Flat roof designs will not be considered or accepted.

Dormers should be relatively small in proportion to the overall scale of the roof. They should be gable, hip or shed forms. Mansard roofs are not permitted.

In order to achieve an interesting character, expansive roof area shall be "broken" by varied elevations, height and/or their elements, such as dormers, clerestory, or ridge line breaks, etc.

Roof material shall be "high definition" asphalt or fiberglass shingles such as "Elk-Prestique Plus" or "Presidential Celotex", or comparable types as a minimum standard. Concrete tile in a "shingle design" (no curved Spanish tiles or red tones) will be permitted. Only gray, green and brown tiles are acceptable. Roof vents and flashing shall be painted to match the permanent roof color, or the trim color whichever lessens the visual impact most.

e. Siding (other than masonry)

Exterior siding shall be masonite (with a reveal not greater than 7", natural wood material, or similar type materials with a smooth or slightly rough texture. Other man-made materials will be given consideration, depending on their application and duplication of natural materials. Application may be in a variety of styles, but should be continuous and consistent on all elevations to achieve a uniform, complete and harmonious design statement.

Board and batten applications will not be allowed.

f. Masonry Fireplace Stacks

The use of masonry, stone, or stucco is encouraged on all exterior fireplaces, although not required. The use of interior wall fireplaces that protrude only

through the roof area shall be stone, masonry, stucco or other acceptable materials, approved by the Committee.

g. Colors

Colors shall be in a natural "earth tones, grays, taupes and other muted colors" approved by the Architectural Committee. Pastel colors are not permitted. Fascia, trim, columns, and beams may have accent colors. The color of external materials shall be generally subdued to blend with the colors of the natural landscape. Trim and siding or field colors shall not be highly contrasted from dark to light.

h. Projections

All projections, including but not limited to, chimney flues, vents, gutters, down spots, utility boxes, porches, railings and exterior stairways shall match the permanent color of the surface from which they project or shall be of an approved trim color.

i. Foundations

No more than 18 inches (18") of exposed concrete may be visible on any elevation.

j. Garages

There shall be a minimum of two, and a maximum of four, fully enclosed garage spaces for each dwelling unit. Visual impact of garage doors shall be minimized by such measures as, but not limited to, siding of the building, protective overhangs or design which blends with or enhances the overall architectural statement. Metal garage doors shall either be wood texture embossed or have embossed panels. Corrugated panels and fiberglass panels are not acceptable.

k. Windows

Window frames, if metal, shall be clad with aluminum or vinyl, with a color consistent with the design character of the building. Wood windows shall be painted, stained, or clad. Window design shall be consistent with architectural design statement in size, proportions, detail and placement on the elevation. Vinyl windows are acceptable.

l. Elevation Treatments

Architectural design shall incorporate a consistent level of architectural interest in all elevations. Particular attention will be paid to rear elevations on homes fronting the golf course.

All trellises, patio covers or similar structures directly attached to a residence, shall be painted or stained to match the trim or siding color of the residence to which they are attached. Wood decks can be either painted or left natural. All stairs, decks and balconies shall be integrated with architectural character of the residence to which they relate.

m. Deck columns

All deck columns, other than those supporting a deck landing or stairs shall have as a minimum, a full “built up” hardboard design, with a minimum width of twelve (12) inches. The intent of this detail is to avoid the common practice of using 4”X4”, or 6”X6” posts to support a deck. The Committee is particularly concerned that attention be paid to rear elevations since the majority of the lots have rear elevations facing either the golf course or “green belt” areas. A suggested deck column detail is provided and called out as “Deck Column Detail Elevation”. Other designs can be acceptable, but must be approved by the Committee.

5. **Landscape Design Review and Required Tree and Planting Specifications**

(applies to Builders and subsequent Residents, depending on who installs landscaping)

All front, rear and side yard landscaping schemes, which are to be installed prior to or within 60 days after initial occupancy of any residence or which are required but which may be reasonably delayed due to initial occupancy during winter months, shall be submitted to the committee for approval. Approval by the Committee shall be obtained prior to all installations.

The “Recommended Plant List” is called out on the final plat for Plum Creek Fairway 10 as recorded in Douglas County.

At any time of installation; an evergreen tree must be at least eight feet (8') in height; and any deciduous tree must have at least a two and one-half inch (2 ½ ") caliper, ornamental trees one and one-half inch (1 ½") caliper and shrubs at least 5 gallon in size. Two ornamental trees may be substituted for one deciduous. The maximum amount of bluegrass shall be eighty percent (80%) of landscaped area (the foregoing and below specifications are collectively referred to as the “Required Tree and Planting Specifications”).

Yard Landscaping

Except for residences first occupied during the winter months, when landscaping may be delayed until the immediately following spring, yard landscaping shall be installed within 60-days after initial occupancy of residence.

Units fronting on a cul-de-sac bulb shall have, in the front yard, not less than one tree. All other units shall have at least two (2) trees in the front yard.

Additionally trees are encouraged, but such additional trees shall not be required to satisfy the Required Tree and Planting Specifications. All trees, whether required trees or additional trees, shall be installed not less than 4 feet (4') behind a sidewalk.

Side Yard Landscaping

In any case where the side yard of a Unit abuts a street, such side yard shall be landscaped contemporaneously with the front yard of such Unit. The side yard landscaping scheme shall include irrigated sod, which shall be held back at least five feet (5') from the foundation.

If setback areas between fences and street side property lines exceed three feet (3') in width, then such setback areas shall be landscaped with irrigated shrubs, sod or ground cover.

On any "reverse corner" Unit, the required setback between the inside edge of the sidewalk and the side yard portion of the fence, shall be held back at least five feet (5') from the foundation of the residence constructed on such Unit and shall be continuous with the sod in the front yard of said Unit. Each such side yard on a "reverse corner" Unit shall have, in addition to any trees planted in satisfaction of the requirements set forth above, at least two (2) trees, which trees shall satisfy the Required Tree and Planting Specifications.

On any "back-to-back corner" Unit, the required setback between the street side yard line and the side yard portion of the required fence shall be covered with irrigated sod, which irrigated sod shall be held back at least 5 feet (5') from the foundation of the residence constructed on such Unit, and shall be continuous with the sod in the front yard of said Unit. Each such side yard on a "back-to-back corner" Unit shall have, in addition to any trees planted in satisfaction of the requirements set forth above, not less than one (1) tree, which tree shall satisfy the Required Tree and Planting Specifications.

Sprinkler System

A Sprinkler System shall be installed in all yards. The appearance of the ground plane of a front yard shall be predominately sod or a combination of sod and shrubs.

Fencing and Fencing Requirements

Fencing proposals showing alignment of such fences, and design and transitioning of height to neighboring fences, if any, for all fences to be installed prior to or after the initial occupancy of any residence, shall be submitted to the Committee for approval prior to installation.

Alteration of any fences installed by the Declarant, without the prior written consent of the Declarant, is prohibited.

All property lines fences build within this subdivision shall conform to the detail as shown on the final ODP site plan for Plum Creek Fairway 10 subdivision, Filing No. 1 as recorded in Douglas County.

Street Furnishings

Prior to the initial occupancy of a residence, mailboxes shall be installed at curbside on a common property line in conformance with applicable United States Postal Service requirements and all requirements of (and subject to approval by) the Committee.

All other permanent street or outdoor furnishing directly visible from the street shall be submitted to the Committee for approval prior to installation.

The Builder of each residence is required to install a post light to complement the elevation styling. Each such post light shall be on an architecturally compatible post and shall be subject to approval by the Committee.

Driveways

All driveways shall be a natural tone concrete surface, or in a color complementary to the residence (in the sole judgment of the Committee). Paver, brick or wood edging and/or expansion joints will be considered on an individual basis, but must conform to design and color themes of the residence. Driveways shall be constructed to specifications, which consider vehicle loads such as trash trucks and moving vans; appropriate measures must be taken to contain edges and control erosion and washouts.

House Address Numbers

There shall be no more than one set of house numbers for each dwelling unit. These address numbers shall be used on the dwelling unit. The address number shall not be in overall size a total of one square foot for each number in the address number; e.g., a three-number address – 254 – shall not be greater than three square feet.

Antennas

No T.V., radio or special communication antennas, dishes or aerials shall be allowed on roofs, or visible in yard spaces. Eighteen inch (18”) satellite dishes on decks or patios shall be allowed if not visible (screened) from the front street or neighbors.

Accessory Structures

Accessory Structures as permitted by the Declarations shall be architecturally compatible with the dwelling. Chain link fences will not be permitted. Dog runs or enclosures for other pets shall be installed in accordance with guidelines. If any deviations from these guidelines are intended for such construction, prior approval by the Committee is required.

Exterior Lighting

Exterior lighting, which is subdued, mounted at a height not greater than thirty inches (30”) (except for one front post light and customary porch and garage coach lights), and whose light source is not visible from adjoining dwellings, shall be allowed without Committee approval for purposes such as illuminating entrances, decks, driveways and parking areas. Free standing exterior lighting mounted at a height of more than thirty inches (30”) shall require the prior approval of the Committee. Fascia-mounted floodlights are not allowed due to glare onto adjoining properties.

Parking Areas

Off-drive parking bays or areas and circular driveways shall be permitted only if approved by the Committee. Construction shall be according to the provisions of the Driveway section above.

Basketball Backboards

A standard-size basketball backboard erected upon the roof or fascia of a garage structure and painted to match the final color of the roof or fascia shall not require specific Committee approval. Any deviation from these guidelines, such as, but not limited to, freestanding boards, boards attached to side of house, garage, etc., require approval by the Committee.

Future Improvements

Future improvements or modifications that alter or affect the exterior appearance of a dwelling or yard must be submitted to and approved by the Committee. A partial sample list of such improvements or alterations requiring Committee approval includes, but is not limited to:

- Room, porch, or garage additions to main house
- Repainting, reroofing
- Play house, dog house, or other separate building or structure exceeding five feet (5') in height or visible to an adjacent lot, road, or open space
- Decks or patio extensions and deck/patio covers
- Freestanding flag poles, swing sets, sports equipment

Committee

The "Committee" is the Architectural Control Committee referred to in the Declarations of Covenants, Conditions and Restrictions of Plum Creek, Fairway 10.

6. **Construction Regulations and Procedures**

The Committee has established certain construction and safety regulations for the benefit of all owners, residents and Builders, in order to promote safe, neat and orderly activities during the construction period.

It is of utmost importance that anyone conducting construction activities in Plum Creek, Fairway 10, exert extreme care in preventing conditions that are unsafe or that could constitute fire, wind blown or other hazards. Conformances to all OSHA and County building regulations shall be adhered to at all time. Subcontractors shall be informed in writing by Builders that no alcohol, non-prescription drugs, or animals shall be allowed on the job site, and that the playing of any music shall be at low sound levels so as not to disturb or intrude upon the privacy of nearby residents or golf course players.

7. **Street Dirt, Mud and the Like**

Homebuilders (or general contractors, performing remodeling or house additions) shall be responsible for removing dirt, mud and other debris from streets in a prompt manner after excavation and backfill work are completed. Streets and sidewalks shall be fully cleaned of such dirt and debris (i.e., hosed off, not just large pieces picked up). If said cleaning is not promptly done after notice is given to perform cleaning, the Declarant may have the area cleaned in front of and adjacent to the lot that caused the debris and charge the homebuilder or general contractors (or homeowner) for said cleaning.