

Mountain Ranch Estates
April 1, 2012
ARCHITECTURAL REVIEW COMMITTEE RULES

All improvements on a Lot shall be subject to the following restrictions and architectural design standards together with the limitations and requirements contained in the CC&R's:

General Guidelines

Traditional mountain home architecture is the focus of the neighborhood. Materials and designs shall reinforce existing forms creating a harmonious community. In this instance, a rustic, mining flavor can be incorporated into the overall theme. Materials such as wood and stone are appropriate for such a setting and assist in providing continuity to the finished development. In using these materials, each new building will reinforce and be reinforced by the buildings that have gone before.

The goal of the following design guidelines is to help produce quality custom homes that are individual with the highest level of detail. Mountain architecture will be expected. Facades which are plain/blank or uninterrupted will be strictly prohibited. Exposed structure is encouraged, as is a mix of natural materials. All facades should step consistent with the natural slope of the plot to create a three dimensional quality. Flat facades are prohibited. Multiple rooflines are encouraged, as is the use of dormers to create a more detailed design.

Design Process: The following sequence is mandated in order to create the most efficient process to obtain Architectural Review Committee approval.

On-Site Preliminary Design Meeting: An on-site meeting shall be held prior to commencement of design drawings with the following participants: 1) lot owners' architect, 2) lot owner, 3) Architectural Review Committee representative, and 4) lot owners' builder (if selected). During this initial meeting, all architectural and site issues will be discussed, including but not limited to, Dwelling Location, Dwelling Size, Dwelling Height, Dwelling Architectural Style, Dwelling Driveway Placement, location and orientation of the garage, Dwelling angle on lot, and any other issues relevant to the particular site.

Submission of Drawings after on-site meeting: Preliminary drawings shall be submitted to the Architectural Review Committee showing the Dwelling location, driveway location and specific grades (as feet above sea level) of each floor including the garage and the exterior grade around the house. The Architectural Review Committee shall respond in a timely manner with comments. This process shall continue until the drawings are approved in writing by the Architectural Review Committee.

Submission of Final Drawings: Final detailed drawings with colored samples of all exterior materials shall be submitted to the Architectural Review Committee. The Architectural Review Committee shall respond in a timely manner with any comments.

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Number of Dwellings. Only one Dwelling may be constructed on any Lot. All Dwellings shall have an attached garage for at least two cars. No other storage building, outbuilding or habitable structure may be permitted on any Lot.

Dwelling Size. The minimum allowable Dwelling size for each Lot in the Subdivision, stated as allowable Floor Area including all horizontal floor areas on all levels of the Dwelling that are under roof, and including porches, balconies and decks that are enclosed by walls on three or more sides but not including the basement, if any, is as follows:

- (a) Single level structures shall contain a minimum of 2,600 square feet on the main floor not including the basement even if the basement is a walkout.
- (b) Two level structures shall contain a minimum of 2,800 square feet. The main floor shall contain a minimum 1,800 square feet.
- (c) Horizontal roof elevations and vertical wall elevations on all structures shall be required to be broken up with architectural elements and physical breaks in the facade.
- (d) All roof heights and designs shall minimize view blockage, to the extent possible, from adjacent properties and properties on the opposite side of the street.
- (e) In no case shall a vertical wall extend without setback or variation more than the height of two stories above existing grade or more than 25 feet in width. The intention of this requirement is to create interesting architectural features as opposed to larger blocks of structure.

Dwelling Placement: Mountain Ranch Estates subdivision consists of 81 lots with varying topography and views. The predominant view is of the mountains and corresponding ridge-lines which make up The Canyons Ski Area and the meadows and ranches bordered by Old Ranch Road. Since most lot owners wish to access these views, it is imperative that each lot owner account for the impact of their dwelling on other lot owners. Solutions to site utilization can be reached which satisfies many of the desires of the lot owner while simultaneously accommodating the wishes of other affected lots. In order for the process to function well, every lot owner must attempt to understand and anticipate the desires of the other. For instance, if your lot has a direct view of the mountain on a downhill lot, it would be helpful to the uphill lot owner to build down the hill as far as practical to allow the uphill lot the least obstructed views. The

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Architectural Review Committee (ARC) will carefully consider this concept during the initial Preliminary Design stage. Compromise may be necessary to satisfy this site utilization requirement by both the ARC and lot owners.

Dwelling Setback: All portions of the Dwelling unit are to be within the front, rear and side yard setbacks as shown on the Plat and as required by Summit County.

Dwelling Driveway Placement: Each house is allowed one driveway access to the road unless approved in writing in advance by the Architectural Review Committee. All driveways are strongly recommended to be exposed to the South, so that the southern winter sun shines directly onto the driveway surface to help melt the snow and ice naturally. This concept is especially important on steep driveways. Heating the driveway should be considered in those instances where southern exposure cannot be achieved on a steep driveway.

Dwelling Height. No structure on any Lot may exceed 32 feet in height (as measured from the natural grade on the Lot prior to construction), to the top of the ridge line of the roof.

Roof Design. Roof lines must follow the natural topography of the lot. Roof forms that terminate at a high point will not be permitted. The intent is to prevent the appearance of a soaring shape that is inconsistent with the general character of the neighborhood design. Garage roofs must have continuity of design with the house main roof and the same materials should be used. Roof pitches must be within a range of a 5/12 to a 7/12 slope. No more than one roof pitch may be used on any structure. Eaves and roofs must overhang by at least eighteen inches. All roofing shall be fire retardant medium or heavy shake shingles or fire retardant asphalt architectural shingles. No other roofing of any kind shall be permitted. Mansard, fake mansard, A-frame, gambrel, flat, curvilinear, and domed roof designs are prohibited. All fascia boards must be at least twelve inches in width. Special attention should be given to the south facing roof overhang to allow for adequate sun protection. All roof metal such as flashing, vent stacks, gutters and chimney caps will be made of anodized aluminum or galvanized metal painted to match the adjoining roof color.

Siding Materials. Unless specifically approved by the Architectural Committee, only the following exterior wall surface materials are allowed: cedar siding, redwood siding, stone, wood shingles, and "very limited" use of stucco (Without "Tudor" wood breaks). Textured plywood, metal, vinyl, masonite or similar manufactured siding materials are prohibited. There shall be no more than two separate exterior wall materials on any wall surface, and no more than three on any Dwelling. Exterior wall colors must harmonize with the site and surrounding buildings and be consistent with the colors set forth in the CC&Rs. The predominant tone should

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be earth tone, whether in the natural color or patina of the weathered color of the wall surface itself or the color of the stain or other coating. Bright or dramatic colors may not be used for accent of exterior wall areas even if hidden from general view. Fascia and trim shall also remain in the earth tone spectrum.

Windows. Windows must be either wood, bronze-tone aluminum clad wood, or vinyl clad wood. All windows must be at least double glazed. Any trapezoidal windows must follow the shape of the walls or roofs surrounding them, with the top parallel to the above roof, and the bottom horizontal or parallel to a roof structure below it. No mirrored or reflective glass may be used. All Windows must be high quality decorative/designer series. Double hung windows are prohibited unless approved in writing in advance from the Architectural Review Committee.

Garage Doors. Garage doors must be high quality decorative/designer wood doors. Metal garage doors are prohibited. Flat wood garage doors with no design or offset are prohibited.

Chimneys and Vents. Chimneys must be enclosed in an approved siding material. No exposed metal flues are permitted. All chimney tops on any Dwelling must be of identical design. Vent stacks must be combined to the extent possible to minimize the number of roof penetrations, and should generally not be visible from the street.

Antennas. All antennas must be enclosed within the Dwelling. Any satellite dishes must be located and screened in a manner approved in advance by the Architectural Committee so that they are not directly visible from adjoining Lots. Solar panels will be permitted only with the consent of the Architectural Committee, and if permitted at all, must be flat against the roof and may not differ in pitch or color from the roof surface on which they are mounted.

Telephone Lines. The site was designed and engineered so that each house could obtain up to four telephone lines per lot. No lot may obtain more than four lines without first obtaining written permission from the Architectural Review Committee. Upon receiving a request for more than four lines, the Architectural Review Committee will contact the telephone service provider to determine if excess capacity would allow more than four telephone lines to the requesting lot without limiting any other lot to less than four telephone lines. If excess capacity exists it will be distributed to all lots on a fair basis.

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No Used or Temporary Structures. No previously erected, used, or temporary structure, mobile home, trailer house, or any other non-permanent structure may be installed or maintained on any Lot.

Balconies and Decks. Any balcony or deck that is more than twenty-four inches above the natural grade must be constructed in compliance with the following: All railings must have at least two horizontal members. All posts or pillars supporting any deck must be between eight and sixteen inches in width, including vertical members in railings. The area under any deck must either be landscaped or screened from view so that the view from adjoining Lots or streets is not of the unfinished underside of the deck. The area under any deck shall not be used for storage of equipment, firewood, building material, or similar material. The underside of any deck more than three feet above grade must either be completely screened with vertical lattice or siding, or, if exposed (as in the case of a second story deck or balcony), finished and painted or stained to match the house.

Fire Sprinklers. Dwellings may be equipped with an automatic fire sprinkler system in accordance with the ordinances of Summit County or, in the absence of an ordinance, not provided.

Fireplaces. Each Dwelling may contain no more than one wood burning stove or fireplace, which must be an EPA approved model.

Basketball Goals. Temporary movable basketball goals are preferred and must be stored inside when not in use. Permanent basketball goals may be approved if adequate landscaping is installed to substantially hide the goal and backboard from adjacent properties subject to the review and written approval of the Architectural Review Committee.

Play Structures. Any Play Structure must be limited in height to 8 feet, 12 feet in length and width. The Play Structure must be placed such that does not obstruct or impede a surrounding properties owners' view and must be surrounded by landscaping to obscure the view of the Play Structure from adjacent properties. Colors must be consistent with those contained in the CC&R's. Written approval must be obtained from the Architectural Review Committee prior to installation.

Exterior Lighting. Any exterior lighting should be designed to minimize off site trespass and are subject to approval by the Architectural Review Committee. It is the belief of the development and county that people enjoy the dark of night to view the stars. Excessive house lights diminish the night viewing quality. Therefore, all exterior lighting should be designed to shine down with minimal glare to the neighbors and designed with the lowest

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possible wattage. Owners are encouraged to install high quality, attractive, architectural grade exterior lights.

CONSTRUCTION COVENANTS

In order to minimize the inconvenience to adjoining Owners during periods of construction within the Subdivision and to assure the finished project meets all of the Mountain Ranch Estates Architectural Review Committee Rules, the following construction regulations shall be enforced. These regulations shall be made a part of the construction contract between the Owner and the Builder of each Dwelling or other improvements on a Lot. The Owner shall be bound by these regulations, and violations committed by the Builder or its employees, sub-contractors or others shall be deemed a violation by the Owner for which Owner is liable.

Construction Deposit. Prior to the commencement of construction, the Owner/ Builder will place a construction deposit with the Mountain Ranch Homeowners Association in the amount of \$10,000. These funds may be used by the Association to enforce any non-compliance issues relative to the Architectural Review Committee Rules and/or the Associations CC&Rs (relative to construction and landscaping) Upon completion of construction, receipt of a Certificate of Occupancy and the completion of landscaping the Architectural Review Committee will review the project and if in their judgment the project is in compliance with all governing rules and guidelines the deposit will be returned to the Owner/Builder.

Pre-Construction Conference. Prior to the commencement of construction, the Owner and Builder will meet with the Committee to review these regulations and coordinate the construction activities within the Subdivision. At the conference, or prior to the Committee granting its approval, the Owner or Builder must supply a construction site plan showing the location of material storage areas, the portable toilet, any construction office or trailer, and the trash dumpster. This plan must be approved by the Committee prior to the commencement of construction. The four corners of the property will be prominently marked by the Owner or Builder. The committee and the owner/builder will walk the property lines to assure that all parties understand the boundaries of the property.

Portable Office or Trailer. Any Builder who desires to bring a portable office or trailer on to a Lot shall first apply for and receive written approval from the Committee. The Committee will work closely with the Builder and Owner to determine the best possible location for the portable office. The portable office will be located in a location approved by the Committee and within the Owner's Lot. The temporary office may not be installed prior to the commencement of construction, and must be removed upon the first to occur of (1) the Issuance of a Certificate of Occupancy, (2) the termination, expiration, or cancellation of the Building

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Permit (3) the suspension of construction activities for a period of 60 days, or (4) one year after the commencement of construction.

Construction Fencing. The Builder must install construction fencing around the perimeter of the Lot to protect adjacent owners property and common space. Construction fencing will be comprised of 6 ft chain link fence with attached mesh.

Construction Debris Removal. The Builder must comply with County ordinances requiring the placement and maintenance of a trash container or dumpster on the Lot during construction. The Builder shall collect trash at the end of each work day and deposit the construction trash, packing material, unusable scraps, and other debris in a suitable container, protected from the wind, and regularly serviced. No trash may be burned, buried, or otherwise disposed of within the Subdivision. No concrete trucks may be cleaned out on the Lot or elsewhere within the Subdivision.

Construction Area Appearance. The Lot must be maintained in a reasonably organized and neat condition at all times during the construction of a Dwelling or other Improvements. Once the Dwelling is enclosed, materials shall be stored inside, and out of sight whenever practical and possible.

Sanitary Facilities. The Builder is responsible for the installation and maintenance of an approved portable toilet facility during construction. The portable toilet must be located on the Lot at a location approved by the Committee, and removed from the site at such time as the permanent plumbing system is operational.

Construction Parking and Vehicles. Construction crews must park their vehicles on the Lot on which they are working, and shall not use or park on any other Lot or Common Areas within the Subdivision. All vehicles must be parked to allow the free flow of traffic within the Subdivision.

Construction Sign. During periods of actual construction on the Dwelling, the Owner or Builder may install a sign not to exceed six square feet in area identifying the Lot and the Builder. The sign must be removed upon completion or abandonment of construction.

Hours of Work. Daily working hours on the site shall be limited to the period beginning 8:00 AM to 6:00 PM Monday through Saturday. Exterior work is not permitted on Sundays. These guidelines will apply unless otherwise restricted by Summit County ordinances. The Builder is responsible for controlling noise emanating from the site.

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Soil Conservation and Dust Control. At all times when the surface of the lot is disturbed by construction activity, and vegetation has not been completed, the Builder shall practice reasonable dust, sedimentation and erosion control measures as described in the USDA Soil Conservation Service Guidelines.

Removal of Mud. The Builder is responsible for cleaning up and removing mud from the construction site that is deposited on the roadways of the Subdivision.

Common Area. All construction adjacent to Common Areas shall be undertaken in a manner so as to not impact those areas. Where necessary, Builders shall use special precautions to avoid the potential impacts of trash, loose construction materials, and construction-related runoff that may impact such areas. Any damage to sidewalks or curbs due to the construction process will be repaired or replaced at the sole discretion of the Architectural Review Committee prior to the end of construction and return of the Construction Deposit.

Duration of Construction. No construction shall be undertaken without a Building Permit and all other necessary permits from Summit County, Snyderville Basin Sewer Improvement District and any other governmental entity having jurisdiction over construction on the site. No materials, tools, temporary offices or portable toilets, excavation or construction equipment, or similar materials or equipment may be delivered to this site prior to the issuance of the Permit. It is the obligation of the Owner to proceed with construction with all reasonable speed once construction has commenced, and in any event, all exterior surfaces of the building shall be substantially complete within a period of eight months from commencement. All landscaping and soil stabilization work must be completed as soon as possible after completion of the exterior of the Dwelling, but in no event later than the summer following completion of the exterior of the Dwelling.

LANDSCAPE STANDARDS

Water is a precious resource in the alpine desert environment, and careful planning should be given to the water demands created by landscaping of Lots. Water needs will vary substantially for different kinds of plantings, and fees for water connections are based in part on the anticipated water demand. It is the intent of this Declaration to require appropriate landscaping of Lots following construction of any Improvements, and to encourage the use of appropriate drought tolerant plant materials. The use and Improvement of each Lot is subject to the following Landscape Standards:

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Landscaping Required. As soon as practical following completion of the construction of the Dwelling, but in no event later than the summer immediately following completion of construction, each Owner is required to fully landscape his or her Lot. The Owner may plant lawns and gardens, plant shrubbery, trees or other ornamental plantings or replace natural species.

Drought Tolerant Plants Recommended. The use of drought tolerant species of grasses, shrubs, and trees is strongly recommended. The Association shall obtain from the county or prepare a list of drought tolerant species suitable for different exposures within the Summit County area. The majority of the landscaped area of each Lot is to be planted with species from the list maintained by the Association for this purpose.

Placement of Trees. Planting of a minimum of 12 trees within a Lot is required, provided that the location of trees will be subject to review by the Architectural Committee so that view corridors from adjoining Lots are preserved. Trees shall be conifers of a height of at least 6 feet and one third of the trees may be deciduous trees of at least 2 inch caliper. The planting shall occur on at least three sides of the house, wrapping the home in trees.

Sprinkler Systems. Permanent underground sprinkler systems are required within any lawn area to provide irrigation during re-vegetation and beyond. Outside of any lawn areas, sprinkler systems may be used as necessary to establish healthy growth of plants which may not require long term irrigation. All irrigation systems should a) be set to operate after sun down and before sun rise so as to minimize evaporation; b) include a rain sensor to stop the operation during rainfall c) utilize pop-up heads or underground "drip" devices so as to minimize water usage, d) utilize a leak sensor which automatically turns the system off if a major leak is detected.

Fences. Fencing of Lots along the Lot line shall be permitted in the Subdivision only as allowed by the Association. The area that may be fenced shall be limited to the side yards and rear yards of the Lots, subject to the exceptions that no fencing shall occur in the front yard of any Lot, the side yard of any lot from the front yard to a point that is half the depth of the Dwelling. Perimeter fencing shall be limited in style to a four foot high, uniform, natural earth tone colored post and rail wood fence with 2 or 3 rail (as determined by the Architectural Committee), which may be supplemented with a light wire mesh. The precise area to be fenced on any Lot shall be subject to advance approval by the Architectural Committee. No chain link or other wire fencing is permitted. Where two or more Lot lines are shared with adjacent Owners, approval for the fencing shall be obtained from the adjacent Owner prior to installation.

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Driveway Access. Individual driveway accesses to each Lot must be approved by the Architectural Committee as part of the site plan of the Lot. Driveways shall be wide enough to permit two cars to be parked side by side in front of the garage entrance.

Trail System

The Declarant has designated trail corridors through the Subdivision as shown on the Plat. The trails are for the use and benefit of Owners of the Subdivision, but may also connect with trails in adjacent areas and therefore may be used by the general public. Further, the trails may be dedicated as public trails at any time in the future in the discretion of the Association. The use of the trails within the Subdivision is subject to the following:

Open Corridor. No Cross Fencing. The trail system is to have free passage through the Subdivision, and no Owner shall block the trail with gates or cross fencing, or otherwise impede the use of the trail.

No Motorized Uses. The trail system is intended for pedestrian, equestrian and bicycle use only. No motorized vehicles of any kind, including snowmobiles, ATVs and motorcycles, shall be used or operated in the trail easement at anytime. The only motorized vehicles permitted are authorized construction or maintenance vehicles or equipment engaged in the construction or maintenance of the trail itself.

Other Improvements. No structures of any kind are permitted within the trail corridors with the exception of directional signs approved by the Architectural Committee. The trail corridors may parallel a public utility corridor, and within the trail, underground utility facilities may be constructed, operated, and maintained.