

EXHIBIT C  
TO  
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS  
OF  
VALLEY COUNTRY CLUB ESTATES

SUBMITTAL REQUIREMENTS AND GENERAL DESIGN GUIDELINES  
OF  
VALLEY COUNTRY CLUB ESTATES

These Submittal Requirements and General Design Guidelines ("Design Guidelines") are attached to and incorporated in that certain Declaration of Covenants, Conditions and Restrictions of Valley Country Club Estates ("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As provided in the Declaration, these Design Guidelines may, at any time, from time to time, be amended, supplemented, repealed, or otherwise changed by the Executive Board of Valley Country Club Estates. As of the date of recording of the Declaration in Arapahoe County, Colorado, until changed as aforesaid, the Design Guidelines shall be as follows:

1. Submittal Fee

As of the date of recording of the Declaration, the fee for each plan submittal and review is Three Hundred Dollars (\$300.00). However, the amount of such fee is subject to change, at any time, from time to time, without notice. The fee is non-refundable, regardless of what action or lack of action may be taken by the Architectural Review Committee with respect to such plan submittal.

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.

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. Preliminary Submittal

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

Location and finished floor elevations of garage, first and second floors, and walkout basements for main buildings on the lot, at a scale of 1" = 20', and including:

- Legal description; north arrow; name, address and the telephone number of the owner.
- Property lines.
- Building envelope dimensions with centroid of the envelope established in relation to property lines or the setback requirements as established
- Front, rear, and side yard dimensions to buildings from property lines
- Drives, parking areas (if any), and walkways.
- Square footage of the building footprint for each building.
- Topography of site at two foot (2') intervals showing existing and proposed contours and drainage courses and cut/fill areas.
- 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.
- Exterior Lighting Plan.

ii. Building Plan

Indicate for all buildings the following at a scale of 1/8 inch = 1 foot or 1/4 inch = 1 foot:

- Pitch, valleys, 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, dimensions, final and original grade line and finished floor elevations clearly indicated.
- *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 Arapahoe County 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 in the form of a white, rigid 1/8" board approximately 24" X 24" 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 product 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 or stone, may take place without prior approval by the Committee.
- 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 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 approved the submission, in which case the applicant must revise the plans to comply with the conditions, submit the 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 of the new submission), with adjustments to address the requirements, conditions and comments of the Committee.

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 extreme 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).

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- i. Repetitious gables should be avoided.
- ii. Care should be given to rear home elevations, especially when they are visible from a street.
- iii. Masonite siding is acceptable if exposed board faces are 6 to 7 inches as a maximum exposure. Cedar and other materials will be evaluated on an individual basis. Stucco is generally permitted, but must be used in combination with brick or stone (i.e. stucco shall not be the only material except as set forth in Section 4.a.). See additional requirements and provisions under Siding, below.

c. Square Footage of Houses

- i. No one-story or ranch-style home shall consist of less than 2,000 square feet of finished living area, excluding basements, open porches, and garages.
- ii. No home of more than one-story shall consist of less than 2,600 square feet of finished living area, excluding basements, open porches and garages.

d. Setback Requirements

Arapahoe County requirements apply, except as otherwise set forth on the plat of Valley County Club Estates, as amended, recorded in Arapahoe 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 shall have been obtained.

Setback Encroachments

Unless the prior written approval of the Committee has been obtained, cornices, canopies, chimneys, bay windows, or other projections above the foundation of any structure constructed on a Unit, which encroach into required setbacks more than 30 inches (30"), are prohibited.

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PAGE 6

## Roof

The roof pitch should be consistent with the architectural style of the proposed building, and of a maximum height from top of foundation conforming to Arapahoe County ordinance, or as may be permitted by height limit variances that may be applicable to certain Units in Valley Country Club Estates.

The minimum roof pitch allowed on a major roof form is 5:12 to meet height limitations set by the County of Arapahoe. The pitch of lesser elements such as porches, dormers, etc may be lower if consistent with the design.

The maximum roof pitch of a major roof form shall not exceed 10:12. Variation to these will be considered if consistent with architectural design and theme. Flat roof designs will not be considered or accepted.

Dormers: Dormers should be relatively small in proportion to the overall scale of the roof. They should be gable, hip or shed forms.

Mansard Roofs: .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 cedar shingles, cedar shake shingles, pine shingles or shakes or concrete tile in a "shingle, or curved design" (no Spanish tiles or red tones will be permitted, only gray, green and brown tones). Asphalt shingles shall be acceptable if meet high definition standards.

Roof vents and flashing shall be painted to match the permanent roof color, or the trim color, whichever lessens the visual impact most.

## Siding

Exterior siding shall be of natural wood, masonite with 6" to 7" exposure, brick, stone, rock, stucco or architectural concrete. 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 and complete design statement.

Board and batten applications will not be allowed. Masonry veneer shall be consistent on all elevations, i.e., no use of both stone and brick on the exterior of the same building.

#### Masonry Fireplace Stacks

The use of masonry or stone is encouraged on all exterior fireplaces, although not required. The use of interior wall fireplaces that protrude only through the roof shingled area should also be stone or masonry. The use of a real stucco exterior finish may be considered in lieu of masonry or stone.

#### Colors

Colors shall be in the natural "earth tones, grays, toupes, 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.

All projections, including but not limited to, chimney flues, vents, gutters, down spouts, 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.

#### Miscellaneous

Foundations. No more than 12 inches (12") of exposed concrete may be visible on any elevation

Garages. There shall be a minimum of three, and a maximum of four, fully enclosed garage spaces for each dwelling unit. Minimum dimensions for each space are 10 feet by 12 feet (10' X 12'). 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.

#### 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.

Elevation Treatments. Architectural design shall incorporate a consistent level of architectural interest in all elevations.

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.

All stairs, decks and balconies shall be integrated with the architectural character of the residence to which they relate.

Landscape Design Review and Required Tree 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 installation.

All required trees shall be selected from the following list, unless otherwise approved by the Committee.

- |                        |                       |
|------------------------|-----------------------|
| Narrow Leaf Cottonwood | Autumn Purple Ash     |
| Red Oak                | Green Spire Linden    |
| Schwedler Maple        | Austrian Pine         |
| Honey Locust           | Golden Rain Tree      |
| Newport Prune          | Crabapple             |
| Bradford Pear          | Colorado Blue Spruce  |
| Hawthorne              | Douglas Fir or Linden |

At the time of installation: an evergreen tree must be at least six feet (6') in height; and any deciduous tree must have at least a two and one-half inch (2 1/2") caliper (the foregoing specifications are collectively referred to as the "Required Tree 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 the residence.



Units fronting on a cul-de-sac bulb shall have, in the front yard, not less than one tree that satisfies the Required Tree Specifications. All other Units shall have at least two trees, in the front yard, which satisfy the Required Tree Specifications.

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

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. Sod and/or shrubs shall be installed on both sides of a concrete driveway.

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 streetside 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 required 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 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 Specifications.

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.

The following types of fences may be permitted by the Committee: wrought iron in black or gray; cedar with cap but no exposed dog ears (except posts); and forty-two inch (42") high three rail fence in color(s) approved by the Committee. (82)

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 furnishings directly visible from the street shall be submitted to the Committee for approval prior to installation.

The Builder of each residence shall install a post light to complement the elevation styling. Each such post light shall be on a metal post, be a polished brass framed light, and shall be subject to approval by the Committee.

Driveways. All driveways shall be a natural tone concrete surface. 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 take to contain edges and control erosion and washouts. Driveways may not exceed thirty feet (30') wide at street.

House Address Numbers. There shall be no more than one set of house address numbers for each dwelling unit. These address numbers shall be used on the dwelling unit. The address number shall not exceed 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 TV, radio or special communication antennas, dishes or aerials shall be allowed on roofs.

Accessory Structures. Accessory structures as permitted by the Declaration 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 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 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. 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 of a garage structure and painted to match the final color of the roof shall not require specific Committee approval. Any deviation from these guidelines such as, but not limited to, free-standing 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
- 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
- Free-standing flag poles, swing sets, sports equipment

Committee. The Committee is the Architectural Control Committee referred to in the Declaration of Covenants, Conditions and Restrictions of Valley Country Club Estates.

Construction Regulations and Procedures

Regulations. 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 the utmost importance that anyone conducting construction activities in Valley Country Club Estates exert extreme care in preventing conditions that are unsafe or that could constitute fire, wind or other hazards. Conformance to all OSHA regulations shall be adhered to at all times. 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.