

Gurley Lake Ranch Owners Association, Inc.
Design Standards

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TABLE OF CONTENTS

<u>DESCRIPTION</u>	<u>PAGE</u>
SECTION 1: PURPOSE & APPLICABILITY	1
Section 1.1: Definitions	1
Section 1.2: Responsibilities of the Architectural Control Committee	2
Section 1.3: Responsibilities of Lot Owners	2
Section 1.4: Enforcement	2
SECTION 2: DESIGN REVIEW PROCESS	2
Section 2.1: Concept Plan Review and Approval	2
Section 2.2: Design Plan Review and Approval	3
Section 2.3: Exterior Repair, Replacement, Additions, Changes or Alterations to Existing Structures or Improvements	4
Section 2.4: Construction Conformance Review	5
Section 2.5: Contractor Affidavit	5
SECTION 3: VARIANCES	5
SECTION 4: ARCHITECTURAL REQUIREMENTS	5
Section 4.1: San Miguel County, Colorado Building Codes	5
Section 4.2: Building Forms	6
Section 4.3: Building Height, Size, And Setback Limitations	6
Section 4.4: Roof Forms and Materials	6
Section 4.5: Exterior Walls and Materials	7
Section 4.6: Windows and Materials	8
Section 4.7: Doors and Materials	8
Section 4.8: Garage Doors and Materials	8
Section 4.9: Decks, Balconies, and Porches	8
Section 4.10: Driveways And Parking	8
Section 4.11: Garages, Outbuildings, and Other Structures	8
Section 4.12: Electric, Telephone, Propane and Satellite TV Service	8
Section 4.13: Exterior Lighting	9
Section 4.14: Fences, Gates and Walls	9
Section 4.15: Solar and Wind Power	9
Section 4.16: Irrigation, Water Features and Ponds	9
ARTICLE 5: SIGNAGE	9

SECTION 6: CONSTRUCTION AND LOT IMPROVEMENT REQUIREMENTS	10
Section 6.1: Construction Requirements	10
Section 6.2: Clean-Up Security Deposit	10
Section 6.3: Slash Disposal	10
SECTION 7: SAVINGS CLAUSE AND EFFECTIVE DATE	11

SECTION 1: PURPOSE & APPLICABILITY

The Gurley Lake Ranch Owners Association, Inc. (“GLROA”) encourages lot owners to build homes within Gurley Lake Ranch.

The purpose of the Design Standards is to:

- Assist lot owners with the design and approval process;
- Provide clear, consistent, and predictable standards for the construction of high quality buildings, fences or other structures or improvements;
- Protect and enhance property values; and
- Protect and preserve the open space, natural habitat, and wildlife resources within Gurley Lake Ranch.

The Design Standards are in addition to and supplement the requirements set forth in the Declaration of Covenants, Conditions, Restrictions and Easements For Gurley Lake Ranch A Rural Cluster Subdivision as filed with the Clerk of San Miguel County on August 1, 1996, and as amended (“Declarations”). To the extent that there is any inconsistency between the Declarations and the Design Standards, the Declarations take precedent and shall be followed.

The Declarations, Design Standards, and other documentation relative to Gurley Lake Ranch can be found at <http://www.gurleylakeranch.com>

Compliance with the Design Standards is not a difficult process. Ten (10) of the thirty (30) existing lot owners have successfully gone through the Design Review Process and built homes (several others have built out-buildings as well) within Gurley Lake Ranch.

Section 1.1: Definitions.

“Association” or “GLROA” shall mean and refer to the Gurley Lake Ranch Owners Association, Inc., a Colorado non-profit corporation, its successors and assigns.

“Board of Directors” or “Board” shall mean and refer to the Board of Directors of the Association comprised of lot owners elected in accordance with the Declarations, Bylaws, and Responsible Governance Policies of the Association.

“Certificate of Conformance” shall mean and refer to a letter issued by the Board or Architectural Control Committee indicating that a building, fence, other structure, or improvement complies with the Design Standards and approved Design Plan.

“Design Plan” shall mean and refer to any plan for a building, fence, or other structure or improvement submitted by a lot owner and approved by the Board or Architectural Control Committee.

“Lots” shall mean and refer to any of the forty-one (41) residential plots of land shown upon the plat maps filed with the Declarations, or as an addition or amendment thereto.

“Lot owner” shall mean and refer to the owner(s) of record, whether one or more persons or entities, of a fee simple title to any Lot, but excluding those having such interest merely as security for the performance of an obligation.

“Subdivision” refers to Gurley Lake Ranch as shown on the plat maps filed with the Declarations, or as an addition or amendment thereto.

Section 1.2: Responsibilities of the Architectural Control Committee. Pursuant to the Declarations, the Board of Directors has appointed an Architectural Control Committee (“ACC”). The ACC members are unpaid volunteer Gurley Lake Ranch lot owners whose responsibility it is to answer lot owners’ questions with respect to the design and construction of any building, fence other structure or improvement within Gurley Lake Ranch, and to assist lot owners in developing and obtaining approval of a Design Plan that is in accordance with the Declarations and Design Standards.

Section 1.3: Responsibilities of Lot Owners. It is the responsibility of every lot owner to comply with the Declarations and Design Standards, and to obtain approval of a Design Plan from the ACC prior to the construction of any building, fence or other structure or improvement. No lot owner owing an assessment, dues or other money to the Association, in any amount or for any purpose, or who has been issued a notice of violation of the Declarations or Design Standards may apply for approval of any building, fence or other structure or improvement unless and until such monies have been paid in full or such violation has been remedied.

Section 1.4: Enforcement. The Declarations provide that the Association, any lot owner, or the Board of County Commissioners of San Miguel County, Colorado shall have the right to enforce the Declarations, including these Design Standards.

SECTION 2: DESIGN REVIEW PROCESS

The Declarations provide that no building, fence or other structure or improvement of any kind shall be constructed, erected or maintained in Gurley Lake Ranch until it is submitted to and approved by the ACC. The purpose of the Design Review Process is simply to ensure that any building, fence or other structure or improvement complies with the Declarations and Design Standards. Lot owners are strongly encouraged to review the Declarations and Design Standards prior to beginning the design of any building, fence or other structure or improvement.

The Design Review Process shall consist of three (3) steps as follows: Concept Plan Review and Approval; Design Plan Review and Approval; and Compliance Review.

Lot owners shall submit all materials to the ACC in connection with the Design Review Process in hard copy, with one (1) copy being provided to each member of the ACC. In the case of large materials such as architectural drawings, plat maps, etc., lot owners shall submit along with the full size copies 8 ½ x 11 inch copies that are suitable for transmission by facsimile or email.

Section 2.1: Concept Plan Review and Approval. The purpose of a Concept Plan Review is to determine whether a lot owner’s proposed building, fence or other structure or improvement generally will comply with the Declarations and Design Standards. It is intended to save the lot

owner time and expense in the development of a Design Plan that clearly will not comply with the Declarations or Design Standards.

Lot owners shall submit a Concept Plan to the ACC describing the proposed building, fence or other structure or improvement, and include plans drawn to an appropriate scale that will clearly provide, at a minimum, the following information, if applicable: (a) for a residence structure, the total square footage of heated, above ground living space and the total square footage on the ground floor of a 1 ½ or 2 story structure, (b) the front, rear and side elevations, (c) the proposed exterior wall, roof, window and door materials and colors, and/or (d) a description of the proposed fence or other improvement including pictures, proposed materials and colors. Lot owners are encouraged to provide as much detail as possible, in order to facilitate a prompt review by the ACC. The ACC may request additional information to assist it in evaluating the Concept Plan.

The ACC shall review the Concept Plan and supporting materials and, within thirty (30) days of submission, advise the lot owner whether it generally complies with the Declarations and Design Standards or whether it would require a variance. If a variance would be required, the ACC also will advise the lot owner of any change(s) to the Concept Plan that would generally bring the design into compliance with the Declarations and Design Standards. A lot owner then has the choice of modifying the Concept Plan to eliminate the need for a variance, or to seek a variance.

Section 2.2: Design Plan Review and Approval. After receiving approval of the Concept Plan, lot owners shall submit a Design Plan to the ACC. The purpose of a Design Plan Review is to ensure that a proposed building, fence or other structure or improvement complies with the Declarations and Design Standards. The Design Plan shall, at a minimum, include a Site Plan, Building Plans, Landscape Plan, and Utility Plan. Lot owners are encouraged to provide as much detail as possible, in order to facilitate a prompt review by the ACC. The ACC may request additional information to assist it in evaluating the Design Plan.

Site Plan. A Site Plan, drawn at a minimum scale of one (1) inch equals fifty (50) feet (1" = 50'), shall be submitted showing the following information: (a) property boundaries; (b) existing and/or proposed building footprints, (c) building setbacks, (d) existing and/or proposed driveway, (e) existing and proposed contours at two (2) foot intervals; (f) existing and/or proposed septic system location, (g) any proposed lot improvements, including but not limited to, fences, retaining walls, and their proposed location, (h) preliminary landscape concepts, (i) existing trees and vegetation, and (j) finish grade.

When choosing the site for a proposed building, fence or other structure or improvement, lot owners should consider whether it would obstruct the views and/or interfere with the privacy of adjacent lot owners. Since growing new trees, shrubs and vegetation is difficult in the semi-arid, high altitude environment at Gurley Lake Ranch, the Site Plan should demonstrate that the building, fence or other structure or improvement is being sited to preserve existing trees, shrubs and vegetation and will use existing landscape forms, trees, shrubs and vegetation to create screens and buffers from adjacent properties or the common areas as much as possible.

Importantly, the Declarations provide that Lots 1-15 within Gurley Lake Ranch have designated building sites where proposed residence structures and building(s) must be located so as to not interfere with the views of adjacent lot owners.

Building Plans. Building Plans, drawn at a minimum scale of one-quarter ($\frac{1}{4}$) inch equals one (1) foot ($\frac{1}{4}'' = 1'$), shall be submitted showing the following information: (a) for a residence structure, the total square footage of heated, above ground living space and the total square footage of living space on the ground floor of a 1 $\frac{1}{2}$ or 2 story structure; (b) the height of the building or other structure at its highest point; (c) all exterior elevations of the building or other structure; (d) the roof forms, gables, and dormers (d) the location of all windows and doors; (e) the materials and colors to be used on the exterior walls, roofs, windows, doors and trim, (f) the location and type of any exterior lighting; and (g) a description and the location of any stone to be applied to the structure. The lot owner has the option of providing the ACC with actual samples of, or with manufacturers' product literature and photographs for, all materials, paint and/or stain proposed to be utilized on the exterior walls, roof, windows, doors, trim, stone and/or stucco.

Landscape Plan. A Landscape Plan, drawn at a minimum scale of one (1) inch equals twenty (20) feet ($1'' = 20'$) with contour intervals of two (2) feet, shall be submitted to ensure that a building, fence or other structure or improvement will have a minimum impact on and blends in with the natural landscape and vegetation upon completion. The Landscape Plan also should show: (a) any grading that will be necessary, (b) any large trees that will require removal, (c) any new trees, ground cover and/or re-vegetation that will be planted, (d) any proposed special landscape features, and (e) any proposed retaining structures or walls. The ACC will pay particular attention to lots without abundant trees, shrubs and other vegetation for natural screening, and may require the lot owner to plant additional trees and shrubs in this situation.

Utility Plan. A Utility Plan, drawn at a minimum scale of one (1) inch equals twenty (20) feet ($1'' = 20'$), shall be submitted showing the location where all proposed septic fields, electric and telephone lines, electric transformers, propane tanks, satellite TV dishes, and back-up power generators will be installed.

The ACC shall provide the lot owner with written confirmation of the date of final submission of the Design Plan and any additional materials requested by the ACC. The ACC shall then review the Design Plan and all supporting materials to determine whether or not the proposed building, fence or other structure or improvement complies with the Declarations and Design Standards. If, within thirty (30) days of final submission of the Design Plan, the ACC fails to: (a) approve it or request additional information, (b) disapprove it with recommendations, or (c) disapprove it entirely in writing, approval will not be required and Article IV of the Declarations and the Design Standards will be deemed to have been fully complied with. Approval of a Design Plan by the ACC shall not be arbitrarily or unreasonably withheld.

Should a lot owner wish to make a change to, deviation from, or modification of an approved Design Plan, any such change, deviation or modification shall be submitted to and approved by the ACC prior to making such change, deviation or modification.

Section 2.3: Exterior Repair, Replacement, Additions, Changes or Alterations To Existing Structures or Improvements. The Declarations provide that no exterior repair, replacement, addition, change or alteration to an existing building, fence or other structure or improvement of any kind shall be made until it is submitted to and approved by the ACC. In that event, a lot owner shall provide to the ACC all of the same information required for a Design Plan Review. However, in working with the lot owner, the ACC may waive the requirement to provide specific

information depending upon the nature and extent of the exterior repair, replacement, addition, change or alteration. Simple repairs or replacement of existing exterior features in the nature of normal maintenance, which do not change or alter a previously approved building, fence or other structure or improvement, do not require ACC approval. Within thirty (30) days of final submission of all required materials, the ACC shall provide the lot owner with a letter approving or denying the proposed exterior repair, replacement, addition, change or alteration.

Section 2.4: Construction Conformance Review. After receiving ACC approval of a Design Plan and a building permit from San Miguel County, a lot owner may begin construction of the building, fence or other structure or improvement in accordance with the approved Design Plan. The Declarations provide that all residences/dwellings must be completely finished before occupancy and be completed within one (1) year of issuance of a building permit. When construction is completed, a lot owner shall request that the ACC inspect the building, fence or other structure or improvement to determine if it conforms to the approved Design Plan. Following this inspection, the ACC shall issue to the lot owner, in writing, confirmation that the building, fence or other structure or improvement, or an exterior repair, replacement, addition, change or alteration thereto, is in conformance with the approved Design Plan or information on what must be done to bring it into conformance. A lot owner shall obtain written notice of conformance from the ACC prior to applying for a Certificate of Occupancy from San Miguel County.

Section 2.5: Contractor Affidavit. Lot owners are encouraged to utilize a builder/contractor who is experienced in constructing buildings, fences or other structures or lot improvements in the high altitude environment of Gurley Lake Ranch. Before receiving approval of any Design Plan, the lot owner's builder/contractor shall be required to sign an affidavit on a form provided by the ACC stating that all construction will be conducted in strict conformance with the approved Design Plan and San Miguel County, Colorado Building Codes.

SECTION 3: VARIANCES

The Declarations provide that the Board or ACC shall have the authority to grant variances so long as they do not result in conditions that are inconsistent with the general concept, harmony and values of Gurley Lake Ranch. It is strongly recommended that any application for a variance be submitted to the ACC during the Concept Plan Review. The ACC will only grant a variance upon a written finding that: (a) strict application of the Article V Restrictions in the Declarations and Design Standards is not necessary to ensure that the proposed design results in a high quality building, fence or other structure or lot improvement; (b) the proposed variance is a minimal departure from the Article V Restrictions and Design Standards, such that their overall objectives are preserved; and (c) the variance will not have an unreasonable negative impact on the adjacent lots and surrounding community. The ACC will not approve a variance if the cost of compliance with Article V and/or the Design Standards or inconvenience is the sole grounds for the application.

SECTION 4: ARCHITECTURAL REQUIREMENTS

Section 4.1: San Miguel County, Colorado Building Codes. All buildings or other structures in Gurley Lake Ranch, at a minimum, must comply with the San Miguel County Building Codes.

Section 4.2: Building Forms. Buildings and other structures within Gurley Lake Ranch should reflect the simple, sturdy, rustic building forms and materials common to the traditional, mountain ranch architecture of the region. The intent of this design theme is to promote high quality residence and building construction creatively merged with the natural surroundings. Custom, site-built log, timber frame, alpine chalet, or traditional wood frame designs combined with stone and/or stucco that blend in with the natural surroundings will meet this requirement. The Declarations do not permit modular homes, trailer houses, or mobile homes, and these designs will not be approved under any circumstances.

The eleven (11) residences/dwellings and other outbuildings already existing within Gurley Lake Ranch provide good examples of the kinds of residential architecture, building forms and materials that will comply with the Design Standards.

Section 4.3: Building Height, Size, and Setback Limitations. No buildings or other structures within Gurley Lake Ranch shall exceed thirty (30) feet in height measured from the finished grade to the highest point of the roof ridge. "Finished grade" for the purpose of measuring building heights shall be highest elevation of the surface material (soil or paving) adjacent to the structure.

The Declarations require that each residence structure shall contain at least 1,500 square feet of heated, above ground living space, with a minimum of 1,200 square feet on the ground floor of a 1 1/2 or 2 story structure. Square footage shall be determined by exterior wall measurement. The Declarations require that all residence structures must use new materials and be completely finished before occupancy.

The Declarations provide that a minimum front setback from the access road for all structures shall be two hundred (200) feet. The minimum rear setback for all structures from the high water line of Gurley Lake as shown on the Plat shall be five hundred (500) feet. The minimum side setback from the side lot lines for all dwellings shall be one hundred (100) feet and for all other buildings fifty (50) feet. Lots fronting on Gurley Lake have designated, pre-approved building sites in which any residences/dwellings, buildings or other structures must be constructed, so as to protect the views of neighboring lot owners. All residences/dwellings, buildings or other structures shall be sited so as to blend in with the natural topography of the lot, and shall not be located on the top of hillsides, ridgelines or slopes.

Section 4.4: Roof Forms and Materials. Major roof forms should be gable or hip in conformance with traditional mountain ranch architecture. Dormers are recommended, but not required, to break up long expansive roof lines, to add interest and scale to major roof areas, and to make available habitable space under the roofs. Dormers may have gable, hip or shed forms.

Roofing materials shall consist of metal, dimensional asphalt shingles, slate, concrete roof tile, cedar shakes or thick butt cedar shingles. Standing rib and corrugated metal roofing material shall be finished with baked-on enamel paint or treated to produce rusting. All exposed metal flashing, gutters, downspouts, snow fences and other roof hardware shall be painted, finished with baked-on enamel paint, or treated to produce rusting and shall be color-coordinated to match the finish and/or color of the adjacent materials. Since the Gurley Lake Ranch design theme is that buildings and other structures blend in with the natural landscape as much as

possible, subdued brown and green tones are preferred. Accordingly, bright and sharp roof colors will not be approved.

Chimneys are an important visual element of building architecture. The exterior finish of chimneys shall be stone or stucco, and shall be enclosed with a chimney cap made of stone, pre-cast concrete with a sandblast or exposed aggregate finish, copper or steel.

Rooftop heating and air conditioning equipment, large vent stacks, and galvanized pipe vents are not permitted and will not be approved.

Section 4.5: Exterior Walls and Materials. A building's exterior walls shall be composed of logs and timbers, stick framing with wood siding, or a combination thereof and shall include some stone and/or stucco to vary the appearance of different components of the building.

Logs and timbers used for exterior walls shall be square, rectangular, or round with either a flat, slab-side or rounded exterior, and with butt and pass, square-notch, saddle-notch or dovetail corners. Logs may be either milled or hand-hewed. Round logs shall be a minimum of eight (8) to nine (9) inch average diameter measured at the midpoint of each length of log. Rectangular and square logs or timber shall be a minimum of 8 x 8 inches square. Logs and timbers shall be treated with a clear sealer, or stained with a semi-transparent stain to blend with the existing natural colors.

Wood siding shall consist of individual boards or planks of not less than four (4) inch and not more than twelve (12) inch nominal façade width, and shall not be less than five-eighths (5/8) inch thick. Wood siding may be run vertically or horizontally. For vertical siding applications, a combination of several plank widths applied in a random pattern is encouraged. Wood siding should be used for dormers, at gable ends, and the upper portions of a structure. When wood siding is used, corner detailing shall be provided. Wood siding and eaves or soffits should be finished with a natural color semi-transparent stain or treated with a clear sealer to maintain the natural wood look.

Smooth and/or rough sawn plywood is not permitted as siding material and will not be approved. Rough sawn plywood may be used for eaves or soffits, or as a base for or component of special ornamental panels. Lot owners are encouraged, but not required, to use tongue and groove wood lumber for eaves or soffits because it provides a more finished look, is longer lasting, and better able to withstand the semi-arid, high altitude mountain climate.

Use of some stone, whether real or synthetic, is required and should be distributed consistent with the design of the building or structure. For example, stone can be used on foundations and in columns, as a wrap-around to wood posts supporting porches and dormers over entryways, and in retaining walls that are adjacent to or an integral part of the building. Lot owners are encouraged to use their imagination in the use of stone to enhance the overall architecture of their building or structure. The ACC can waive the stone requirement in the case of small outbuildings and other structures where the design does not warrant it.

Stucco may be used in combination with log, timber frame, wood and stone, but should cover large surfaces rather than small isolated areas. Stucco colors, in general, shall be light earth

tones and blend in with the natural landscape as much as possible. Synthetic stucco is not an approved material and will not be permitted.

Section 4.6: Windows and Materials. Window patterns and sizes should vary depending on their exposure, while taking into account interior uses, views and passive solar energy considerations. Special bay, picture, and trapezoidal windows are encouraged to maximize views and sun exposure as well as to provide an accent on large wall surfaces, but should be used in combinations so as to avoid large uninterrupted glass areas. Window frames, casings and trim should be painted or stained wood, painted clad aluminum or vinyl, or patina copper clad construction. All windows should have double or triple glazing, high technology, or low E glass. Mirrored glass is not permitted and will not be approved.

Section 4.7: Doors and Materials. The main or primary pedestrian entrance door(s) should be of wood, composite or fiberglass materials, preferably stained, with windows of etched, stained or textured glass consistent with the building design. Secondary entrance doors shall consist of painted or stained wood, or painted clad aluminum, vinyl, fiberglass or steel materials. Flush metal doors are not permitted and will not be approved.

Section 4.8: Garage Doors and Materials. Garage doors shall consist of painted or stained wood; insulated and painted clad aluminum, vinyl, or fiberglass; or steel sectional overhead doors of raised panel design. Hollow metal doors, metal overhead doors of plain panel design, or roll-up doors similar to those of a service truck are not permitted and will not be approved.

Section 4.9: Decks, Balconies, and Porches. Decks, balconies, and porches are encouraged to create outdoor living spaces, and should be located in areas of high sun exposure while at the same time preserving views and solar access.

Section 4.10: Driveways and Parking. Only one (1) driveway access is permitted on each lot, which at a minimum shall consist of gravel over compacted road base no less than twelve (12) feet wide. Driveways shall be constructed prior to or within thirty (30) days from the commencement of construction. Driveways shall not disrupt natural drainage in Gurley Lake Ranch, and if culverts are required to accomplish this, they shall be at least twelve (12) to eighteen (18) inches in diameter to maximize water flow. Turnarounds, garage aprons, and walkways from the driveway to the building or other structure may be paved or concrete. Lot owners are encouraged to stain large concrete or paved garage aprons to blend in with the natural surroundings.

Section 4.11: Garages, Outbuildings, and Other Structures. Garages, outbuildings and other structures within Gurley Lake Ranch shall be of an architectural design and be constructed of materials that are compatible with the main residence/dwelling. Lot owners may construct one (1) garage attached to or within fifteen (15) feet of the residence. Outbuildings and other structures shall be sited in such a way so as to not interfere with the views of adjacent lots. Garages, outbuildings and other structures may only be constructed after the main residence is completed, except that attached garages may be constructed as part of and at the same time as the main residence.

Section 4.12: Electric, Telephone, Propane, and Satellite TV Service. It is the responsibility of the lot owner to coordinate with the applicable local companies for installation and delivery of

electric, telephone, propane, and satellite TV service. All electric, telephone, propane tanks and supply lines to and from any residence dwelling, building, or other structure shall be installed underground, and where applicable routed to follow the driveway unless such routing is not feasible. Satellite TV dishes shall be hidden from view to the extent possible consistent with the necessity to secure a signal. All meters, transformers, and other utility boxes shall be concealed from view either with enclosures compatible with the architectural design and materials of the dwelling, or with shrubs and other natural screening materials. Any area disturbed during installation of these services shall be restored to its original condition through proper grading, re-vegetation and landscaping. Generators may be installed as a backup to the primary power source of the residence/dwelling, and shall be concealed from view either with enclosures compatible with the architectural design and materials of the residence/dwelling, or with shrubs and other natural screening materials. Generators will not be permitted as a primary source of electric power.

Section 4.13: Exterior Lighting. All exterior lighting shall have a concealed light source (in other words, exposed light bulbs are not permitted), shall be directed downward and shielded, and shall be designed to minimize night sky light pollution.

Section 4.14: Fences, Gates and Walls. The design, type and location of fences, gates and walls require ACC approval. Fences, gates and walls adjacent to and across driveways shall be constructed of metal, wood, and/or stone consistent with traditional mountain ranch architecture. Lot owners are permitted to construct fences to keep cattle away from buildings or other structures provided that, at a minimum, they are of the type traditionally found in Gurley Lake Ranch consisting of four (4) wires with wooden and/or metal posts, are “wildlife friendly,” and are setback ten (10) feet from a lot line. Perimeter or property line fences designed to separate property boundaries and fences that restrict deer and elk migration are not permitted and will not be approved.

Section 4.15: Solar and Wind Power. Building designs that take advantage of passive solar power are encouraged, and active solar systems are permitted. However, active solar panels should have an anti-reflection coating, be incorporated into the roof systems, and not reflect sunlight onto adjacent lots. Lot owners shall obtain ACC approval of the type and location of all solar panels. Wind power turbines are not permitted and will not be approved.

Section 4.16: Irrigation, Water Features and Ponds. The Association is concerned about preserving water resources at Gurley Lake Ranch, since wells are the primary source for potable water. Accordingly, any irrigation system must be carefully designed and controlled to efficiently and uniformly distribute water so as to utilize the minimum amount necessary and to avoid evaporation. To accomplish this, drip systems are preferred over sprinklers and should be utilized wherever possible. Lot owners shall obtain ACC approval of any irrigation system. Water features and ponds are not permitted and will not be approved in order to preserve water resources within Gurley Lake Ranch.

SECTION 5: SIGNAGE

Proliferation of signs would have a significant adverse visual impact on Gurley Lake Ranch, and destroy the natural beauty of the surrounding area. The Declarations permit “small real estate and builder signs.” Accordingly, lot owner(s) may place only one (1) small real estate “for sale”

sign on the same lot at a time, and lot owner(s) shall remove any real estate “for sale” sign when the lot is taken off the market. Similarly, lot owner(s) may place only one (1) small builder sign on a lot while a residence is under construction, but are discouraged from doing so. No other signs are permitted.

SECTION 6: CONSTRUCTION AND LOT IMPROVEMENT REQUIREMENTS

Section 6.1: Construction Requirements. Lot owners are responsible for the behavior and conduct of their builders, contractors, subcontractors, and other representatives on the building site. Lot owners should remind their builders, contractors, subcontractors, and other representatives that entering onto other lots within Gurley Lake Ranch, without permission of the lot owner, is trespassing and could result in legal action.

All construction, including but not limited to blasting, heavy equipment operation and other loud noise, is prohibited between 7:00 p.m. and 7:00 a.m. Any proposed blasting will require prior written approval of the ACC and notification to adjacent property owners.

Lot owners are responsible for: (a) maintaining a clean building site; (b) ensuring that adjacent lots and common areas are not negatively impacted by the construction; (c) employing erosion control measures during construction to ensure soil stabilization, sediment control and timely re-vegetation; and (d) ensuring that dirt, mud and construction debris is not tracked or blown from the building site onto Gurley Lake Ranch roadways or adjacent lots.

Lot owners shall establish a construction staging area close to where the building, fence or other structure or improvement is sited. All construction staging must take place within that designated area, which may include a job office or trailer, building material and equipment storage. Lot owners shall provide a portable toilet at the building site for the duration of time that workers are present on site, which shall be located in the construction staging area. Lot owners shall provide and maintain a container for the placement of trash and construction debris in the construction staging area, ensure that trash and construction debris is kept in that container, and empty the container on a regular basis. Trash and construction debris shall be disposed of at an authorized county landfill. Burning of trash or construction debris on any building site is prohibited.

Section 6.2: Clean-Up Security Deposit. Prior to final approval of a Design Plan for construction of a residence/dwelling or other building, a lot owner shall provide the Association’s Treasurer with a clean-up security deposit in the amount of one thousand dollars (\$1,000.00). Upon completion of construction, a lot owner is responsible for clean-up of the construction site to include the removal of any job office or trailer, storage containers, portable toilets, construction materials and equipment, trash containers, construction debris, slash, etc. The lot owner will receive a 100% refund of the clean-up security deposit after a final site inspection has been completed and the ACC has issued a Certificate of Compliance.

Section 6.3: Slash Disposal. Article V, Section 1(f) of the Declarations prescribes the limitations on and requirements for removal of indigenous trees, shrubs or other vegetation. The trunks, branches and leaves of trees, shrubs or other vegetation cut or removed in accordance

with these requirements are known as “slash.” Lot owners are not permitted to leave slash piles on their property, but rather shall dispose of “slash” in one of the following ways.

Option 1: Lot owners may remove all trunks, branches and leaves from their property entirely.

Option 2: Lot owners may cut and stack large trunks and branches in an appropriate location to be used as firewood, and grind the smaller branches and leaves into chips to be used as mulch in the areas disturbed by their removal.

Option 3: Lot owners may stack trunks, branches and leaves in an appropriate location to be disposed of in a “controlled burn” in accordance with the following requirements.

- Controlled burns are permitted in Gurley Lake Ranch only during the months of December through March **if** there is snow-cover on the ground.
- The lot owner must be present at the site during the entire time of the controlled burn, and have water available to extinguish the burn.
- The lot owner must notify the San Miguel County Sheriff Dispatch (phone 970-728-1911) before the controlled burn is begun and after it is completely extinguished.
- The lot owner must notify the Norwood Fire Department (phone 970-327-4800) before the controlled burn is begun, and is encouraged to obtain its assistance in monitoring the controlled burn and in ensuring that it is completely extinguished when finished.
- If a lot owner does not burn the slash in the December through March timeframe following its cutting, it shall be disposed of in accordance with either Options 1 or 2.
- Option 3 does not relieve a lot owner from complying with all local, county, state and federal administrative and legal requirements, including but not limited to red flag warnings, fire bans and restrictions, etc.

SECTION 7: SAVINGS CLAUSE AND EFFECTIVE DATE

If any section, sentence, clause or phrase in these Design Standards is held to be unlawful for any reason, that decision shall not affect the validity of the remaining portions of these Design Standards. The Board of Directors and ACC hereby declare that they would have adopted these Design Standards, and each section, sentence, clause or phrase thereof, irrespective of the fact that any one or more section(s), sentence(s), clause(s), or phrase(s) be declared unlawful.

These Design Standards shall take effect and be in full force and effect, on a prospective basis, immediately upon their adoption.