

Exhibit A

DESIGN GUIDELINES

SPRING VALLEY PHASE FOUR

The Reserve at Ute Creek

Longmont, Boulder County, Colorado

These Design Guidelines may be amended or modified pursuant to Paragraph 13 of the Declaration of Covenants, Conditions, and Restrictions of Spring Valley Phase Four, The Reserve at Ute Creek. The Architectural Review Committee may adopt other limitations and restrictions in its reasonable discretion.
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1. PURPOSE

The goal of these Design Guidelines and the Architectural Review Procedures is to ensure a development of consistently high quality and to maintain harmonious relationships among structures, vegetation and topographic features, thereby protecting and enhancing the investment and property values of all residents within Spring Valley Phase Four, The Reserve at Ute Creek ("The Reserve").

These Guidelines set forth specific criteria regarding residential building construction and site development. They do not supersede, but rather supplement the Covenants, Conditions, and Restrictions (CCRs) for The Reserve, and any other regulations of the City of Longmont which may be in effect. Where Design Guidelines and CCRs are in conflict with the City of Longmont Regulations, the more stringent requirements shall apply. The purpose is to establish a standard of quality and to ensure adherence to the general design principals described herein.

2. DESIGN COMPATIBILITY

Compatibility is defined as harmony in architectural style, quality of workmanship, and similarity in use of materials, fenestration, color, and construction details. The proposed constructions shall be compatible with these Guidelines, as approved by the Architectural Control Committee ("Committee"). The creation of a distinctive neighborhood identity is one desirable aspect of design compatibility. Within the sense of distinctive community identity, however, innovation and creativity are encouraged.

3. PROTECTION OF NEIGHBORS

Proposed construction/improvements shall contain reasonable provisions for surface water drainage, and sound and visual buffers. It should be noted that the developer of The Reserve and the Committee do not guarantee a view from each of the individual lots.

4. DESIGN REVIEW PROCEDURES

The following review and approval procedures provide the framework by which the Committee will review, process and approve construction and improvements within The Reserve. Plans and specifications shall be submitted to the Committee in accordance with the following procedures.

4.1 Approval Required.

All non-exempt construction, refinishing, or alteration of any part of the exterior of any building or other improvement in The Reserve is prohibited until an Owner, or the Owner's designated representative, first obtains written approval as provided herein. All improvements shall be constructed in accordance with approved plans and specifications.

Every violation of these Design Guidelines including, without limitation, any construction, reconstruction, refinishing, or alteration of any improvement or landscaping in The Reserve, or landscaping without the approval of the Committee, or the alteration of any improvements or landscaping in The Reserve not in conformance with plans and specifications that have received approval from the Committee, are declared to be and to constitute violation of the declaration and

every remedy allowed by law or in equity against a lot owner or developer/builder shall be applicable against every said violation.

The Homeowners Association reserves the right to correct any violation of the declaration after serving the owner or builder written notice. After serving written notice, the Homeowners Association may contract to correct the violations and back charge the owner or builder the cost for the correction. If the owner or builder fails to pay the cost of such corrections in the specified time, the Homeowners Association may file a lien against the property and pursue appropriate foreclosure actions. The owner or builder will be liable for all related costs incurred above and beyond the actual construction costs, including, but not limited to, consultant fees, legal fees, managerial fees, and accounting fees.

4.2 Exemptions.

The following types of changes, additions, or alterations do not require approval of the Committee (although exempt from review of the Committee, all work must proceed in accordance with all applicable federal, state, and City of Longmont codes, ordinances, and regulations, and the intent of the Design Guidelines):

- a. Addition of vegetation to a property in accordance with a previously approved Landscape Plan.
- b. The addition of permanent planting materials that do not conform to an approved landscape plan as long as the mature size of the planting does not exceed 24 inches in height, including flowers and vegetable gardens.
- c. Modifications to the interior of a structure when those modifications do not materially affect the outside appearance of the structure.
- d. Re-roofing, repainting, and/or re-staining within original color tones.
- e. Repairs to a structure in accordance with previously-approved plans and specifications.
- f. Seasonal decorations if removed within 30 days following the holiday.
- g. Removal of dead or diseased vegetation shall be done as soon as possible after the discovery of the diseased condition. Such vegetation shall be replaced as soon as possible with materials of similar size and appearance.
- h. Installation of permanently-mounted gas-fired barbecues.

Only those items listed above are exempt from the residential Design Review Process. All other types of residential construction, development, landscaping, site modification, and other such items must comply with the Procedures and Guidelines contained herein.

4.3 Removal of Nonconforming Improvements.

The Committee may require an offender and/or owner to remove any improvements constructed, reconstructed, finished, altered, or maintained in violation of these Guidelines and/or The Committee's

approval. The owner thereof shall reimburse the Association for all expenses incurred by the Association or by the Committee in connection therewith.

5. PLAN REVIEW

5.1 Plan Review – Submittal Contents.

The purpose of the Plan Review process is to ensure that final plans conform to these guidelines. Any changes from the Preliminary Concept submittal should be brought to the Committee's attention in the letter of transmittal. The contents of the submittal shall include a minimum of two (2) copies of required drawings. Submittal for Final Plan Review shall include the following:

a. Complete sets of drawings and specifications (as described in Appendix A), suitable for construction and including floor plans and building elevations, and site plan which are identical to the documents to be submitted to the City of Longmont for a building permit. One (1) copy of reviewed documents will be returned to the applicant.

b. A foundation and grading plan as required below. Lot grading shall be in conformance with the City of Longmont approved "Overlot Grading Plan" and/or "Master Grading and Drainage Plan" for The Reserve. Nothing herein shall be construed such that the Committee or the Developer is responsible for any drainage problems that might occur before or after a residence is constructed.

c. Color/Sample selections: Indicating all exterior materials and colors.

d. Any other information and materials deemed necessary in the judgment of the Committee to ensure compliance with these Design Guidelines or desired by the applicant to help indicate conformance.

5.2 Review Time Table.

The Final Plan Review Submittal shall be made at least ten (10) calendar days prior to applying for a building permit from the City of Longmont. Final Plan Review Approval must be obtained from the Committee prior to applying for a Building Permit from the City of Longmont as required by the Final Plat restrictions, and prior to any construction. If, in the opinion of the Committee, the submittal complies with these Design Guidelines, written approval shall be granted. If the submittal is found not to be in compliance with the Design Guidelines, the Committee shall provide the applicant with a written description of the aspects in which the submittal does not comply. The applicant must then present required revisions to the Committee and follow the same review procedures. **Should modification be required, approval will be granted only after such changes have been incorporated into the Final Plans.**

5.3 Changes After Final Review.

There may be occasions when an applicant desires to make a change during construction which affects the exterior of the Building or Site. When an applicant wishes to make a change which deviates from the plans as approved by the Committee, the applicant must submit a written request to the Committee along with two (2) "redlined" sets of plans clearly delineating the proposed change. The Committee shall

review and respond to such requests within ten (10) calendar days from the receipt of the request. No changes will be made unless approved in writing by the Committee.

5.4 Construction Period and Project Completion Review.

An on-going periodic review of the construction of the Project may be undertaken by the Committee or its representatives with the purpose of monitoring exterior appearance of the Project and ensuring its conformity to the design and the construction documents as approved by the Committee or its representatives, will be brought to the attention of the Applicant, along with measures that the Committee requires to mitigate or eliminate the deviation.

5.5 Approval Timing.

Committee approval is good for one (1) year from the date of final approval, unless changes are made to the approved Final Plans, which will require re-submittal and review. At the sole discretion of the Committee, extensions may be granted for mitigating circumstances.

5.6 Pre-Approved Plans.

The Design Review Committee reserves the right to pre-approve certain plans by the approved builders that may be built on several lots. Care shall be taken to avoid the identical home being built on lots that are close to one another. Further, the same plan with the same elevation shall not be built on any two adjacent lots. Pre-approved plans do not need to undergo the approval process excepting those paragraphs that concern landscaping, and exterior color and materials.

6. FEE SCHEDULE

At this time, there is no fee charged for initial submittal reviews for the original residence. The Homeowners Association reserves the right to establish a review fee to pay for review costs should that payment become necessary. Other fees for Committee review of any documents submitted under the procedures outlined herein shall be as established by the Committee.

7. APPEAL PROCEDURES

If an Owner wishes to appeal any decision of the Committee, he or she may do so by submitting a written appeal to the Committee within thirty (30) calendar days of the original Committee decision. The Committee will then schedule a meeting with the Owner at which time the appeal will be reviewed. The Owner will have the opportunity to be heard prior to the Committee rendering a final decision. Within seven (7) days of the decision regarding the appeal request, the Committee shall give notice in writing of their decision to the Owner. All decisions of the Committee shall be final.

8. DESIGN GUIDELINES

These Guidelines are divided into three major divisions as follows: **Site Planning, Architectural Design Guidelines, and Landscape Design Guidelines.**

9. SITE PLANNING GUIDELINES

9.1 Site planning shall respect the relationship to existing landforms and vegetation. Natural topography shall be maintained wherever possible.

9.2 When siting the residence, an attempt should be made to vary the front yard and side yard setbacks (within the standards specified herein) as well as to offer a variety of building forms and elevations along the street wherever possible.

9.3 When siting structures, the following guidelines should be considered:

a. Avoid siting structures in natural drainage channels.

b. Distant and close-in views looking into and out of adjacent sites to mountains or golf course should be maintained where possible and landscaping should be designed to maintain the same. It is not the intent of these guidelines to “guarantee” that each and every lot owner have a clear and unobstructed view to the mountains or golf course. Adjacent lot owners are encouraged to work together to preserve views from their respective lots. Where desired for solar access, lot owners are encouraged to negotiate “solar access easements” from adjacent property owners.

c. Homes do not have to parallel front street lines.

9.4 Setbacks.

All setbacks are measured from the property line unless otherwise noted. Setbacks shall generally be in conformance with the City of Longmont Zoning Code, R-1 Residential Zone, the approved P.U.D. for Spring Valley Phase Four, The Reserve at Ute Creek, but in no case less than the following:

a. Front = twenty-five feet (25') for principal buildings.

b. Side = seven and one-half feet (7.5') for principal buildings.

c. Rear = twenty feet (20') for principal buildings.

d. Garages must be physically attached to the residence; a breezeway attachment in lieu of a direct attachment is allowed.

The Committee realizes that it may, in some cases, be desirable to deviate from setbacks for minor appurtenances (such as porches, decks, etc.). Such deviations should be noted on Plan Submittals along with a written statement outlining the reason for the requested deviation. It shall however be noted that the City of Longmont Board of Adjustment is the ultimate authority for granting such deviation and the Committee or Association cannot predict or assure the issuance of a variance.

9.5 Driveways and Walks.

Driveways shall be designed with careful consideration of existing slopes and final grades. Paving materials for driveways, paths, steps, patios, and other areas should have a dull, non-reflective hard surface that blends with the natural surroundings. The use of interesting paving patterns, circular drives,

colored or exposed aggregate concrete, as well as precast pavers, is encouraged. The use of asphalt is prohibited.

Where concrete is used, it shall be adequately reinforced and provided with adequate control and expansion joints to minimize cracking. Concrete driveways and parking areas shall be a minimum of four inches (4") in thickness to support vehicle wheel loading, and reinforced as above. Other slab thickness and reinforcing are allowed provided the engineered soils report clearly describes the engineer's recommendations.

9.6 Parking.

The provision for off-street parking in driveways is encouraged. Adequate on-site parking shall be provided for **all** vehicles owned by the Occupant of the Residence. (See Garages under the Architectural Guidelines section below.)

9.7 Fencing.

The rear yard and side yard fences on Lots 1-22, Block 1, and lots 1-26, Block 2, shall have the four foot (4') high "X" style fence described in Exhibit A. Fences shall be constructed so that all structural components are on the interior (lot side) of the fence so as not to adversely impact the adjacent lot. Rectangle wire mesh may be used on the open rail fence to contain pets and small children within the site. The wire mesh shall be 2"x4", 9-gauge galvanized wire, or as recommended by the fence manufacturer, installed on the interior (lot side) of the fence.

The rear yard fence for Lots 1-12 and Lots 20-22, Block 3, shall have a six foot (6') privacy fence as described in Exhibit C. The side yard fence for Lots 1-12 and Lots 20-22, Block 3, shall be the open top fence as described in Exhibit B.

The rear and side yard fence for Lots 13-19, Block 3, shall have the open top fence as described in Exhibit B.

Privacy and screening fences may be constructed with the written approval of the Committee. Privacy and screening fences shall be no more than five feet (5') high and shall match the general detailing, coloring, and construction of the residence or be constructed according to the standard fence details.

No fencing is allowed in front of the wall line of the principal building. Fence locations and fence types must be indicated on landscape plans, including the location of gates. The locations and types of fencing shall be submitted to the Committee and shall not be constructed until approved by the Committee. Chain link-type fencing, pipe rails, and metal posts are expressly prohibited.

All proposed fencing installations shall be detailed on landscape plans submitted for approval, and shall show locations, typical sections, and other pertinent details of design and construction.

Fences must be held a minimum of five feet (5') back from the front building line of the residence.

For corner lots, rear and side yard fences shall be a minimum of five feet (5') from the sidewalks.

9.8 Screening.

The purpose of the screening requirement is to ensure a neat and orderly appearance without superfluous visual clutter that detracts from property values or adds overall community clutter. The following items shall be screened with approved fencing or with approved plant materials:

a. Vehicles: Automobiles shall be the only vehicles parked in the street or in visible areas on private property within The Reserve Subdivision. Onsite parking for boats, trailers, RVs, and other types of recreational vehicles shall be prohibited. Vehicles shall not be parked adjacent to drives (in set-backs) in back of the front building line in accordance with City of Longmont Regulations. Any type of repair of any vehicle shall take place only within the garage. No repair work shall be done on the driveway. Any vehicles in inoperable condition shall be stored in garages.

b. Exterior Storage Areas: There shall be no exterior storage. Any visible exterior stored materials and/or equipment may be removed and stored by order of the Executive Committee of the Homeowners Association or the Architectural Committee. The owner of such stored materials or equipment shall be responsible for the cost of the removal and storage of materials removed from his/her site. Neither the Homeowners Association nor the Architectural Committee shall be responsible for the method of removal and damage or loss of the stored materials removed from the site. No accessory buildings may be constructed for storage unless the Committee has reviewed and approved all criteria related to the accessory building.

c. Dog Runs: Dog runs shall not be a nuisance to the neighbors, auditorily, visually, or odorously. Dog runs and related yards shall be kept clean and free of pet waste and odor at all times. Dog runs shall be located on the required landscape plans and the screening shall conform with the fencing and screening standards. Location of dog runs shall be approved by the Committee before construction begins.

d. Mechanical Equipment: Air conditioner or heat pump condensing units, or other exterior mounted mechanical equipment devices not directly connected to the building, shall be screened from view and located in either the rear yard or one of the side yards. In no case shall such equipment be located in an area visible from adjacent streets.

9.9 Antennas.

All rooftop and tower-mounted radio, TV, and microwave antennas are prohibited. Satellite receiver dishes larger than eighteen inches (18") are prohibited unless specifically approved via the Special Review Process by the Committee. The use of attic space for antenna mounting is strongly encouraged.

9.10 Exterior Lighting.

Exterior lighting shall be used only for security, visibility, and decorative effect. Exterior lighting shall not be directed in such a manner as to create an annoyance to adjoining properties and shall not be directed outside the property of the owner. Exterior lighting shall also consider light pollution and be screened accordingly. The use of unshielded or globular luminaries is prohibited. General area floodlights are expressly prohibited, unless used with colored lights as part of a temporary seasonal lighting display and directed toward the residence. The use of low-voltage "ground lights" for decorative site-lighting is

encouraged. The use of photo-cell or time clock-controlled exterior lighting is also encouraged. Whenever possible, night lighting shall illuminate the street address numbers of each home.

9.11 Play Equipment.

Where visible from public streets or rights-of-way, play equipment may be erected within a screened or fenced area, and shall be in appropriate scale, of quality materials, and kept in good repair. Height and overall scale of play equipment must be approved by the Architectural Review Committee.

9.12 Ancillary Structures.

All ancillary structures, such as greenhouses, arbors, patio covers, cabanas, gazebos, swimming pools, etc., shall be sited and designed to be compatible with the residence and/or fences. All such items will require Committee approval.

9.13 Basketball Backboards.

Basketball backboards and any supporting materials shall be painted or stained to match the exterior color of the residence. Portable-type basketball backboards are prohibited.

9.14 Exterior House Numbers.

Address numbers are required to be mounted on the house and shall be legible and visible from the fronting street in accordance with City of Longmont Requirements. Mounting in a location that is lit by a "porch light" is encouraged. Individual numbers shall be a minimum of five inches (5") in height and of a style appropriate for the architectural style of the building.

9.15 Mail Boxes.

Only mail boxes approved by the Committee may be used. Brick pier-type mail boxes are required. The pier may include both the standard metal box and a newspaper box. The metal portions of both boxes shall be recessed from the surface of the brick. The design of the pier, its footing, and type brick selection shall be included in the construction documents for Committee review and approval. No other types of mail boxes are allowed. No other boxes, newspaper tubes, etc., shall be installed or affixed to the original mail box.

9.16 Services.

All electric, gas, telephone, cable television, and other such utility services shall be installed underground and shall be connected in accordance with appropriate utility company requirements, as provided herein. Meters shall be installed on the side of the residence to the rear of the set-back line.

9.17 Construction Site.

Specifications for all construction activities shall include provisions to include the following, and shall be strictly enforced by the Applicant:

a. During construction of any kind, the site must be kept clean, neat, and orderly. All materials shall be stored in an orderly manner and all debris and materials shall be securely stored in an enclosure to prevent materials from blowing off of the site. The owner of record will be required to pay for any clean-up performed by the Homeowners Association or Developer's staff or maintenance contractors. The blame for any littering of the project will be allocated to the owner as the responsible party for the construction of the house.

b. No construction parking will be allowed in front of completed residences, nor will overnight parking of any construction vehicles be allowed within The Reserve Subdivision except construction trailers specifically approved by the Committee.

c. All trash and debris shall be cleaned up daily and stored in an enclosed area until removal.

d. There shall be no construction activity before 7:00 AM or after 7:00 PM.

e. Any dogs on construction site must be on a leash or within the body of a vehicle and shall not constitute a nuisance.

f. Any mud or debris from a site that is carried onto streets must be removed within twenty-four (24) hours, in accordance with City of Longmont Regulations. The owner of record will be required to pay for any clean up performed by the Homeowners Association or Developer's staff or maintenance contractors. The blame for any littering of the project will be allocated to the owner as the responsible party for the construction of the house.

g. No concrete trucks will be allowed to "clean out" off the site on which they were called. It shall be the contractor's responsibility to remove all concrete debris upon completion of construction and prior to landscaping.

h. Sanitation facilities must be provided on or for each construction site.

i. Contractors shall be required to protect exposed areas of the project site, adjacent properties, and streets from erosion damage until completion of construction. Erosion damage includes silt washing on to streets, the ditch, and adjacent lots. The use of temporary ditches, dikes, basins, vegetation, and/or mulching is encouraged to protect exposed and adjacent areas during the course of construction.

j. Construction shall commence within one (1) year after closing on the lot and shall be completed within twelve (12) months of the issuance of the building permits.

9.18 Signage.

Owners/builders/contractors shall be required to utilize approved marketing signs. No other signs shall be placed on any lot without the Committee's prior written approval. Only one (1) sign shall be posted on the site during construction. Any advertising, special event, banners, open house, and similar signage shall be in strict accordance with the City of Longmont Sign Code. A copy of all permits will be furnished to the Committee prior to installation of the Sign(s).

10. ARCHITECTURAL DESIGN GUIDELINES

10.1 General.

Building design and construction shall not place all emphasis on the front elevation of the structure and neglect or downgrade the aesthetic appeal of the remaining elevations. Any accessory buildings and enclosures, whether attached to or detached from the main residence, shall be of similar compatible design and materials. Different requirements are contained herein for lots backing up to the Ute Creek Golf Course.

10.2 Style.

The following are expressly prohibited: domes of any kind, underground houses, log houses, and 'A' frames. Gambrel roofs, mansard roofs, and flat roofs are prohibited. Shed roofs may be allowed by special review.

10.3 Committee Discretion.

The Architectural Review Committee shall have in its sole discretion, the authority to approve and to reject any or all applications from Owners, builders, designers, and architects for proposed construction in The Reserve at Ute Creek. While the use of an architect is not an express requirement of the guidelines, Owners are strongly encouraged to utilize the services of a competent architect or, at the minimum, use a design prepared by an experienced, competent design-builder.

10.4 Foundation and Drainage Plans.

A foundation and drainage plan shall be submitted for review by the Committee. Said review shall be conducted pursuant to recommendations set forth by Terracon Consultants Western, Inc., of Longmont, Colorado, in the Geotechnical Engineering Report for Spring Valley Golf Course Community, Parcel J, Northeast of 17th Avenue and Pace Road, Longmont, Colorado (The Reserve at Ute Creek), Project Number 22975166 dated December 16, 1997 (a copy of which will be made available upon request). Any variations from said recommendations of the Report shall require certifications from appropriate Colorado Licensed engineer(s) that such deviations will not adversely affect either the design or adjacent properties.

Foundation and drainage plans shall provide adequate information as required to illustrate conformance to Soils Report recommendations, particularly regarding basement groundwater protection and the Subdivision "Overlot Grading Plan." Committee review of foundations and drainage plans is to determine conformance to Soils Engineer's recommendations only. If approved, such approval does not constitute an opinion of the Committee, or any of its members, of the design suitability of the drainage plan nor of the design and structural integrity of the foundation design as submitted. Review of the foundation/drainage plan is so that the Committee can note any obvious deviations, however, it shall not be construed to create any liability to the Committee or the Developer for any water-related problems that exist or may arise at any time. It is the ultimate responsibility of the homeowner to ensure proper drainage is attained and maintained.

10.5 Massing.

Whenever possible, buildings should step down on all sides to minimize walls two (2) stories or greater in height. Rooflines should be varied, with dormers or other such items used to break up lone rooflines.

10.6 Minimum Size.

The following are minimum sizes:

- a. Single story/ranch style: 1800 square feet (on the main level, not including area in the basement).
- b. Two or multi-story: 2000 square feet (on the main levels, not including area in the basement).

10.7 Roof Design.

Roofs are very important to the overall integration and compatibility of The Reserve Subdivision. The design must be given careful consideration as they will be highly visible from streets, other buildings, and neighboring sites. Preferable roof designs are those designed with multiple gables, hip roofs, and dormers.

a. The use of major rooftop elements such as dormers, chimneys, or skylights should enhance the roof form and be an integral part of it. Special attention should be given to the design and placement of mechanical systems, e.g., vents, fans, etc. Evaporative coolers are prohibited. Attic fans may be allowed, provided they do not project more than twelve inches (12") above the roof surface and are located on the "rear" elevation. Solar equipment is discussed in a separate section below. In all cases, exposed mechanical devices, metal flashing, attic or soffit vents, chimney pipes, and other such items shall be colored to match the color of roofing materials or trim. The use of step flashing is discouraged; when used, it should present a quality appearance in its final installation.

b. Acceptable roof designs are as follows: the minimum roof pitch allowed on major roof forms is 6:12 (6 vertical units per 12 horizontal units); steeper roof pitches are highly encouraged. The pitch of minor elements, such as porches, dormers, etc., may be lower if consistent with the architectural design and the roofing materials to achieve overall design continuity. Asphalt shingles of the following manufacturers and their colors are acceptable:

- i. Elk Prestige Plus (30 and 40 year life) in colors of Antique Slate and Weathered Wood.
- ii. Timberline Ultra (30 and 40 year life) in the colors of Weathered Wood Blend, Slate Blend, and Heather Blend.
- iii. Tamko Heritage Premium (30 and 40 year life) in the colors of Birchwood, Weathered Wood, Rustic Black, Oxford Grey, and Rustic Slate.
- iv. Concrete tile roofs are also acceptable if approved by the Committee.

c. The following roofing characteristics, materials, and products are expressly prohibited at The Reserve: asphalt composition shingles with either "conventional 3-tab," "T-lock," or "no cut-out"

designs; built-up tar and gravel roofs; metal roofing materials. Brightly colored roofing materials of any type are prohibited.

10.8 Chimneys.

Chimneys are very strong roof elements. They shall have proportions compatible with the design, form, and style of the residence. No more than two feet (2') of exposed chimney pipe will be allowed. Square-topped chimney caps and chimney fences are encouraged. Artificial "brick-look" and other similar metal chimney caps are expressly prohibited. Chimney height shall comply with City of Longmont Building Codes.

10.9 Exterior Walls.

In designing floor plans and exterior elevations, care should be taken to create exterior wall surfaces of varying planes. It is desirable to avoid long, uninterrupted walls. Covered entryways, bay windows, angled walls and nooks, wall projections, covered porches and cantilevers (if consistent with the form of the building) are encouraged. Round walls will be allowed only with the express approval of the Committee.

The use of masonry as a major exterior building material is encouraged and shall be integrated into the architectural design.

All exterior painting or staining shall be done in compatible colors and shall harmonize with the existing homes in the area. Building elevations should indicate areas that are to be painted/stained and the color proposed. Colors must be complementary, and not of high contrast. Only those areas that were painted/stained originally shall be repainted/stained. The use of low-maintenance materials is strongly encouraged. Paint colors approved by the Committee shall be deemed to be complementary.

Incorporating more than one material on exterior walls may be desired, but special care should be taken so that materials do not detract from the building's overall design, form, and style, and should be continued to other visible elevations. Large expanses of exposed concrete foundation walls are prohibited. Where necessary, siding materials must be continuous to within 6" of finished grade on any elevation, or exposed foundation walls shall be finished with brick or stone. Non-articulated window and door openings and corners (those without trim) are strongly discouraged; with masonry the use on quoining, soldier, stretcher, and rowlock coursing is encouraged to provide definition to openings and corners.

Materials must be appropriate for the scale of a building, and compatible with adjacent structures.

a. Brick or stone masonry finishes are required on several elevations of the house (depending on the location of the lot) and the following proportions are preferred and shall be encouraged by the Committee: 40% of the area of the front elevation and 20% of the area of all other elevations on homes that back up to the golf course, and 40% of the area of the front elevations and a wainscot for the first six feet of the side elevations as measured from the front building line on all other locations. Other materials which are acceptable are as follows: redwood siding, Masonite siding, cedar siding (with horizontal lines), and stucco. Horizontal siding must have no more than an eight inch (8") exposure. Material shall not end abruptly at exterior corners. The corner shall be wrapped a minimum of

approximately two feet, zero inches (2'0") with the better-quality material, i.e., wrap with brick rather than wood siding.

b. Windows shall be painted, stained, or pre-finished insulated wood or quality vinyl, or other materials architecturally integrated in color and placement. The use of horizontal sliding windows is strongly discouraged. All exterior doors shall be architecturally compatible and coordinating in color with the design, form, and style of the building. Storm doors shall be integrated architecturally with the design of the residence.

c. The use of the following materials does not achieve the desired quality and are prohibited:

- i. Metal siding of any kind.
- ii. Multi-colored masonry when applied in random pattern throughout the building walls.
- iii. Concrete or concrete masonry (except as required for foundation walls).
- iv. Plywood or composite sheet siding, with the exception of use for soffits.
- v. Board and batten siding.
- vi. Manmade, i.e., synthetic, not fired clay, brick or brick-appearing panels.
- vii. Mirrored glass or very dark glass, with the exception of "low E" glass where appropriate.
- viii. Non-anodized (mill finish, silver) aluminum or unpainted metal windows, doors, or gutters and down spouts and flashing.

d. The juxtaposition and size of various areas of different types of wall materials is critical to the design of the home and of special importance to the Committee. The extent and type of wall materials shall be clearly defined on the drawings of all elevations of the home.

10.10 Garages.

Due to their size, garages are also major elements of a residential structure and should be as carefully designed as the residence to either be a part of, or compatible with, the main building. It is recognized that the main intent of a garage's function is for the storage of vehicles, and while not a specific requirement, owners are strongly encouraged to use garages for the intended use. As a result, if a garage is also going to be used as a workshop or storage area or other such use, it should be designed with an adequate area to serve for both vehicle storage and the ancillary use.

Garages shall be a minimum of a large two car size. Three car garages are recommended and single car garages are prohibited. The design of the garage portion of the principal building shall be compatible in materials and detailing to the main house, including the use of masonry, windows and window trim, and roof slopes and materials.

10.11 Surface-Mounted Equipment.

The location and finish treatment of items mounted on the exterior surfaces of the building(s) should be carefully planned and detailed. Such items include, but are not limited to, skylights, vents, mechanical equipment, access ladders, electrical equipment or meters, gas meters, etc. In no case should these items give the appearance of simply being mounted on the exterior surface of the building(s) with no relationship to the surrounding elements. The location of these items shall be indicated on all drawings submitted during the Preliminary and Final Plan phases of The Reserve design review process.

Solar panels shall be prohibited unless approved by the Committee.

10.12 Water and Energy Conservation.

Water and energy conservation techniques are encouraged where appropriate in The Reserve Subdivision through complying with City of Longmont minimum Energy Codes and water usage requirements. Site planning and landscape design for energy conservation should be considered, such as planting deciduous trees on the southern exposures to provide shade in the summer and solar gain in the winter, and evergreen planting on northwestern sides to act as a wind buffer for winter winds. Irrigation systems should be designed with water conservation in mind.

10.13 Maintenance.

All owners or occupants of property shall maintain all buildings, drives, easements, rights-of-way, and other structures or improvements located upon said property in good and sufficient repair and otherwise maintain the property and structures thereon in an aesthetically pleasing manner.

Any structure, driveway, patio, deck, or other such items that are damaged by the elements, vehicles, fire, or any other cause shall be repaired as promptly as the extent of damage will permit.

11. LANDSCAPE DESIGN GUIDELINES

11.1 Design Intent.

The design intent of The Reserve at Ute Creek Subdivision master landscape plan and overall theme of the Development is that of natural and informal groupings of plant materials in order to unify The Reserve into a cohesive neighborhood. To the greatest extent possible, utilizing natural landform and native or hardy landscape materials is encouraged. Landscaping includes, but is not limited to, trees, shrubs, turf, planting areas and gardens, patios, decks, retaining wall structures, "lawn sculptures," gazebos, water features, ponds, swimming pools, and other such items.

11.2 Landscaping Plan.

Landscaping shall be installed pursuant to a professionally-prepared landscaping plan prepared by a qualified professional with experience in the State of Colorado. The use of a qualified Landscape Architect is highly encouraged.

A Final Landscape Plan indicating location and numbers of plantings, location of plant beds, berms, fences (including typical sections of all fence types), and other information as required to demonstrate compliance with these Design Guidelines shall be approved by the Committee prior to installation of landscaping.

The landscape plan shall include all proposed landscaping improvements, including fences, shrubs, turf, planting areas and gardens, patios, mulches (bark, gravel, etc.), landscape structures (decks, retaining walls, gazebos, arbors, built-in barbecues, etc.), swimming pools, ornamental features (water features, statuary, etc.), garden areas and any other such feature, as well as a general description of the irrigation system.

Final Landscape Plans shall include a schedule and indicate botanical names, common names, quantity, and size of all plant materials, excluding flower beds and gardens. In addition, landscape plans shall include property lines, easements, building envelopes (including ancillary structures), locations of special areas to be screened with either fences or vegetation, and service line locations.

Consistent landscape design from the front yard to side yards and the back is strongly encouraged in order to give a uniform appearance to the lot, similar to the requirements for uniform building elevation design as listed above. This is particularly important for corner lots, or those lots which do not have privacy fencing between adjacent lots, and are therefore visible from surrounding properties or public access areas and streets.

Landscaping design should keep in mind view corridor recommendations as outlined herein, specifically with location of ultimately tall trees and, more importantly, ultimately large evergreens. (Deciduous trees allow views in the winter months while evergreen trees would block views year round.) Poplar trees are strictly prohibited.

11.3 Grading/Drainage.

Natural drainage patterns must be respected. The use of berms is encouraged only if continuous expanses of land form are created which look natural as opposed to looking manmade. Berms should not obstruct drainage channels, or divert drainage onto adjacent properties or toward building foundations. Finish grading should be designed to:

- a. Avoid ponding on the site.
- b. Allow 10% slopes away from the residence for a distance of at least seven feet (7').
- c. Avoid excessive run-off at a point onto adjacent sites.
- d. Maintain existing drainage patterns/channels.

Grading plans must conform to the approved Master Grading and Drainage Plans prepared for The Reserve, copies of which are available upon request. The final landscape plan shall indicate contours and/or finish grade elevations showing and assuring that the proper drainage is indicated and retained through the construction of the landscape. The responsibility rests with the owner to ensure that the site is in accordance with the Master Drainage and Grading Plan. Any drainage, grading, ground water, or any water problems that exist or arise are not the responsibility of the Committee or the Developer.

The owner of any lot expressly waives any and all action against the Committee or the Developer at any time related to water problems on any site or common area at the Reserve.

11.4 Irrigation Systems.

Each and every lot shall have an automatic irrigation system capable of watering all landscaped areas containing plant materials to ensure the continued survival of plant materials. Irrigation systems shall be equipped with a time clock to provide for automatic irrigation of areas to allow watering during periods of minimum evaporation. The irrigation system shall be designed by a qualified individual or installer. Final landscape plan shall indicate irrigation system head placement and pattern for Committee review. Irrigation systems should be designed to minimize over-spray onto adjacent lots or public sidewalks, and to conserve water.

11.5 Ornamentation.

The utilization of non-living objects as ornaments in the landscape is not permitted. Such ornamentation includes animal skulls, wagon wheels, and "kitsch sculpture" (flamingos, deer, cherubs, ducks, etc.).

11.6 Maintenance.

All landscaping shall be maintained in a neat and attractive condition. Minimum maintenance requirements include watering, mowing, edging, pruning, removal and replacement of dead or dying plant materials, removal and/or elimination of weeds and noxious grasses, treatment of diseased plant material, and removal of trash.

Maintenance of vacant lots shall be the responsibility of the lot owner. Such maintenance may require occasional mowing of "natural" vegetation and removal of obnoxious weeds. If no development occurs after one (1) year from date of purchase, and no plans are in progress, vacant lots shall be tilled and planted with ground cover approved by the Committee.

11.7 Installation.

Landscaping shall be installed in accordance with the approved Final Landscaping Plan. Front yard landscaping (from the street curb to the front of the residence) shall be installed within 180 days after the Certificate of Occupancy is issued. The remainder of the lot shall be landscaped within one (1) year or one (1) growing season, whichever time period is shorter.

11.8 Minimum Plant Material Quantities.

The following landscaping quantities are the minimum requirements. The Committee strongly encourages additional plantings to complement and add to these minimums and to be consistent with the guidelines contained in this section. In addition, the use of flower beds, with variety to promote seasonal color, is also strongly encouraged. Each lot within The Reserve Subdivision shall comply with the following minimum planting requirements:

- a. Two (2), one and one-half inch (1.5") caliper trees in the front yard;

b. One (1), one and one-half inch (1.5") caliper tree in the rear yard; five-foot (5') conifers may be substituted for deciduous trees;

c. Ten (10), five (5)-gallon shrub beds in the front yard;

d. Five (5), five (5)-gallon shrubs in a shrub bed in either the back or side yard that is visible from adjacent lots, public ways, or streets; and

e. All areas not in shrub beds, designated garden/flower bed areas, areas planted with acceptable ground cover materials, patios, decks, or other hard surface areas shall be sodded with a Kentucky Bluegrass or predominantly Kentucky Bluegrass mixture (seed for turf areas may be utilized with special approval of the Committee).

It is recommended that trees not be planted closer than six feet (6') to sidewalks, driveways, or patio slabs, to minimize potential root damage to the concrete.

Landscape plans should designate all plant materials at approximately two-thirds of their final mature size.