

EAGLE TRACE
AT
EAGLE COUNTRY CLUB
ARCHITECTURAL STANDARDS

August 24, 2005

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**EAGLE TRACE
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EAGLE COUNTRY CLUB**

SECTION I

Purpose

In and effort to attain a high quality of residential development and construction, to preserve a harmonious design, and to protect and enhance property values at Eagle Trace, Broomfield Architectural Control Committee, Inc. ("Committee") has developed the following set of architectural standards ("Standards").

These Standards will establish clarity to enable the building process to complement the quality of the community. The Standards are not intended to impose unreasonable or excessively costly controls nor to duplicate the functions normally provided by public agencies, but rather to coordinate the design and construction of the buildings by different owners, architects, engineers, and contractors so as to achieve a pattern of continuous quality and identify.

Eagle Trace at Eagle Country Club will be a community where different architectural designs and styles come together, and where the efforts of one designer, owner or builder are not damaged or devalued by the incompatible design of a neighbor.

Compliance with the Standards and approval by the Committee do not constitute compliance with any applicable building codes or regulations. The role of the Committee is directed toward review and approval of siting, exterior and interior design, appearance, and material usage.

These Standards are in addition to and augment the Declaration and Supplementary Declarations, as defined in the Amended Declaration of the Covenants, Conditions, and Restrictions dated August 24, 2005.

SECTION II

Definitions

Unless the context otherwise specifies or requires, the following words or phrases shall have the same meanings:

1. Builder/Contractor: A person or entity engaged by an Owner for the purpose of constructing or modifying a Dwelling on such Owner's Lot. The Contractor and Owner may be the same person or entity.
2. Committee: The Architectural Control Committee established pursuant to the Amended Declaration of Covenants, Conditions, and Restrictions.
3. Declaration: Amended Declaration of Protective Covenants recorded by the Eagle Trace Homeowners Association affecting Eagle Trace, dated August 24, 2005 and any supplements thereto.
4. Dwelling: A residence constructed or proposed to be constructed on a Lot in Eagle Trace and any improvement constructed in connection therewith.
5. Eagle Trace: Eagle Trace at Eagle Country Club recorded as the Broomfield Country Club Filling 1 through 7, Broomfield, Colorado.
6. Improvement: Any changes, alterations or additions to the existing state or property.
6. Lot: A platted Lot or building site within Eagle Trace.
6. Owner: The Owner of record of a Lot and/or residence, whether one or more persons or entities. For the purposes herein, the Owner may act through such Owner's agent, provided that such agent is authorized in writing to act in such capacity.
6. Standards: Those restrictions, review procedures and construction regulations adopted and enforced as set forth in this document and as amended from time to time.

SECTION III

Basic Building Restrictions

1. Setbacks and Placement of Structure:

Location of buildings will be in accordance with the recorded plat, the Declaration, and the P.D.U. Agreement, and building envelope restrictions. All dwellings shall be a minimum of 10 feet separation between structures.

The committee may also designate a building envelope in which the Dwelling boundaries shall be restricted to in order to prevent crowding of adjacent lots and to maintain openness. In no event shall envelope restrictions be greater than 10 feet from side property lines.

2. Height of Structure:

The Committee intends to discourage, and has the right to prohibit the construction of any Dwelling which would appear excessive in height when viewed from other lots

and the street.

3. Floor Square Footage and Permitted Usage:

Each Lot shall be used exclusively for residential living purposes. Every residential structure shall have a minimum improved living area of 1,800 square feet, exclusive of basements, garages, porches, patios, and accessory structures. No maximum floor area is specified; however, the Committee will be concerned that the total size of the Dwelling conforms with the continuity of the Development.

4. Color:

The color of the external materials should be generally subdued. Earth tones are recommended. Colors should be harmonious and compatible with colors of other residences.

5. Material – Exterior Surfaces:

Exterior surfaces should be generally of natural materials. The use of brick, wood, stucco, and stone is preferred. Exposed standard concrete, concrete block, prefabricated metal buildings, simulated brick, stone, or wood; and unnatural brick tones shall be viewed unfavorably by the Committee. Fifty percent of the structures exterior should be of brick, natural rock, or stucco.

5. Roofs:

All roofs shall be of a material, color, and texture approved by the Committee. No maximum or minimum pitch is specified, but approval by the committee shall be based on the visual impact of the roof. The overall appearance of the structure will be an important consideration. Cedar shakes, cedar shingles, or tile roofs are preferred. The texture and look of cedar shakes, cedar shingles or tile roofs are preferred. Other materials, such as premium 40 year asphalt shingles or better and standing-seam metal roofs will be considered on a case-by-case basis.

5. Garages:

Each Dwelling shall include a garage of sufficient size to accommodate two full sized automobiles and a maximum to be approved by the committee.

5. Fencing:

No fencing is preferred and will be prohibited anywhere except at rear of dwelling and shall be restricted to the back patio area. Wrought iron type fencing, split rail and fencing that is open will be looked at favorably by the committee. Those lots backing up to the irrigation canal shall be permitted to use protective fencing, but must be accompanied by appropriate landscaping to hide the fencing as approved by the committee.

9. Site Drainage and Grading:

All structures and landscape elements shall be placed on the Lot so that the existing topography shall be disturbed as little as possible. Finish grading shall be such so as to prevent ponding or washing of water on the site and on adjacent property. Drainage shall generally be away from structures.

9. Exterior Mechanical Equipment:

It is preferred that no mechanical equipment shall be exposed on the exterior of any structure. All such equipment must be approved by the committee. Special consideration will be given by the committee concerning placement of solar equipment.

Small satellite dishes, while permitted, are encouraged to be located inconspicuously, preferably not on the roof, to minimize visual impact.

9. Accessory Structures:

Accessory structures as permitted by the Committee shall be architecturally compatible with the Dwelling.

12. Exterior Lighting:

No exterior lighting shall be permitted except with the approval of the Committee. Exterior lighting that is subdued and whose light service is not visible from adjoining dwellings may be permitted by the Committee for such purposes as illuminating entrances, decks, driveways, and parking areas, and other approved purposes.

12. Landscaping:

At the time of, or as soon as reasonably possible following the construction of the residential structure (but not later than [7] months or one [1] growing season or the substantial completion of the structure), the Lot shall be suitably landscaped with grass shrubs, and trees.

It is the intent that each Lot shall be fully landscaped and Lot owners are encouraged to make adequate provisions for landscaping costs. Plant material native to this climate and sprinkler systems for grassed areas requiring weekly mowing are strongly encouraged.

All landscaping plans must be approved by Committee prior to installation of materials.

12. Swimming Pools:

Swimming Pools shall be designed to integrate with the existing site and architectural form. Adequate screening, security, and maintenance shall be provided. Swimming pool construction shall meet Colorado State Board of Health Standards.

12. Architectural Design:

There is no mandatory "style" of architecture required. The only constant is high quality and harmony with surrounding dwellings. The Committee shall look favorably upon traditionally styled homes. Homes with unusual non-conforming styles shall not be permitted.

12. Addition and Change:

Any changes to the approved plans before, during or after the construction of a Dwelling first must be submitted to the Committee for approval.

12. Local Building Codes:

All structures will conform to all applicable building codes and ordinances. Approval by the Committee does not constitute or imply compliance with such codes and ordinances.

SECTION IV

Architectural Review Procedures

1. Submission of Plans:

Plans and specifications will be submitted to the Committee as specified in the Declaration and in accordance with the following submittal and review procedures. The plans and specifications must be prepared by a licensed architect or a designer approved by the committee.

A. Pre-Design Meeting:

Prior to preparing preliminary plans for a proposed Dwelling, it is mandatory that the Owner/and/or his designer meet with the Committee to discuss proposed plans and to explore and resolve any questions regarding building in Eagle Trace. This informal review is to offer guidance prior to initiating preliminary design.

In order to derive the maximum benefits from this meeting, the Owner should be prepared to discuss in as much detail as possible the type of improvements to be built on the Lot Photographs, sketches, or magazine clippings are encouraged for presentation. This meeting is intended to prevent the Owner from making excessive expenditures on concepts which will not be acceptable to the Committee.

The Committee will be available as needed and an appointment should be made at least one (1) week in advance

A. Preliminary Submittal and Review:

Preliminary plans, including all of the exhibits outlined below, are to be submitted to the Committee. The committee shall conduct a preliminary review within two (2) weeks after written notice and submittal or preliminary plans by applicant to the Committee. The Committee shall respond within ten (10) working days after the review, provided that the preliminary plans are in accordance with the requirements outlined below.

(1) All preliminary plans shall include:

(a) Site plan (at no smaller than 1" = 30') indicating building location, driveway, and grading plan. Topography should be shown at two (2) foot intervals.

(a) Roof plan and floor plans (at no smaller than 1/8" = 1' - 0").

(a) Exterior elevations with both the existing and proposed grade lines at same scale as floor plans. Show grade elevations or street, main floor, and top of roof.

(a) Indication of all exterior materials and colors

(a) Building specification sheet completed by the applicant and provided by the committee.

(a) (2) Although optional, it would be helpful to have a study model of

the structure or perspective sketches.

C. Final Submittal and Review:

After preliminary approval is obtained from the Committee, the following documents are to be submitted in triplicate for final approval. The Committee shall conduct the final review within two (2) weeks of written notice and submittal of final plans by the applicant to the Committee, provided that the final plans are in accordance with the requirements outlined below. The Committee shall respond within ten (10) working days after reviewing the plans.

(1) Final plans shall include:

(a) An approximate time schedule indication starting and completion dates, and completion of landscaping work.

(a) Site plan (at no smaller than 1" = 30') showing building location, including accessory improvements, driveway, parking, utility connections, and grading plan, including existing and proposed topography at contour intervals of two (2) feet.

(a) Roof plan and floor plans (at no smaller than 1/8" = 1' - 0")

(a) Foundation design

(a) Exterior elevations with both existing and proposed grades shown.

(f) Wall section, and details of fireplace, and exterior stairs.

(g) Cross section of structure indicating existing and proposed grade lines on the site. Show grade elevations of street, main floor, and top of roof.

(g) Building Specification sheet completed by the applicant and provided by the Committee.

2. Resubmittal of Plans:

In the event of any disapproval by the Committee of either a preliminary or a final submission, the resubmission of plans will follow the same procedure as an original submittal. In the event a decision by the Committee is felt to be unjust, a request may be submitted in writing to the Committee within seven (7) days of the date of notification of the decision for a special hearing. This request of all parties concerned will be arranged when warranted and the decision of the Committee at this meeting or subsequent to reviewing this material will be final.

2. Work in progress:

The Committee may inspect all work in progress and give notice of non-compliance. Absence of such inspection and notification during the construction period does not constitute either approval of the committee with work in progress or compliance with these Standards or the Declarations.

If, during the course of construction, changes occur to an Improvement which cause it to be significantly different from the approved documents, a request for approval of these changes shall be submitted to the Committee in triplicate in the following manner:

A. A written statement giving the reason such changes are desired.

A. A complete description of the change, including, drawings, specifications, or any other descriptive material.

4. Completed Work:

A. Upon completion of any Dwelling or other Improvement for which final approval was given by the Committee, the Owner shall give written notice of completion to the Committee.

A. Within such reasonable time as the Committee may determine, but in no case exceeding ten (10) days from receipt of such written notice of completion from the Owner or its duly authorized representative, it may inspect the Improvements (Dwelling). If it is found that such work was not done in strict compliance with the final plan submitted or required to be submitted for its prior approval, it shall notify the Owner in writing of such non-compliance, specifying in reasonable detail the particulars of noncompliance, and shall require the Owner to remedy the same.

A. If, upon the expiration of fifteen (15) days from the date of such notification by the Committee, the Owner shall have failed to remedy such non-compliance, the Committee shall notify the Owner and may take such action to remove the non-complying Improvements as is provided for in the Declaration.

A. If, after receipt of written notice of completion from the Owner, the Committee fails to notify the Owner of any failure to comply with its directives within the period provided in Paragraph 4B above, the Improvements shall be deemed to be in accordance with the final plan.

5. Right of Waiver:

The Committee reserves the right to wave or vary any of the procedures or standards set forth herein at its discretion, for good cause shown.

6. Non-Liability of the Committee:

The Committee or their representative successors or assigns, shall be liable in damages to anyone submitting plans to them for approval or to any Owner by reason of mistake in judgment, negligence or nonfeasance arising out of or in connection with the approval or disapproval or failure to approve any plans and specifications. Every Owner or other person who submits plans to the Committee for approval agrees, by submission of such plans and specification, that he will not bring any action or suit against the Committee to recover damages. Approval by the Committee shall not be deemed to constitute compliance with the requirements of any local building codes, and it shall be the responsibility of the Owner or other person submitting plans to the Committee to comply therewith.

7. Enforcement:

These Standards may be enforced by the Committee as provided in the Declaration.

8. Grading, Dimensions and Elevations and Other Information Submitted by an Owner:

Any Owner submitting plans for preliminary or final approval to the Committee shall be responsible for the verification and accuracy of all Lot dimensions, grade, elevations and the location of key features of the natural terrain. Each Owner shall certify to the

accuracy thereof before the Committee will undertake its review.

8. Amendments to the Architectural Control Standards:

From time to time, amendment and additions may be made to these Architectural Control Standards. When this occurs, the parties responsible for Improvements affected will be notified and furnished a copy of such amendment or addition.

SECTION V

Construction

Regulations

In order to ensure a safe, neat and orderly construction site, the Committee has established certain construction and safety regulations.

It is of the utmost importance that anyone conducting construction activities exert extreme care in preventing conditions that are unsafe or that could constitute fire, wind or other hazards. The Committee will not tolerate any activity that, in their opinion, constitutes such hazards.

Definitions: All of the definitions contained in the Architectural Standards are utilized herein, except that the following additional definition is used in these Construction Regulations:

“Construction Site” shall mean and refer to such portion of Development (including but not limited to be a Lot) on which authority is given by the Committee to construct Improvements or store material and equipment.

1. Pre-Construction Conference:

Prior to commencing construction, the Builder/Contractor shall meet with the Committee to review procedures and coordinate his activities in the development.

2. Occupational Safety and Health Act Compliance (OSHA): All applicable OSHA

regulations and guidelines shall be strictly observed at all times.

3. Construction Trailers, Potable Field Offices, Etc:

Any Owner or Contractor who desires to bring a construction trailer, field office or the like to the Development shall first apply to the Committee. The Committee will work closely with the Owner or Contractor to determine the best possible location. Such temporary structures shall be located only in a location approved by the Committee and shall be removed upon completion of the construction.

4. Storage of Materials and Equipment:

Owners and Contractors are permitted to store construction materials and equipment on the approved 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 (Owner's or Builder's Lot) will be done only with the approval of the Committee.

Any storage of materials or equipment shall be the Owner's or Contractor's responsibility.

Owners and Contractors shall not disturb damage or trespass on other Lots or tracts. Should any such damage occur, it will be restored and repaired at the offender's expense.

4. Debris and Trash Removal:

Owners and Contractors shall clean up all trash and debris on the Construction Site at the end of each day. Trash and debris shall be removed from each Construction Site at least once a week by every Friday to a dumping site located off the project. Lightweight material, packaging and other items shall be covered or weighted down to prevent wind from blowing such materials off the Construction Site. Owners and Contractors are prohibited from dumping, burying or burning trash anywhere on the Development.

During the construction period, each Construction Site shall be kept neat and shall be properly policed to prevent it from becoming a public eyesore or affecting other Lots and tracts.

Dirt, mud or debris resulting from activity on each Construction Site shall be promptly removed from public or private roads, open spaces and driveways or other portions of the Development.

4. Sanitary Facilities:

Each Owner and Contractor shall be responsible for providing adequate sanitary facilities for his construction workers. Portable toilets or similar temporary toilet facilities shall be located only in areas approved by the Committee.

4. Parking Areas:

Construction crews shall not park on, or otherwise use, other Lots or tracts. Private and construction vehicles and machinery shall be parked in areas designated by the Committee.

4. Conservation of Landscape Material:

Owners and Contractors are apprised of the fact that the Lots and Tracts contain topsoil that should be salvaged before and during construction.

4. Excavation Material:

Excess excavation materials shall be hauled off the project or placed in areas designated by the Committee, if any.

10. Blasting:

If any blasting is to occur, the Architecture Committee shall be informed far enough in advance to allow it to make such investigation as it deems appropriate to confirm that all appropriate measures, including protective actions, have been taken prior to the blasting.

11. Restoration and Repair of Other Property Damage:

Damage and scarring to other property, including, but not limited to, other Lots, tracts, roads,

driveways and/or other improvements, will not be permitted. If any such damage occurs, it shall be repaired and/or restored promptly at the expense of the person or entity causing the same.

Upon completion of construction, each Owner and Contractor shall clean his Construction Site and repair all property which was damaged, including, but not limited to, restoring grades, repair streets, driveways, drains, culverts, signs, lighting and fences.

12. Miscellaneous and General Practices:

The following practices are prohibited on the Development.

- A. Changing oil on any vehicle or equipment other than at a location designated for that purpose by the Committee.
- A. Allowing concrete suppliers and contractors to clean their equipment other than at location designated for that purpose by the Committee.
- A. Removing any plant material, topsoil or similar items from any property of others within the Development including Construction Site.
- A. Carrying any type of firearms on the property.
- A. Using disposal methods or units other than those approved by the Committee.
- A. Careless disposition of cigarettes and other flammable material.
- A. Bringing any animals or pets, particularly dogs, onto the Development.

13. Responsibility of Lot Owner:

All Lot Owners in Eagle Trace shall be responsible for the conduct and behavior of their representatives, Builders, Contractors and subcontractors.