

Mountain Ranch Estates

July 2, 2025

And

ARCHITECTURAL DESIGN GUIDELINES & RESTRICTIONS

Together with the limitations and requirements contained in the Mountain Ranch Estates Home Owner's Association ("HOA") CC&R's, all improvements on a Lot shall be subject to the following that comprise the Architectural Guidelines and Restrictions:

- Architectural Design Guidelines,
- Construction Covenants,
- Landscape Standards
- Trail System Restrictions,

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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.

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 ("ARC") approval.

On-Site Preliminary Design Meeting: For new home construction, 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) ARC 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. For the remodel of existing homes, it will be at the discretion of the ARC to require an on-site meeting as described above.

Submission of Drawings after on-site meeting: Preliminary drawings shall be submitted to the ARC 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.

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The ARC shall respond in a timely manner with comments. This process shall continue until the drawings are approved in writing by the ARC.

Submission of Final Drawings: Final detailed drawings with colored samples of all exterior materials shall be submitted to the ARC. The ARC shall respond in a timely manner with any comments. Construction must begin within 18 months of final written approval. If Construction has not commenced within 18 months of final approval, the detailed drawings with color samples must be resubmitted to the ARC that will respond in a timely manner with any comments.

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 "Subdivision"). 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

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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 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 ARC. 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 two roof pitch may be used on any structure. The committee may allow for lower pitched roof elements that are deemed compatible with the design and mass of the home.

Eaves and roofs must overhang by at least eighteen inches. All roofing shall be fire retardant asphalt architectural shingles. Shingles should be of medium to darker tones. Seamed metal roofing of darker colors may also be using if approved. Copper may be using for roof accents with approval. 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.

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Siding Materials. Unless specifically approved by the Architectural Committee, only the following exterior wall surface materials are allowed: cedar siding, redwood siding, high quality wood siding, stone, wood shingles, contemporary metal panels 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 Colors. 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 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. Any changes to a dwellings current color scheme must be approved by the ARC.

Windows. Windows must be either wood or aluminum clad wood in medium to darker colors consistent with the body of the dwelling. 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 ARC. High quality aluminum windows will be allowed subject to approval by ARC.

Garage Doors. Garage doors must be high quality decorative/designer wood, faux wood or metal. Colors must be consistent with siding color. Flat garage doors with no design or offset are prohibited. Any glass portions of a garage door must be frosted glass that does not allow visibility into the garage.

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 and Solar Panels. 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

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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.

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. Balcony railings must be constructed of timber, steel, heavy gauge aluminum or tempered glass. All posts or pillars supporting any deck must be between eight and sixteen inches in width. All deck boards used in deck or balcony construction shall be made of natural wood or of composite materials, specifically designed for this purpose. 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 ARC.

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

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Exterior Lighting. Any exterior lighting should be designed to minimize off site trespass and are subject to approval by the ARC. 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 possible wattage. Owners are encouraged to install high quality, attractive, architectural grade exterior lights.

Driveways. Driveways may be constructed of poured concrete, stamped concrete or natural paving stone. Asphalt is prohibited.

CONSTRUCTION COVENANTS

Any Owner that is having any construction performed on their property must meet all of the rules and restrictions contained this document and the Association CC&Rs. In order to minimize the inconvenience to adjoining Owners during periods of construction and to assure the finished project meets all of the Mountain Ranch Estates rules and regulations, 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 for new construction, \$2,500 for remodels/additions and \$500 for landscaping projects. [David, I understood from prior HOA manager, Doug that these are the current fees collected] These funds may be used by the Association to enforce any non- compliance issues relative to the guidelines, rules and restrictions contained this document and/or the Association's CC&Rs Upon completion of construction, receipt of a Certificate of Occupancy and the completion of landscaping the ARC 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 for New Construction and Site Approvals for Remodel of Existing Homes. Prior to the commencement of construction of a new home, the Owner and Builder will meet with an ARC representative to review these regulations and coordinate the construction activities within the Subdivision. At the conference, or prior to the ARC 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 ARC prior to the commencement of

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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.

For the remodel of an existing home, prior to the ARC 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.

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 ARC. The ARC 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 ARC 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 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 owner's property and common space. Construction fencing will be comprised of 6 ft chain link fence with attached mesh. Notwithstanding the above, if the applicable government authorities do not require a perimeter fence along the common areas, it will be at the Owner's discretion whether to place the fence along the common areas.

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 workday 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

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be located on the Lot at a location approved by the ARC 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 7:00 AM to 7:00 PM Monday through Saturday. Exterior work is not permitted on Sundays. Loud music is not allowed during construction. These guidelines will apply unless otherwise restricted by Summit County ordinances. The Builder is responsible for controlling noise emanating from the site.

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 Areas. 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 ARC 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

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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:

Landscaping Required. As soon as practical following completion of the construction of the new home, 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.

Placement of Trees. Planting of trees within a Lot is encouraged, provided that the location of trees will be subject to review by the ARC 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 may occur on at least three sides of the house. Trees should not be placed on or near lot lines. Placement should be determined by the size of the tree when mature as to limit encroachment of neighbor property or common areas. Aspen should be limited as the root system often grows into neighboring lawns. Cottonwoods are prohibited.

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

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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 ARC), 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 ARC. 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.

Driveway Access. Individual driveway accesses to each Lot must be approved by the ARC 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 RESTRICTIONS

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 ARC. The trail corridors may parallel a public utility corridor, and within the trail, underground utility facilities may be constructed, operated, and maintained.

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Third Party Consultation & Plans Review Fees: The ARC may consult with architects and design engineers as needed to review plans for any additions, remodeling and new construction. In the event that the ARC elects to consult with architects and/or design engineer, a fee in the amount of \$500 will be paid by to the HOA by an Owner that requests the ARC to review plans. Neither the ARC nor the HOA management are responsible for confirming compliance with any government codes and requirements .

Liability. Neither the ARC, nor any member thereof, including the HOA Board its members, managers, employees, agents, and affiliates will be liable to any Owner or other person for any loss or damage claimed on account of any of the following:

- i. The approval or disapproval of any plans, drawings and specifications, whether or not defective. Owners acknowledge that the ARC is not reviewing plans, drawings or specifications for structural soundness, adherence to codes, or other similar purpose, but only with the intent of determining whether such plans, drawings and specifications comply with the provisions of the design guidelines contained in this document.. Neither the ARC nor any of its individual members, whether or not such member is a licensed or registered design professional, will have any liability as architect, engineer, landscape architect or other design professional.
- ii. The construction or performance of any work, whether or not pursuant to approved plans, drawings and specifications regardless of any inspections by the ADRC during the course of construction.
- iii. The development or manner of development of any property within the Subdivision.
- iv. The inspection or approval of any improvements within the Subdivision.
- v. Every Owner or other person, by submission of plans and specifications to the ARC for approval, agrees that no action or suit against the ARC, any of its members, the HOA or any of its members, will be brought as a result of any action taken by the ARC. Approval by the ARC of any improvement in no way implies conformance with any government regulations. It will be the sole responsibility of the Owner to comply with all applicable government ordinances and/or regulations, including but not limited to zoning ordinances and local building codes.