

RIVA CHASE

RESIDENTIAL STANDARDS & REGULATIONS

A Quick Reference Guide for Enjoyable Living in Riva Chase
A Covenant Controlled Community

A complete set of By-Laws, Declarations of Covenants, Conditions and Restrictions of Riva Chase are supplied at
real estate closings.

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Explanation of Residential Standards and Regulations

Riva Chase was developed with the intent of creating a residential community in which the attractiveness of the individual lots, residences, common areas, and facilities is ensured by an established set of Covenants and Restrictions, which govern the community's activities. The responsibility for compliance with the applicable covenants, declarations, rules and regulations has been delegated to the Riva Chase Homeowners' Association (HOA) and the Association's Architectural Control Committee (ACC).

Any owner of any lot or residence within Riva Chase automatically becomes a member of the Riva Chase Homeowners' Association and thereby becomes subject to and bound by all rules, regulations, fees and dues established by the Covenants, Supplementary Declarations, any valid Amendments thereto, and the Association's standards and rules. Property owners should consult these documents prior to purchasing any lot or residence within Riva Chase.

In recognition of the fact that the community is now essentially "built out" and the large majority of the lots have been landscaped, the Association has decided to restructure the Architectural Control Committee (ACC) so as to enhance its ability to fairly and effectively administer the applicable rules and regulations. The effective date is February 21, 2001.

The ACC has been divided into two sub-sections:

1. The Architectural Standards and Construction Regulation Section.

This group will be responsible for matters pertaining to the construction of new homes, any major remodeling projects on existing homes, the initial landscaping of any property, and other projects. Please refer to the governing documents and the "Riva Chase Architectural Standards and Construction Regulations – 2001."

2. The Compliance Section.

This group will address the "every day" rules, regulations, and problems that occur in a developed community. These Standards and Regulations are set forth in the following sections of this document.

These Residential Standards are promulgated under and are subject to the Covenants. To the extent of any inconsistency between the provisions hereof and those of the Covenants, the provisions of the Covenants shall prevail.

The Architectural Control Committee reserves the right to revise these Standards as changing conditions and priorities dictate in order to maintain maximum esthetic benefits to the community while enhancing property values. The process for establishing the ACC and defining the specific duties and powers conferred on it is defined in the Master and Supplementary

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Declaration of Covenants, Conditions, and Restrictions, as amended (“Covenants”). The ACC and the HOA have approved these Standards effective February 21, 2001.

I. EXTERIOR APPEARANCE

General Standards

All improvements upon a lot shall, at all times, be maintained in good condition and repair. The owner shall cause all dwellings and other improvements to be refinished, resurfaced, or repaired periodically as effects of damage, deterioration, or weather become apparent.

Appearance, color, type of painting or stain or other external surface conditions shall not be changed without prior approval of the Architectural Control Committee. However, ACC permission is not required if the dwelling is being refinished with the same color and type of paint and stain.

Antennas

- No radio, short wave, television, or other type of antenna shall be installed without the ACC’s prior approval. In order to facilitate the installation of “dish” type antennas with diameters less than 24 inches, the ACC has pre-approved antennas of this design provided that they are either located at ground level or mounted less than six feet above ground level. Roof top mounting is discouraged and must receive the ACC’s prior approval.
- The dish color must be a muted tone.
- In all cases, the homeowner should consider any adverse impact that the antenna installation may have on other residents and to the extent possible, mitigate this impact by concealing the view of the “dish” by planting appropriate shrubbery or other vegetation. (Please refer to photos of appropriate antenna installations.)

Pre-Approved Satellite Dish Installation

Acceptable locations are generally ground-level mounted. Please provide ACC with notification from satellite installer if focus angle cannot be achieved at a ground-level location. If extensive ground-breaking is required, please contact DC Consulting for underground utility information.

Air Conditioners, Heating, Cooling and Solar Systems

Under the provision of Paragraph 11 of the Declaration of Covenants, Conditions, and Restrictions, ACC approval is required for rooftop installation of any of these devices.

Mailboxes

- Article VI, Section 1 of the Supplementary Declarations specifies that mailbox design must be approved by the ACC. Mailbox location should take into consideration snow plowing and shall

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conform to the U.S. Post Service rural mail delivery requirements. (See attachment A.) Prior approval from Forest Hills Metro District of mailbox location is required.

- All mailboxes should be of substantial construction and should compliment the owner's house and blend in with the aesthetic setting of the surrounding landscape.
- In an effort to accelerate replacement of deteriorated mailboxes, the ACC has pre-approved a number of different types of mailbox designs. Copies of these drawings can be obtained from the ACC. All other designs must be submitted to the ACC for approval prior to installation. (Please refer to photos of appropriate mailbox designs.)

Pre-Approved Mailbox Design/Construction Acceptable materials: stucco, stone, faux stone, brick, wood (when of substantial weight or upscale design). Please provide maintenance as needed and follow USPS regulations when installing. If relocating, DC Consulting must be contacted to provide easement information.

Driveways and Vehicle Parking

- Residents are required to have two guest parking spaces per site and have the right for one regularly parked vehicle outside on the site.
- Jefferson County Uniform Fire Code (902.2.4.1) states that access roads must have a minimum of twenty feet clearance. This pertains to all roads except driveways. The residential roads in Riva Chase are generally twenty-four (24) feet wide, so this mandates that no vehicles be parked on the streets, particularly overnight or for extended periods. Absolutely no parking is permitted on any grassy or natural area. This is a fire hazard. (2005 ACC addition)
- No campers, mobile homes, trailers, boats, or similar recreational equipment, and no tractors, horse trailers, commercial equipment, or vehicles shall be kept or maintained on any lot or on any street, unless specifically approved in writing by the Architectural Control Committee. In the event such approval is granted it shall be conditional so as to forbid the parking of any such vehicles or equipment described herein in the open, and such approval shall require that the garage or extension of the garage or any fencing be designed for such vehicles or equipment in a manner to adequately conceal such vehicles from public view.
- Motorized bikes, motorcycles, RUV's, snowmobiles, etc. should not be ridden on the gravel hiking paths, or on the road to the District Waste Water Treatment Plant or water wells.
- Posted speed limits should be observed by all classifications of vehicles at all times.

Garage Doors

Garage doors shall be kept in a closed position so that the contents in the garage are concealed from view from any other lots, or from the street. Garage doors may be kept open for short intervals for the purpose of receiving deliveries, moving in or out, or while performing yard or other maintenance work.

Lighting

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In general, all exterior lighting must be approved as part of the initial construction of the home. Site lighting should be designed so that the light source will not shine directly into the windows of a house on an adjacent property. Discreet lighting is of benefit for security, for deterring wild animals, and for limited road lighting safety reasons.

Wood Piles

- The Covenants require that woodpiles be screened by adequate planting or fencing as to conceal them from view of neighboring residences and streets.
- Neatly stacked woodpiles of less than one cord in size and less than twenty-four inches deep shall generally not require approval, unless a complaint is received from another resident.

Trash Containers

- Trash containers must be concealed from view by an enclosure or screen, which must be approved by the ACC.
- Garbage cans, barrels and sacks shall not be left at the roadside for more than twelve hours on trash day.
- Trashcans should be covered and cardboard boxes tied together on windy trash days. Garbage should not be left outside overnight, as it can attract raccoons, skunks, coyotes, and other wildlife.

Signs

- The construction or maintenance on any lot of single or two-sided billboards, poster boards, or advertising structures of any kind is prohibited without the permission of the Architectural Control Committee.
- If requested, the ACC will give general pre-approval for temporary real estate 'For Sale' and 'Open House' signs on the property for the express purpose of selling real property. These signs shall conform to those that are 'customary and typical' in the community. 'For Sale' signs should generally not be larger than five (5) square feet, whereas 'Open House' signs should not exceed three (3) square feet.
- 'For Sale' signs must be removed within forty-eight (48) hours after the property is sold. No 'SOLD' signs are permitted.
- Normally only one 'For Sale' sign will be permitted, however, if the property borders on different streets, two 'For Sale' signs may be authorized.
- No sign shall be placed on property owned by others without their prior permission.
- 'Open House' signs may be erected on the property on a daily basis. Such signs should not be erected before 8:00 a.m. and shall be removed before 6:00 p.m. the same day.
- Directional signs used to assist in the location of a property for an Open House or similar event designed to market the house are permitted. Their size is limited to three square feet and they must be removed by 6:00 p.m. the same day. The installation of these signs should be restricted to the minimum number to direct prospective customers to the home that is for sale.
- No advertising signs (landscaping, remodeling, home improvement, etc.) shall be allowed.

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- No other signs are allowed unless the expressed written consent and approval of the ACC has been obtained.
- Any violations to these sign standards may result in the confiscation and disposal of unauthorized signs by the ACC or it's Agents.

II. LANDSCAPING

General Standards

The initial landscaping plans, including that done during the construction phase or that done immediately thereafter, must receive the prior approval of the Architectural Control Committee. The landscaping requirements and the approval process for the initial landscaping are spelled out in the Architectural Standards and Construction Regulations 2001; the Covenants; Supplementary Covenants, and various amendments thereto. All landscaping should blend with the natural surroundings and require minimal water usage.

Maintenance Landscaping

In recognition of the fact that Riva Chase is now essentially built-out and the majority of the lots have already been landscaped, the HOA Board and the ACC have determined that minor landscaping projects, generally 'maintenance' in nature, may be undertaken without specific ACC approval. The criteria used in administering this 'landscape maintenance' category are as follows:

- ACC approval is not required for the replacement of existing plants or trees with similar vegetation.
- Approval is not required for planting new trees as long as they are less than 6 feet tall. Homeowners must consult with their neighbors prior to planting any trees that might adversely impact the neighbor's mountain or city light views. Forest Hills Metropolitan District (FHMD) must be consulted if the proposed tree planting would restrict a clear view of a street intersection or interfere with the District's drainage system. FHMD's approval is also required before digging any holes deeper than two feet to ensure that they do not interfere with utility or power lines.
- Existing planting beds may be extended without approval provided that the extension does not exceed two hundred (200) square feet in area.
- The total use of irrigation water should not exceed that specified by the Forest Hills Metropolitan District. (Refer to Article IV of the Third Amendment to the Covenants and paragraph 1.c.5, "Final Plan Submittal" of the Architectural Standards.)

Replanting

Reseeding and the planting of wildflower seeds do not require ACC approval. The replacement of existing annual or perennial plants with similar vegetation does not require ACC approval.

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Trees

- Trees infested with pine bark or Ips beetle must be promptly removed and properly disposed of. Dwarf mistletoe infestations must be treated by a qualified arborist and, if necessary, be promptly removed and properly disposed of.
- Homeowners are encouraged to have their trees sprayed annually for pine bark and Ips beetles.
- Dead trees, timber and debris should be removed from the property.

Fencing

No boundary fencing of any kind is permitted. All other fences must be approved by the ACC.

Major Landscaping Plans

All plans for major landscaping must receive the prior approval of the ACC and FHMD and must comply with the 'Landscaping Design Standards' spelled out in the ACC's "Architectural Standards and Construction Regulations 2001".

Retaining Walls (2005 ACC update)

The only acceptable materials that will be considered and/or approved will be natural stone such as granite rip rap, shot rock, dry stack rock (mortaring is acceptable). Absolutely no further use of pre-formed, interlocking, colored concrete blocks will be allowed or approved.

III. PROPERTY MAINTENANCE

General Standards

1. Every owner of any lot and all improvements thereon shall, at his or her own expense perform or cause to be performed all maintenance required to keep the property in good condition and repair. The owner shall cause all dwellings and other improvements, including, but not limited to: outbuildings, roofs, gutters, downspouts, exterior building surfaces, mailboxes, driveways, tennis courts, swimming pools, antennas, flag poles, fences, walls, recreational equipment, landscaping, etc., to be refinished, resurfaced, or repaired periodically as effects of damage, deterioration, and weather become apparent. Appearance, color, type of painting or stain, or other conditions shall not be changed without prior approval of the ACC.

2. However, ACC approval is not required for resurfacing or replacement of driveways, walls, or steps, as long as no architectural changes are made to their appearance or size. In the event that the owner of any lot shall fail to maintain the premises and improvements located thereon in a manner satisfactory to the Architectural Control Committee, the Association shall have the right, upon thirty (30) days prior written notice to such Owner, through its agents or employees, to enter upon said lot and to repair, maintain, and restore the same and the exterior of the buildings and other improvements erected thereon, as set forth in the Declaration. The cost of such exterior maintenance shall be borne by the Owner. Appropriate penalties and fines, as

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specified in Article VIII, paragraph 8.03, Compliance with Declarations, Articles, By-Laws, and Rules, may be assessed against the Owner.

Screening of Equipment

All clotheslines, equipment, garbage cans, service yards, woodpiles, or storage piles shall be kept screened as to conceal them from view of neighboring residences and streets.

Trash Disposal

All trash, rubbish, or garbage shall be regularly removed from the Lot, and shall not be allowed to accumulate thereon.

IV. EXTERIOR MODIFICATIONS

- Accessory buildings or facilities such as detached garages, gazebos, greenhouses, tennis courts, pools, etc. shall adhere to the Standards outlined in the ACC's Architectural Standards and Construction Regulations-2001. All such additions to the Lot must receive the prior approval of the Architectural Control Committee prior to commencing any construction.
- No exterior alteration or structural addition shall be made to the structure without the Prior Written Approval by the ACC.
- No temporary house, trailer, tent, or other outbuilding shall be placed on any lot.

V. RECREATIONAL EQUIPMENT

- The installation of any tennis courts, swimming pools, or children's play/swing sets must receive the prior written approval of the Architectural Control Committee.
- Homeowners are encouraged to have their children use the playground and basketball court located at the Riva Chase park rather than installing this equipment on their lot.
- ACC 2005 playground update: Children's playground equipment has been provided by the HOA and Forest Hill Metro District at the picnic area around the Big Pond. If a homeowner feels it necessary to install their own equipment, it must be constructed of naturally stained wood. Maximum footprint size will be approximately 11'x15'x12'h. All components should be in natural colors, i.e. green and brown. No primary colors (yellow, blue, red) on any options (slides, swings, canvas) will be allowed. The placement of such equipment must not interfere with the view from adjoining neighbors. All miscellaneous toys must be picked up to avoid littering the neighborhood during our infamous foothills winds. When the children outgrow the equipment and it is no longer being used, the structure must be dismantled and removed.

VI. PETS AND WILD ANIMALS

- No cows, pigs, horses, chickens, poultry, rabbits, or other livestock shall be raised, grown, bred, maintained, or cared for upon any lot, provided, however, that nothing contained herein shall be construed to prevent any owner of any lot from maintaining, keeping and caring for

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domestic household pets not for commercial purposes. No more than two (2) dogs, and no more than two (2) cats shall be kept or maintained as pets on any lot.

- Jefferson County ordinance (9.82.6.5.1.6) requires that all dogs must be kept on a leash whenever they are off the Owner's property. Said leash may not be more than ten (10) feet long and must be hand held.
- Neither the HOA nor the District (FHMD) is equipped to handle animal control problems. The Animal Control Division of the Jeffco Sheriff's office (Telephone 303-271-5070) should be contacted regarding any animal control matters.
- Homeowners should refrain from feeding wild animals, including deer, elk, bears, mountain lions, coyotes, foxes, and birds of the Corvidae family (crows, ravens, magpies, etc.).
- It is the Property Owner's responsibility to dispose of any wild animal carcasses found on the Owner's property. Neither the HOA, FHMD, nor Jefferson County provides this service.
- ACC approval must be obtained prior to the installation of any dog runs. They must not be excessive in size, must be adjacent to the main structure, and must be screened by means that are visually compatible with the home. The orientation of the pet areas must ensure that they are safe and habitable and are not an intrusion on neighboring properties.
- Fencing along property lines will not be allowed.
- 'Invisible' underground electronic dog fences are permitted, but fencing flags must be removed no later than sixty (60) days after installation.

VII. HOME OCCUPATION

- No trade, business, or activity, or home occupation as defined in the zoning ordinance of the County of Jefferson, shall be conducted, carried on, or practiced on any lot or in a residence or dwelling constructed thereon. The Owner of said lot shall not suffer or permit any residence or dwelling erected thereon to be used or employed for any purpose that will constitute a nuisance in law or that will detract from the residential value of said lot or other lots of the Property.
- Home offices, as distinguished from home occupations, are permitted in Riva Chase, provided that they may only be utilized by the principal residents of the home (no outside employees).
- A home office shall not involve business visits to the dwelling by customers or clients.
- Gate access codes and gate openers should not be given to any commercial visitors.

VIII. MISCELLANEOUS

- No well of any kind or for any purpose shall be commenced or drilled until the proposal of the well and specifications shall have been submitted to and approved by the Forest Hills Metropolitan District (FHMD). As a general rule, no such wells will be approved.
- No tanks that extend above the ground shall be erected, placed, or permitted on any lot without the approval of the Architectural Control Committee.
- No exterior fires shall be permitted except for barbecue fires contained within receptacles designed for that use.
- No removal of rocks, trees, plants, or topsoil from any portion of the property other than the owner's lot is permitted.
- The use of spring, surface, or augmentation water for any purpose is prohibited.

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- Estate or Garage Sales are permitted only if approval has been granted by the ACC. Any such sales must be conducted on Saturdays between 11:00 a.m. and 4:00 p.m. and may be for one day only. Any signs used in connection with such sale shall be neat, less than three (3) square feet in size, and may be displayed only during the hours that the sale is being conducted.

General Terms and Provisions

The Architectural Control Committee and the Homeowners' Association reserve the right to waive or vary any of the procedures or Standards set forth herein at its discretion, for good cause shown.

The Association or any Owner shall have the right to enforce the Conditions, Covenants and Restrictions contained herein by any proceeding at law or in equity against any person or persons violating or attempting to violate any Covenant or Restriction, either to restrain violation or to recover damages, and against land to enforce any lien created by the Covenants, Failure by the Association or by any Owner to enforce any Covenant or restriction herein contained shall in no event be deemed a waiver of their right to do so thereafter.

Neither the ACC nor its assigns shall be liable in damages to anyone submitting plans to them for approval, or to any owner by reason of a mistake in judgment, negligence, or nonfeasance arising out of, or in connection with, the approval or disapproval or failure to approve any plans or specifications. Every owner or other person who submits plans to the ACC for approval agrees, by submission of such plans and specifications, that he will not bring action or suit against the ACC to recover such damages.

Grandfathering:

As with any Covenant controlled community, it is very difficult for volunteer Homeowners' Association representatives to identify and stringently enforce all Covenant provisions. There may be situations in Riva Chase where improvements have been constructed or installed on residential lots in the past without securing Architectural Control Committee approval or otherwise be in violation of the Declaration and Applicable Rules and Regulations. Colorado Revised Statutes 38-33.3-123 contains a one-year statute of limitations for the enforcement of building restrictions or to compel the removal of any building or improvement because of Covenant violations. In recognition of the difficulty of enforcing Covenant violations in the community which have existed for more than one year, the Architectural Control Committee will not proceed with any enforcement efforts directed toward removal of any building or improvement because of a Covenant violation or to otherwise enforce the terms of any building restriction in the Riva Chase Declaration or applicable Rules and Regulations, if it appears that the violation was in existence prior to February 21, 2000. There are other situations which exist or have arisen in which improvements were approved under one set of architectural regulations, or the interpretation thereof, prevailing at the time of approval, but were not or are not in conformity with the current regulations (or their interpretation). Once approval has been obtained for improvements, that approval is grandfathered for those specific improvements on that

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specific lot and the approval supercedes any subsequent changes in regulations or interpretations. Finally, questions have arisen as to whether approvals are personal to the owner(s) of lot(s) or are appurtenant to the lot and run with the land. ACC approvals are appurtenant to a lot and run with the land.

Complaint Procedures:

Before submitting complaints to the ACC regarding Covenant violations or other problems in the community, homeowners are encouraged to discuss the problem among themselves. Any complaint that a homeowner desires to file against another resident or against the ACC must be submitted in writing and signed by the complainant. Anonymous complaints will not be considered.

In the event that the complainant disagrees with the ACC's decision, the complainant may, within fifteen (15) days from receiving said decision, file a written request for an appeal. The request shall set forth with specificity the facts or exhibits upon which the complainant's protest relies.

Procedure and Penalties:

To remedy issues of non-compliance, the ACC has decided unanimously to institute a new penalty procedure that will involve a phone call to inform the homeowner of the complaint or violation. A date for compliance will be set (30 days). If compliance is not met within that time, a letter will follow with a \$100 fine imposed with another 30 days to meet compliance. If a second letter is necessary, a further \$500 fine will be levied and the property will be liened for the full \$600. Additional penalties under consideration fall under the ACC's ability outlined by the Covenants to fix the violation at the homeowner's expense. In the event of parking violations, this could include vehicle towing and storage fees. Homeowners may notify the ACC at any time during this process that the violation will be remedied and provide details for the solution such as contractor's name, expected start/end dates etc.

Subject to the Covenants:

These Residential Standards and Regulations are promulgated under and are subject to the Covenants. To the extent of any inconsistency between the provisions hereof and those of the Covenants, the provisions of the Covenants shall prevail.

Severability:

Invalidation of any one or any part of any one of these Standards, Conditions, Rules, or Regulations by judgment or court order shall in no way affect any of the other provisions which shall remain in full force and effect.