

RIVA CHASE

ARCHITECTURAL STANDARDS AND CONSTRUCTION REGULATIONS – 2001

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

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2001 Revised Architectural Standards & Construction Regulations in Riva Chase

Riva Chase is a Quality Residential Development characterized by its natural terrain and locational and visual prominence. It is the intent of these Architectural Standards and Construction Regulations (‘Standards’) to provide guidance to licensed architects, landscape designers, designers, builders, and owners in developing appropriate architectural and site plans which are sensitive to these characteristics.

Riva Chase is 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.

RIVA CHASE **Architectural Standards and Construction Regulations**

Riva Chase is a quality residential development characterized by its natural terrain and location and visual prominence. It is the intent of these Architectural Standards and Construction Regulations (‘Standards’) to provide guidance to licensed architects, landscape designers, designers, builders, and owners in developing appropriate architectural and site plans which are sensitive to these characteristics.

All plans and physical construction shall comply with the requirements of the Forest Hills Metropolitan District, Jefferson County Building Codes and Standards, Jefferson County Zoning Regulations, and/or any other applicable Governmental Codes and Standards.

The Architectural Control Committee (‘ACC’) reserves the right to revise these Standards as changing conditions and priorities dictate, in order to maintain maximum aesthetic benefits to the community while enhancing property values.

I. ARCHITECTURAL REVIEW PROCESS

The process for establishing the ACC and defining the specific duties and powers conferred on it is defined in the Master and Supplementary Declaration of Covenants, Conditions, and Restrictions, as amended (‘Covenants’). The ACC has approved these Standards.

All construction that is undertaken on this property, whether new building and site construction, landscape planting, or changes to existing facilities, shall be subject to review under these Standards. The “Residential Standards and Regulations” govern the every day issues and ongoing maintenance activities of the community.

II. ARCHITECTURAL REVIEW PROCESS MEETING SCHEDULE

The ACC meetings will be scheduled when requested by applicants. Applicants are requested to call the Chairperson of the ACC a minimum of four days in advance to schedule a presentation of plans.

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III. PRE-DESIGN

Prior to preparing plans for a proposed residence, it is required that the owner and/or the architect meet with an ACC member to discuss proposed plans. This informal review will provide guidance, but will not result in any binding stipulations. No fee shall be charged.

IV. PRELIMINARY PLAN SUBMITTAL

Following the Pre-Design Meeting, the owner and/or the architect may develop preliminary architectural and site plans. Incomplete plans will not be considered. They shall meet the following requirements:

A. All plans shall be the same sheet size (24" x 36") and shall include the following:

1. A site plan of existing conditions, including topography with a two (2) foot contour interval, existing trees and shrubs, drainage-ways, and other natural features. All legal restrictions, including right-of-ways, easements, property lines, and required setbacks must be provided. All site information should extend to all property lines of the lot and beyond to include dimensions to drive access easements and any existing structures adjacent to the lot. A USGS survey is required at the time of the Preliminary Plan Submittal. The site plan shall indicate a benchmark relating building elevations to the USGS Survey.

2. The site plan shall show all proposed improvements, indicating items such as building location, driveway and parking areas with proposed driveway/parking grades, proposed grading at a two (2) foot contour interval with appropriate spot elevations, and drainage features, at a scale of 1" = 20' or larger for Estate lots and 1" = 10' or larger for Village Estate lots. The site plan should show existing spot elevations to the nearest one-tenth (1/10) of a foot at each corner of the proposed structure and include top of slab, all finished floor and roof elevations.

3. Detailed roof plans at a scale of 1/8" = 1' or larger and floor plans at a scale of 1/4" = 1' or larger.

4. All exterior elevations at the same scale as the floor plans, indicating both existing and proposed grade lines, top of foundation, top of slab, all finished floor, and roof elevations.

5. Indication of all exterior materials and colors (Refer to Attachment B, "Architectural Review Color/Material Selections".)

6. Any other proposed improvements visible to adjacent lot owners and/or the public.

7. Consultation with the ACC should occur to determine the trees that will be required to be removed on the building site in accordance with the Colorado State Forest Service in Golden, Colorado.

B. At the owner's option, a perspective sketch may be prepared, as a visualization aid. A model will be required by the ACC as defined in the Covenants.

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C. In order to assist the ACC, the owner shall provide accurate staking of all proposed building corners, driveway centerline at twenty (20) foot on center and lot corners, with existing and proposed grades. All stakes must extend at least 3' above grade and must be identified.

D. The attached "Architectural Review Checklist" and "Application for Architectural Review" must be completed prior to the submission for review. (See Attachment 'B'.) All documents shall be signed by the homeowner, architect, and/or builder as appropriate. No construction plans will be accepted for review without a signed Application form.

Procedures:

1. After preparing the appropriate plans and "Architectural Review Checklist", the owner shall submit four (4) sets of site plans and two (2) sets of building plans along with a non-refundable review fee of \$500 to the ACC. Preliminary landscape plans may be submitted at the time of the Preliminary review. The ACC will then review the plans and staking, and will provide a written response no later than 20 days after each submittal. Any other Riva Chase property owner wishing to review such plans may do so by contacting the Riva Chase ACC. Any comments which the property owner wishes the ACC to consider in its review process shall be submitted to the committee in writing. The ACC will post the property after the preliminary plan approval to allow for property owner plan comments.

2. Should the plans be approved, the owner may begin preparing Final Plans. In the event of a disapproval, the resubmittal of plans shall follow the preliminary plan submittal procedure.

V. FINAL PLAN SUBMITTAL

Following Preliminary Plan Approval, the owner and the architect may develop Final Architectural and Site Plans, suitable for construction. They should meet the following requirements:

A. All plans shall be of the same sheet size (24" x 36") and shall include an update of all plans submitted at the Preliminary Plan process with the following additions:

1. Exterior details, including items such as chimneys, exterior stairs and decks, railings, and supports.

2. Samples of all exterior materials, finishes, and colors, etc. (Refer to Checklist.) Samples shall be submitted on a color board, which must be clearly marked with the owner's name, street address, and lot number. All material samples must be identified with the manufacturer's name, color and/or mixture. The Landscape Plan shall be prepared by a qualified landscape designer and shall include the following: (Additional fee of \$125.00 is required if landscape plans are submitted at a later date.)

a. Areas to be irrigated, if any, and systems to be used.

b. Seed mixtures and ground cover to be used on re-vegetated areas.

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- c. Any additional plant material, identified by common and botanic name, and size. All plantings shall be indigenous to the area.
- d. All walks, retaining walls, lighting, signage, and other site amenities.
- e. Estimated amount of water consumption during irrigation season (May 1 to October 15). Landscape Plan shall contain the following note:

To the best of my knowledge, this landscape plan will not require more than (Insert 18,000 gallons for Village Lots or 27,000 gallons for Estate Lots) of irrigation water consumption during the normal growing season of May 1 through October 15 to sustain the plan materials in a healthy living condition.

Note: Shall be signed by the Homeowner.

Refer to Forest Hills Metropolitan District "Statement of Irrigation Permit Policy".

- B. Any adjustments in site staking shall be made at this time.
- C. Updated Architectural Review Checklist as applicable. (See Attachment B.)

Procedures:

- After preparing the final detailed plans, the owner shall submit four sets of Site Plans, two sets of Building Plans, and two sets of the Landscape Plans to the ACC. The Site Plan must also be approved by the Forest Hills Metropolitan District (FHMD).
- The ACC will then review the plans and staking, and will provide a written response no later than 20 days after each submittal. When the plans are approved, the owner may apply for the appropriate building permit(s), and when approved, begin construction. In the event of a disapproval, the resubmittal of plans shall follow the Final Plan Submittal procedure. At the final submittal level, all resubmittals beyond the third disapproval will require an additional review fee of \$200.
- At the time of Final Plan Approval, the Builder shall remit a Trash/Security Deposit of \$5,000 to the ACC. This deposit shall only be drawn upon to remedy complaints of excessive trash/debris, which are not corrected by the Builder after proper notification by the ACC. This deposit, minus any assessed penalties, shall be returned to the Builder within 14 days after notification to the ACC by the Builder of issuance of the Certificate of Occupancy.
- At the time of Final Plan Approval the Builder or the Homeowner shall remit a Site Reseeding Deposit of \$1,500 to the ACC. This deposit will only be forfeited in the event that the building site has not been re-seeded or landscaped within three months of Certificate of Occupancy. It is incumbent upon the Builder/Homeowner to assure that proper erosion control methods are utilized during the construction period.

VI. LANDSCAPE DESIGN STANDARDS

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All landscaping within Riva Chase shall be designed to preserve the natural appearance of the Foothills environment. All man-made landscaping should ensure that the ecosystem is not altered and that unnecessary quantities of water will not be required to support the live plant materials. All landscape plans shall be prepared in accordance with the recommendations of the Denver Water Board, "Landscaping for Water Conservation: Xeriscape". Any landscape elements that require substantial amounts of water, such as bluegrass lawns, ponds, etc. will be discouraged. If the house is being built as a 'spec' home, the builder must submit plans for re-seeding and re-vegetation with his/her application.

Design Standards:

- Minimize disruption of the natural terrain.
- Re-vegetate areas disrupted by construction.
- Use dry land grasses in lieu of high water consumption grass.
- Use indigenous species of plant materials to preserve the natural appearance.
- Preserve natural drainage channels. Treat all drainage areas with appropriate erosion control methods. Give special attention to drainage and erosion potential both on and off the property.
- Provide for snow storage.
- Preserve and protect existing trees and rock formations. Permission must be obtained to remove any tree greater than five (5) feet tall.
- Avoid placing planting materials in lines or uniform spacing.
- Take into consideration the effect that the landscape element may have on neighboring properties. Consider the impact that plant materials have when fully mature.
- Use plant materials around homes that are compatible with people and transition out to the natural environment.
- Use site lighting that is designed so that light sources will not be seen from adjacent properties.
- Fences will not be permitted. Pet runs may be approved, but must not be excessive in size. Pet runs must be adjacent to the main structure and must be screened by means that are visually compatible with the home. Give consideration to the orientation of pet areas such that they are safe and habitable and are not an intrusion on neighboring properties.

VII. CHANGES AND/OR ADDITIONS TO APPROVED PLANS

Following Final Plan approval, the owner and the architect/builder or the landscape designer must submit for ACC approval any changes and/or additions to the approved plans. The Architectural, Site Plan, and Landscape Plan revisions shall meet all of the same requirements as outlined in the Preliminary and Final Plan submittal process.

Procedures:

After preparing these Revised Detailed Plans, the owner shall submit four sets of site, two sets of landscape plans, or two sets of building plans as applicable along with a review fee of \$200 to the ACC.

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The ACC will then review the plans and staking, and will provide a written response no longer than 20 days after the submittal. Should the plans be approved, the owner may apply for the appropriate building permit(s), and when approved, begin construction. In the event of any disapproval, the resubmittal of plans shall again follow the landscape plans, changes and/or additions to approved plans procedure.

VIII. CONSTRUCTION PERIOD

The ACC may inspect all work in progress and will give notice of non-compliance. However, absence of such inspection or notification during the construction period does not constitute either approval of the ACC with work in progress or compliance with these Standards.

Upon completion of any residence or other improvements for which final approval was given by the ACC, the owner or the duly authorized representative shall give written notice of completion to the ACC. If it is found that construction was not done in strict compliance with the approved plans, the ACC will notify the owner in writing of such non-compliance and require the owner to remedy the discrepancies within a reasonable compliance period.

IX. OTHER CONDITIONS

Approval of plans by the ACC shall not be deemed to constitute compliance with the requirements of any local building, zoning, safety, health or fire codes, and it shall be the responsibility of the owner or duly authorized representative submitting plans to assure such compliance. Nor shall approval waive any requirements on the part of the owner or his representative to comply with setbacks, height restrictions, or requirements unless such waiver or variance is specifically requested at the time of submittal and provided that the waiver or variance may properly be granted by the ACC and approved by local regulating authority.

The Covenants shall remain in force as the legal restriction governing all construction.

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 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 or Riva Chase HOA to recover damages. Final approval of plans is valid for twelve (12) months. Construction must be started within six (6) months of final plan approval. A building start is defined as issuance of the Building Permit and excavation. Construction must be completed within this twelve-month period. If not, plans must be resubmitted for review by the ACC with a submittal review fee of \$500. A submittal of a different dwelling on the same lot requires the review process to begin with a pre-design procedure.

The ACC reserves the right to waive or vary any of the Procedures or Standards set forth herein at its discretion, for good cause shown.

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X. ARCHITECTURAL AND SITE STANDARDS

A. Building Location and Setbacks

The residence should be sited to take advantage of existing views and microclimatic conditions while respecting existing terrain, vegetation, and adjacent land uses. Disruption of existing conditions shall be minimal. Where possible, all existing trees shall be preserved and existing drainage patterns shall be respected.

Specific setbacks for each lot have been identified on Attachment A, "Architectural Setback Requirements". Consultation with the ACC should occur to determine if there is a specific building envelope for your specific lot.

B. Grading and Drainage

All site improvements should be designed to minimize the extent of grading required. Techniques for doing this include 'stepping' buildings down slopes, providing access across slopes instead of down them, and using low retaining walls where necessary. Where grading is necessary, cut and fill slopes should be kept to a maximum of 3:1, with steeper slopes permitted (if permitted by the ACC) when excessive disturbance of the ground would otherwise result. All graded slopes should be 'rolled' back into existing slopes, so that after re-vegetation, no sharp contrast exists between existing and disturbed slopes. All areas which are to be preserved (trees, shrubs, rock outcrops, etc.) shall be marked and protected throughout the construction period. No grading shall extend beyond existing lot lines unless approved by the ACC and adjacent property owner.

In addition to minimizing the extent of disturbed land, disruption to existing drainage courses should be minimal. Where disruption must occur, reconstruction or realignment should occur in a naturalized manner allowing water to percolate and flow in a non-destructive course. If culverts or other drainage facilities are required, they should be detailed such that contrast with the existing environment is minimized.

C. Erosion Control

During all site construction, techniques for controlling erosion within the site and onto others shall be used. Methods include sedimentation basins, filtration materials such as hay bales or permeable geotextiles, and slope stabilization fabrics or tackifiers. Proper re-vegetation shall begin as quickly as possible after soil disruption and should be well established within one year after disturbance.

D. Driveways and Parking

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Access to each residence shall be via private drive or public road. The drive should be sited to minimize earthwork, without overly emphasizing the parking area or garage. Off-street parking required in the Official Development Plan shall be incorporated into the off-driveway design and will not be allowed on public or private roads.

Residents are required to have two guest parking spaces per site and have the right for one regularly parked vehicle outside on the site. Therefore, unless prohibited by topographic constraints, site planning should accommodate for the two guest parking spaces within the driveway/apron area and accommodate the regularly parked vehicle in a manner to allow complete garage access.

Drive grades should not exceed 10% slopes, except where use of short pitches up to 12% may lessen site impacts and improve access. All driveways shall be asphalt, or approved tinted concrete.

E. Architectural Design

No mandatory architectural 'style' is required for this development. However, it is the intent of these Standards to encourage residences which are harmonious with the existing natural environment, suggesting design solutions which reduce the apparent visual mass, incorporate materials, colors, and textures which generally blend with the landscape, and develop proportions and details appropriate to the site.

F. Building Height

In order to minimize the visual prominence of structures, no building or solar device shall exceed 35 feet in height. The height is defined as the maximum elevation of the structure, less the average existing elevation of the four main corners of the inhabitable area of the structure. Items such as chimneys, flues, roof vents, etc. shall not be included in such measurement. On lots with excessive slopes, the ACC will review the height restriction on a case-by-case basis.

It is strongly suggested that the owner consider the qualities of the site, especially the visual and climatic exposure created by the combination of existing slopes, vegetation, and orientation. Lower buildings are generally more appropriate on more exposed sites, while taller buildings can be incorporated into those sites which are less visible and/or more protected.

G. Roofs and Chimneys

The form of the roof and the materials used on it create a significant part of the visual impact of a building and will be carefully reviewed by the ACC. Gable, hip, and shed roofs will generally be acceptable for residential construction; while gambrel, flat, mansard and A-frame roofs will be discouraged. However, these roofs and other unique forms developed will be reviewed on their merits on a case-by-case basis.

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Materials selected should be of a texture and color that harmonizes with the environment. Class 'A' roofing is mandatory. Generally approved roofing materials are finished metal and tile. Wood shake roofing is reviewed on a case-by-case basis. Composite or asphalt shingles are generally not accepted. Bright, shiny materials such as unfinished metal will not be allowed.

All extensions from the roof, such as chimneys, flues, roof vents, gutters, skylights, etc. should be carefully located and finished to complement other elements of the design. Unfinished and exposed metal detailing will not be allowed. The use of aesthetic chimneys is encouraged.

H. Walls and Openings

The walls of a building are an important part of its overall visual impact and should be carefully detailed. Siding and trim materials should be consistently used throughout the building. Location, type, and size of window openings should be carefully considered for effect on proportions, continuity, and illumination. The connection from walls to the foundation should be treated such that the foundation becomes a very minor element.

I. Exterior Materials

All materials and finishes should be harmonious with the surrounding environment, with natural wood, stone, or stucco generally being acceptable. Use of manufactured siding and reflective/glazed materials is prohibited.

J. Color

Exterior finishes shall be in subdued earth tones, although brighter accents, used judiciously, may be permitted.

K. Foundation Walls

Foundation walls shall not be exposed, but shall be finished to blend with the exterior materials.

L. Accessory, Utility and Solar Structures

Accessory buildings or facilities such as detached garages, gazebos, greenhouses, tennis courts, pools, etc. shall adhere to the standards outlined for buildings and site planning. It is important that the massing and scale, as well as forms, materials, and other detailing should be well coordinated with the main structure(s) on the site. No temporary sheds will be allowed.

All exterior utility equipment shall either be incorporated into the main building or, along with other detached structures, be architecturally compatible with the residence. All utility connections shall be carefully coordinated to minimize site disruption.

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All solar equipment shall also be incorporated into the structure and be architecturally compatible with the residence. Any roof top mounted equipment is prohibited.

M. Fences and Screening

The use of fences and screening will be prohibited except when used to aid in confining pets to selected areas. When approved, such fences and screens shall be complimentary in design to the main structure(s). Fencing along property lines will not be allowed.

N. Trash Receptacles

All areas used for storage of solid waste shall be screened from off-site views, using materials and forms complementary to the main structure(s).

O. Mailboxes

Mailbox design, detail and location, will be provided to the ACC for review. Location may be regulated by the developer in conjunction with the U.S. Postal Service. Mailbox design shall be of substantial construction, reflect the architectural element of the dwelling and blend with the aesthetic setting of the surrounding landscaping. Mailbox location should take into consideration snow plowing and shall conform to U.S. Postal Service rural mail delivery requirements.

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.

P. Signage

- No signs whatsoever shall be permitted within any lot without the written approval of the ACC. All signs within Riva Chase shall conform to the following:
- 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.

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- '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 (3) 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.
- 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.

Q. Lighting

The use of 'sharp cut-off' design exterior lighting is encouraged. Light spill onto adjacent properties shall be minimized. Such fixtures, used for illumination of walks, driveways, address signage, etc. shall be compatible with the building. All exterior lighting shall be considered on a case-by-case basis by the ACC.

R. Retaining Walls (2005 ACC addition)

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.

S. Antennas

No outside radio, short wave, or television antennas/dishes are allowed without ACC approval. Only satellite dishes 24 inches in diameter or less will be considered. In special circumstances dish installations mounted less than six (6) feet above ground level may be automatically approved. (Refer to the Residential Standards and Regulations.)

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.

T. Landscape

All introduced plant materials shall conserve and complement the existing vegetation. Areas immediately adjacent to buildings may incorporate some ornamental plants, but should quickly transition to more naturalized materials. These naturalized material areas shall consist of grasses,

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groundcovers, shrubs, and trees that are similar to those on-site or are analogous in appearance with low water requirements.

The approved landscape plan, which, at a minimum will call for re-vegetation of all areas disturbed by construction, shall be completed in accordance with the Covenants. If the builder desires to also provide additional landscaping it must comply with the Landscape Design Standards on page 8 of these Regulations.

Irrigation systems, when needed, should efficiently distribute water to these plants that require it. Temporary, drip or other low-water consumption irrigation systems will be encouraged where appropriate. Each lot has been allocated one irrigation tap by the Forest Hills Metropolitan District. Contact the District for specific water consumption requirements and regulations.

XI. CONSTRUCTION PERIOD REGULATIONS

In the interest of all owners and contractors, the following regulations shall be enforced during the construction period. These regulations shall be a part of the construction documents contract for each residence; and all contractors and owners shall abide by these regulations.

A. OSHA

All applicable OSHA regulations and guidelines will be strictly observed at all times.

B. Construction Limits

The ACC may require the contractor to provide a detailed plan of construction limits prior to construction. The plan shall include size and location for construction material storage areas, limits of excavation, access areas, parking, chemical toilet location, dumpsters, fire extinguisher, utility trenching, and a construction sign.

C. Construction Trailer, Sheds, or Temporary Structures

No Construction Trailers, Construction Sales Office, Sheds or other temporary structures are permitted.

D. Excavation

Excess excavation material shall be removed from the property and shall not be placed in common areas, roads, or other lots (except as approved on a site-specific basis by the ACC). Excavation, except for utility trenching, shall be on the owner's site only. Contractors are expressly prohibited, during backfill and final grading, from spreading excess debris of material over the remainder of the lot.

E. Debris and Trash Removal

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Daily cleanup of the construction site is mandatory. All trash and debris shall be stored in a fenced trash disposal area and shall be removed from the trash disposal areas on a weekly basis. All soil and debris flowing into the street(s) or open spaces from the construction site shall be cleaned on a weekly basis.

F. Vehicles and Parking

All vehicles will be parked so as not to inhibit traffic or damage surrounding natural landscape. Vehicles shall not be left on community roads overnight.

G. Pets

Contractors, subcontractors, and employees are prohibited from bringing dogs and other pets to the construction site.

H. Blasting

If any blasting is to occur that will cause excessive noise or possible damage to surrounding areas, the contractor shall be responsible for giving 48 hour notice to the ACC and all residents in the proximity of the blasting site, along with any other necessary governmental agency.

I. Restoration and Repair

Damage to any property other than the owner's shall be promptly repaired at the expense of the person or entity causing the damage.

J. Dust, Noise and Odor

Every effort should be made to control dust, noise, and odor emitted from a construction area. The contractor will be responsible for watering, screening, or oiling dust problem areas as well as controlling noise and offensive odors from the lot.

XII. The following items are prohibited in this community:

- Oil changing of vehicles and equipment without proper receptacles and removal procedures.
- Concrete equipment cleaning outside of construction areas.
- Concrete equipment cleaning within the construction area (without the proper cleanup and restoration).
- Dumping of excess concrete anywhere within the Riva Chase development.
- Removing any rocks, trees, plants, or topsoil from any portion of the property other than the owner's lot.
- Careless treatment of trees or preservation areas.
- Use of spring, surface, or irrigation water for any purpose.
- Signs other than ACC approved construction or real estate signs.

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- Careless use of cigarettes or flammable items.
- Any open burning of construction debris.
- Firearms.

ARCHITECTURAL STANDARDS CONSISTENT WITH COVENANTS

These Architectural 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.

SEVERABILITY

To the extent any provision hereof is determined by any court having jurisdiction thereof to be contrary to law or otherwise unenforceable, the remaining provisions shall remain in full force and effect.