



Colorado Mountain Estates Property Owners Association

RULES

PARCEL MAINTENANCE RULE

The owner of any parcel in Colorado Mountain Estates shall at all times maintain the parcel and any improvements situated thereon in such a manner as to prevent the parcel or improvements from becoming unsightly, and, specifically, such owner shall abide by the following:

- 1) Trash, rubbish and debris shall not be allowed to accumulate and shall be disposed of only by removal from the subdivision. Any accumulation of rubbish on any property, improved or unimproved, is declared to be a nuisance, except when leaves, grass, shredded woody material and other similar organic matter is accumulated for composting and used as a soil amendment. Rubbish is defined as garbage, useless waste, rejected or unused matter, organic or inorganic refuse, rejected or waste food, offal, swill, ash, yard clippings, branches, leaves, manure, sawdust, unused or unusable building materials, tires, wood, and unused or unusable vehicle parts. Exception: With a building permit, building materials may remain on property for six (6) months, and which are not screened (including a tarp covering) from view.
- 2) Storage of junk vehicles is prohibited. Any vehicle which is inoperable, or which is wholly or partially dismantled, or which does not bear current license plates and which is visible from roads or adjoining, adjacent or neighboring property. A junk vehicle covered by a tarp covering is "visible" within the meaning of this section.
- 3) Vacant parcels may not be used to store building materials or personal items.
- 4) Keep the exterior of all structures in such state of repair or maintenance as to avoid their becoming unsightly.
- 5) Prevent the existence of any other condition that reasonably tends to detract from or diminish the appearance of the property.

EASEMENT FOR ENFORCEMENT PURPOSES RULE

Vacant property owners hereby grant to the Association an express easement for the purposes of going upon the lots of owners for the purpose of inspecting a violation of the Covenants and/or Rules. All attempts will be made to contact the property owner prior to exercise of this rule.

NUISANCE RULE

No noxious or offensive activity shall be carried on upon any lot, nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood.



All policies in this document were moved to the CME Policy Manual on 9-19-15.

Colorado Mountain Estates Property Owners Association

RULES

ANIMALS

No animals except household pets shall be maintained on any lot.

BUSINESS RULE

Only "no impact" home-based businesses are allowed. A "no-impact" home-based business is defined as any business conducted in a private residence meeting the following criteria:

1. Conducted entirely within the residence with no external evidence of the activity.
2. Operation shall be clearly incidental and secondary to the residential use of the building and character of the property and neighborhood.
3. No signage posted.
4. No employees other than immediate family members living on site.
5. No customers or clients visiting the site or storage of material(s) on the site.
6. No equipment used which creates noise, glare, fumes, vibration, odors, or electrical or electronic interference detectable by neighbors or that can be solely and directly attributable to the home-based business; and does not involve the use, storage or disposal of hazardous materials.
7. There shall be no salesrooms or display windows. Any materials, supplies, storage, or equipment shall be entirely contained within the building or enclosed storage area.
8. Has no on-street parking.
9. Have no outside employees.

Certain types of business are not permitted such as manufacturing, retail sales, auto painting and repair shops, etc.

CAMPING RULE

The use and placement of motor homes, travel and camper trailers or tents (units), while on vacant lots for the use of temporary camping by the lot owner, is subject to Teller County Codes and Health Department Rules for disposing of waste as are all tent campers.

1. Motorhomes, travel trailers, and camper trailers must display current license plates and registration.
2. No unit may be left unattended more than forty-eight (48) hours, as this is storage of the unit and not allowed on vacant lots. No more than two camping units may be placed on a lot.
3. Camping is restricted to no more than 30 days in a calendar year. Compliance with all minimum setbacks of units is required.
4. No trespassing on adjacent properties to gain access to a camp site is permitted. Trespassers will be subject to law enforcement prosecution.
5. Camping is restricted to registered owners unless the guest receives and shows written proof of approval from the owner. Owners are responsible for informing authorized campers of the rules and regulations of the Colorado Mountain Estates Property Owners Association and the owners will be held accountable if violations occur.



686189

Page 1 of 6

Kristal Brown, Clerk & Recorder

Teller County, Colorado

02-24-2016

02:40 PM

RP \$0.00

Recording Fee \$36.00

DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS

DECLARATION, made this 20th day of February, 2016, by Colorado Mountain Estates Property Owners Association, INC., hereinafter called "CMEPOA".

WHEREAS, CMEPOA is the owner of certain lands in Teller County, Colorado, subdivided as shown on the plats thereof, recorded in the Plat Books of the Public Records of Teller County, Colorado, and designated as COLORADO MOUNTAIN ESTATES, Subdivision Nos. 1 through 12, and

WHEREAS, CMEPOA hereby declares that all of the properties described above shall be held, sold and conveyed subject to the following easements, restrictions, covenants, and conditions which are for the purpose of protecting the value and desirability of, and which shall run with, the real property and be binding on all parties having any right, title or interest in the described properties or any part thereof, their heirs, successors and assigns, and that any prior restrictive covenants heretofore made by CMEPOA or Magnuson Corporation be hereby cancelled and set aside and replaced by the restrictive covenants herein declared, to wit:

ARTICLE I DEFINITIONS

1. "CMEPOA" shall mean and refer to COLORADO MOUNTAIN ESTATES PROPERTY OWNERS ASSOCIATION, INC., its successors and assigns.
2. "Owner" shall mean and refer to the beneficial owner, whether one or more persons or entities, of a fee simple title to any lot but excluding those having such interest merely as security for the performance of an obligation.
3. "Properties" shall mean and refer to that certain real property hereinbefore described and such additions therefore as may hereafter be brought within the jurisdiction of the association.
4. "Common Area" shall mean all real property (including the improvements thereto) owned by CMEPOA for the common use and enjoyment of the owners.
5. "Lot" shall mean and refer to any plot of land shown upon any recorded subdivision map of the properties with the exception of the Common Areas.
6. "Member" shall mean and refer to those persons entitled to membership as provided in Article II, Paragraph 1.

Approved by Membership Vote, February 20, 2016

Page | 1

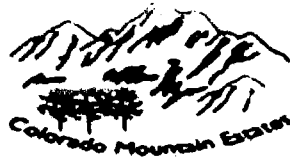
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Page 1 of 12

Krystal Brown, Clerk & Recorder

Teller County, Colorado RP \$0.00

04-25-2016 11:18 AM Recording Fee \$66.00



Colorado Mountain Estates
838 S. Mountain Estates Road
Florissant, Colorado 80816
719-748-3100

Colorado Mountain Estates

Architectural Control Policies



Historical Summary

Removed from the CMEPOA Policies Manual and Approved as a new Document by CMEPOA Board of Directors - July 2012.

Added information that was residing in the Rules, Policies, and Covenants to clarify and simplify the ARC Policies - July 2012

Updated with new Covenant ARC related updates April 2014

Reorganized and Rules document incorporated into ARC Policy September 2015

Amended 11-21-15 (Site survey and setback requirements)

Amended 3-19-16 (HUD manufactured homes prohibited, 5/12 roof pitch rule eliminated)



ARCHITECTURAL CONTROL POLICY

Purpose of the Architectural Control Policy

The purpose of this policy is to establish procedures to receive, review, and respond to architectural review requests by the Architectural Review Committee (ARC), to establish defined terms and rules to be applied to new structures, when modifying existing structures, adding fences, and other structures as outlined in this policy, establish acceptable property use guidelines to ensure harmony of external design and location in relation to surrounding structures and topography, and ensure compliance with applicable laws, covenants, bylaws, rules, and policies. In doing so, the Architectural Review Committee's goal is to:

1. Insure proper use and appropriate development of this land
2. Protect all owners against such use as may depreciate the value of the properties
3. Insure continued use and enjoyment of the property
4. Encourage the construction of attractive improvements

NOTE: It is the property owner/builder's responsibility to contact the Teller County Building Department to ensure compliance with the county building requirements. It is also their responsibility to meet the requirements of the CME covenants which may be more restrictive. Teller County requirements are somewhat different from the CME requirements and the property owner/builder must comply with both requirements. Therefore, getting a Teller County permit does not exclude the property owner/builder from obtaining an ARC approval. Before issuance of a CME permit, the property owner must be current on all dues with no unresolved violations or liens.

CME Architectural Review Committee Guidelines

The Architectural Review Committee (referred to as ARC or committee) is subject to the governing documents of the Colorado Mountain Estates Property Owners Association, Inc. These provisions are for the mutual benefit and protection of all owners of property within CME. The CME documents are recorded in Teller County and are on the CME web site, <http://cmepoa.com>. Property owners should familiarize themselves with the covenants prior to submission of an Architectural Review Application (Attachment 1) to the ARC.

The ARC is comprised of volunteer members who are appointed by the Board of Directors as representatives, and who report to the Board. The chairperson of the ARC is an officer of the Association and should therefore meet the same requirements as necessary to qualify for election to the Board of Directors. The committee makes decisions autonomously from the Board, but is bound to all policies and requirements of the covenants and rules in so doing. At least a majority of the ARC members must agree in order to approve an architectural submission. The ARC **may not** waive or modify a covenant or rule.

The Architectural Committee chairperson will record the minutes of each meeting and provide copies to the association board on an as-needed basis. The ARC performs its duties by reviewing plans/blue prints for new residences, and changes or improvements to existing homes/property within CME.

The ARC must provide **written** approval before any construction or excavation (other than soil testing) can proceed on a project. The property owner/builder should not begin any project prior to having an approval from the ARC in hand. The ARC must approve or deny the application and provide the owner



with a copy within 30 days of submission or the property owner may assume the application was approved and begin construction of their submitted project.

A property owner may appeal the decisions of the ARC to the Board of Directors. The appeal must be made within 10 days of receipt of the notification by the property owner. The Board shall hear both sides of the issue and review the appropriate covenants, bylaws, rules, and policies before making a decision.

Plans

Plans for new residences, modifications to existing home exteriors, structures (as defined later in this policy), buildings, fences, walls, and any other exterior addition to, change, or alteration to the property must be submitted by the property owner/builder in writing to the ARC and approved in writing as to the harmony of the exterior design and location in relation to surrounding structures and topography by the ARC prior to commencement of excavation, construction, or modification.

Site Survey

Many properties within CME are incorrectly located to the original legal road survey. The Architectural Review Committee requires a copy of a location Plot Plan survey or Land Survey (on file with Teller County or can be provided by a licensed surveyor). All surveys must contain the stamp of the surveyor who completed the plan and the "foot print" of the new construction showing the distance (setbacks) of the building(s) from the property lot-lines. This is true for both new residences and proposed improvements or exterior changes.

Building Rules

All structures placed in Colorado Mountain Estates shall comply with all current codes, including the IBC (International Building Code), ICC (International Code Council) and any additional building codes that have been adopted by the Teller County Building Department and CME.

The minimum square footage of enclosed living area for residence is as follows: (a) Filings Nos. 1 through 10, four hundred (400) square feet; (b) Filings Nos. 11 and 12, eight hundred (800) square feet.

All driveways (access roads) must have a Teller County driveway (access road) permit.

Buildings must be located so they meet Teller County property line setback requirements. These requirements are defined in the Teller County Land Use Regulations, which may be found on line at the Teller County Planning Department web site.

In addition to any easements indicated on the subdivision plat, easements are hereby specifically reserved only for the purpose of installing and maintaining electric, telephone, gas, water, or sewer lines within ten (10) feet of the front and rear property lines, and within five (5) feet of each side line of each residential building plot. A building may be constructed upon the dividing line prior to actual use of said utility easement **only** if the lot lines have been vacated by Teller County.

No lot shall be subdivided.



Modular Homes

Colorado Mountain Estates Architectural Control Policies do not permit HUD-manufactured (formerly known as mobile homes). Modular homes that meet the State of Colorado home certification and meet all Teller County building codes are permitted in CME. Plans and State of Colorado Home certification are issued by the builder and must be submitted with the other documentation required by the Architectural Control Policy to the Architectural Review Committee (ARC) for approval.

HUD manufactured homes that were installed on metal frames and attached to a permanent foundation within CME prior to April 1, 2016 are grandfathered.

Construction/Demolition Time Frame

Construction should be commenced within 30 days of approval, and building must be completed within **eighteen (18) months unless delayed for reasons beyond the control of the owner (such as severe weather)**.

If a new structure is going to replace an old structure, a completion date for removal of the old structure will be stated on the Architectural Review Application. The removal date will be no more than nine (9) months from the application date.

Temporary Housing

The property owner may live on their property during the construction of a dwelling on the same property, with a valid temporary housing permit from Teller County, until construction is complete, but no longer than eighteen months. To obtain the permit, the property owner demonstrates that the following conditions are met. The permit for temporary housing will be in effect as long as the following conditions continue to be met:

1. Approved water supply, sewage disposal systems and electrical service must be installed on the property and connected to the temporary housing.
2. The permanent dwelling building permit must be issued by the Teller County Building Department and remain active, and no more than 180 days elapse between required inspections by the Building Department in accordance with the Teller County Building Code.
3. The temporary housing must be a currently Colorado licensed trailer, motor home, RV or similar unit. On-site constructed units will be required to meet Building Code requirements for a Dwelling or Efficiency Dwelling Unit (as defined by the Uniform Building Code) and will not be considered temporary housing. Mobile homes and manufactured homes meeting the definition of "dwelling" in the Teller County Land Use Regulations will not be considered temporary housing.
4. Compliance with all minimum setbacks.
5. The temporary housing unit must be vacated within 30 days of the issuance of the certificate of occupancy for the permanent dwelling unit.

Number of allowable structures

No more than one single family residence plus one garage and two utility structures shall be allowed on any lot. Neither a garage nor a utility structure will be permitted on a lot that does not contain a house, nor can they be used for living purposes. One (1) commercially available and/or ARC approved greenhouse, up to 200 square feet, will be permitted per lot without counting against the lot building limitations. Additional greenhouses must comply with current building count restrictions.



Other Structures

All garages, storage buildings, fences, greenhouses, and other such structures are allowed in accordance with the CME governing documents but are subject to approval by the ARC. All greenhouses require ARC approval and the owner must comply with all State and County water restriction limitations. Greenhouses or storage buildings/sheds over 120 square feet also require a permit from the Teller County Building Department. For the purposes of this definition, flagpoles, utilities such as wells, utility poles, gas lines, propane tanks, septic tanks, cisterns, or any utility in an easement shall **not** be considered a structure and therefore do not require ARC approval.

Temporary Structures

A "temporary" structure encompasses the definition of a structure (above) but may not exist in a place for a period exceeding 30 days.

Alternative Energy Sources

Alternative energy sources such as solar panels, wind generators, etc., must comply with state and county regulations.

Fences and Hedges

No fences or hedges may be erected or maintained which will unreasonably obstruct the view from adjoining lots or materially impair the continuity of the general landscaping of the subdivision. Fences or hedges located within thirty (30) feet of the road right-of-way shall not exceed four (4) feet in height.

Lighting

Lighting requirements apply to the following types of exterior lighting:

1. Fixed lighting including but not limited to lighting mounted on a building, pole or the ground
2. Vehicle mounted, or other portable lighting used to illuminate a building exterior or exterior area, or to cast light into the sky (such as a searchlight or beam).

Building-mounted lighting shall not exceed the building height by more than 5 feet. Pole or ground-mounted lighting shall not exceed 25 feet in height.

Except where county safety regulations require otherwise, any exterior lighting shall be downcast, shielded, and shall not cast direct light onto an adjacent public road or onto adjacent Residential Property.

Parcel Maintenance

The owner of any parcel in Colorado Mountain Estates shall at all times maintain the parcel and any improvements situated thereon in such a manner as to prevent the parcel or improvements from becoming unsightly, and, specifically, such owner shall abide by the following:

1. Trash, rubbish and debris shall not be allowed to accumulate and shall be disposed of only by removal from the subdivision. The burning of trash is not allowed within the CMEPOA borders. Any accumulation of rubbish on any property, improved or unimproved, is declared to be a nuisance, except when leaves, grass, shredded woody material and other similar organic matter is accumulated for composting and used as a soil amendment. Rubbish is defined as garbage,



useless waste, rejected or unused matter such as discarded appliances, organic or inorganic refuse, rejected or waste food, offal, swill, ash, yard clippings, branches, leaves, manure, sawdust, unused or unusable building materials, tires, wood, and unused or unusable vehicle parts.

- a. Exception: With a building permit, building materials may remain on property for six (6) months, and which are not screened (including a tarp covering) from view.
2. Keep the exterior of all structures in such state of repair or maintenance as to avoid their becoming unsightly.
3. Prevent the existence of any other condition that reasonably tends to detract from or diminish the appearance of the property.
4. A lot which has a house may store on the property a Motor Home, and/or a Boat Trailer, and/or a Utility Trailer, and/or Camping Trailer which displays current license plates and registration. Storage of more than a combination of any two (2) of those mentioned will require a request and review by the CME Board and must meet Teller County Code Requirements. Compliance with all minimum setbacks of these units is required.

Prohibited use of Property

The property may not be used as a junkyard, dumping ground or auto graveyard. Storage of junk vehicles is prohibited. Any vehicle which is inoperable, or which is wholly or partially dismantled, or which does not bear current license plates and which is visible from roads or adjoining, adjacent or neighboring property. A junk vehicle covered by a tarp covering is "visible" within the meaning of this section.

Vacant parcels may not be used to store building materials or personal items.

No soil be removed which will lower the uniform grade relative to adjoining property.

No used or second-hand structures, shacks, or other similar structures shall be stored temporarily or permanently.

Rules concerning use of properties for business are defined in the CME Property Owners Rules document.

No billboard advertisement or sign of any kind shall be displayed on the lot, except one sign not over four (4) square feet advertising the lot for sale or a sign displayed by a builder actually working on the lot.

Compliance Contract (See attachments)

All owners are required to sign a Compliance Contract prior to the initiation of any site development on a vacant lot or existing building prior to approval of plans for construction within Colorado Mountain Estates. If the owner is not a local resident and will not be present during the entire construction period, the contractor or builder, as the owner's representative, must complete the Compliance Contract. This signifies the owner, contractor, or builder is cognizant of the CME requirements. The ARC officer will also sign the Compliance Contract. Without this signed contract on file, the Architectural Review Committee cannot grant construction approvals.



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ATTACHMENT 1

Architectural Review Application

Date: _____

Property Owner's Name: _____

Property Owner's Address: _____

Lot Number(s) and Filing: _____

Property Owner's Contact Number(s): _____

If applicable: Builder's Name: _____

Builder's License Number: _____

Builder's Address: _____

Builder's Contact Number(s): _____

The application is for: (Check all that are appropriate)

- Existing Home Addition Fence Driveway/Access New Home
- Garage/Shed Greenhouse Other (Explain) _____

If an existing structure is to be torn down and/or removed as part of this application please state the type of structure and the date the structure will be removed (no more than 9 months from the date of this application).

Structure _____ Date by which it will be removed: _____

Additional Information for the Architectural Review Application

The following are key items the ARC requires to ensure compliance with the CME covenants & Rules.

1. Copy of a location plot or Land Survey showing the stamp of the surveyor who did the plan and with the home, building, fence or wall drawn on the plot showing proper setbacks.
2. Builder/owner and ARC Officer, prior to the beginning of construction, must sign condition of approval letter.
3. A copy of the Teller County Building Permit, if applicable.

Any specific reference made to the Reservations, Restrictions, and Protected Covenants herein is not intended to replace or modify the existing recorded documents that the member is required to follow.



----- Below this line is For ARC use only -----

The Project is: ___ Approved; ___ Approved subject to conditions below; or ___ Disapproved (Explain)

The application is disapproved for the following reason(s):

You will need to make the following corrections before the ARC can approve this:

Thank you for your application submission. If we can be of further assistance or if you have questions, please contact us through the CMEPOA office at 719-748-3100 or online at Office@CMEPOA.net. The Board Member retrieving the messages will relay your message and we will contact you as soon as possible.

Architectural Review Committee Signatures:

Review Date:

_____	_____
_____	_____
_____	_____

ARC Application Number

_____ Year

_____ Number



ATTACHMENT 2 Compliance Contract

The following is a list of items that are required for the approval of any new residential construction within Colorado Mountain Estates. All owner/contractors must sign this Contract as acceptance and adherence to the conditions listed. The Architectural Control Committee (ARC) must receive this Contract before the start of any construction. Failure to return this Contract is automatic denial of plans for construction. A signed copy will be maintained in each property owner's file.

The Agreement is entered into this _____ day of _____, 20__, between the COLORADO MOUNTAIN ESTATES PROPERTY OWNERS ASSOCIATION, hereinafter referred to as "CMEPOA" and (if applicable),

CONTRACTOR (Printed Name)

LICENSE NUMBER

AND/OR

OWNER (Printed Name)

LOT #

FILING #

Are any lot lines being vacated as part of this construction project? YES ___ NO ___
(If YES, the homeowner/Builder must provide the CMEPOA a copy of the Teller County Approval.)

Upon execution of this "Agreement", and receipt thereof by CONTRACTOR (includes Subcontractors), and OWNER, you shall comply with the following:

1. A written approval issued by the ARC must be provided before any construction or excavation (other than soil testing) can proceed on a project.
2. All Contractors and sub contractors must have and maintain a current business license and all necessary insurance and bonding required by Teller County Building Department Rules & Regulations.
3. All property owner/contractors must abide by the building code adopted by the Teller County Building Department and must obtain a Building and Driveway Permit from Teller County Building Department. Each person or entity involved in this project must at all times abide by the covenants and rules of Colorado Mountain Estates Property Owners Association, Inc.
4. Failure to abide by any of these requirements will result in the immediate issuance of a Stop Order issued by CMEPOA, Inc. Any costs related to the stoppage of work due to a breach of this contract shall be borne solely by the owner/builder whose name appears in signature as per the agreement to this contract.
5. All property lines and markers are to be protected during the construction process. It will be the responsibility of the owner or builder to have corner pins surveyed if they are lost or destroyed.
6. At the time of a Temporary or Permanent Certificate of Occupancy, all construction materials and equipment must be removed from the property. The Property Owner may store additional materials if he plans to use them in the future. These materials must be stacked and covered. If possible, they should be stored in a manner that does not create an eyesore for the surrounding Property Owners and comply with the Parcel Maintenance Rules.



- 7. A trash container is required on site during the entire construction project. The container must be emptied as needed.
- 8. There must be temporary toilet facilities on site and maintained during the entire construction project that meets Teller County Code/Requirements.
- 9. At no time is anyone authorized to access the property of another for any reason without the permission of the owner/owners.

DATED this _____ day of _____, 20____.

**COLORADO MOUNTAIN ESTATES PROPERTY OWNERS ASSOCIATION, Inc. By:
Architectural Review Committee (signatures of a majority of current ARC members are required)**

Signature: _____

Date: _____

Signature: _____

Date: _____

Signature: _____

Date: _____

Signature: _____

Date: _____

Signature: _____

Date: _____

DATED this _____ day of _____, 20____.

Owner Signature: _____

Address: _____

AND (if applicable)

Builder/Representative Signature: _____

Address: _____

ARTICLE II PROPERTY RIGHTS

1. Every member shall have a right and easement of enjoyment in and to the Common areas, which shall be appurtenant to and shall pass with the title to every lot, subject to the following provisions:
 - a) the right of CMEPOA to charge reasonable admission and other fees for the use of any recreational facility situated upon the Common Areas;
 - b) the right of CMEPOA to suspend the voting rights and right to use the recreational facilities by an owner for any period during which any assessment against his lot remains unpaid; and for a period not to exceed 60 days for any infraction of its published rules and regulations;
 - c) the right of CMEPOA to dedicate or transfer all or any part of the Common Area to any public agency, authority, or utility for such purposes and subject to such conditions as may be agreed to by the members. No such dedication or transfer shall be effective unless an instrument agreeing to such dedication or transfer approved by two-thirds (2/3) of the returned ballots by a total membership vote has been recorded.
2. Any owner may delegate, in accordance with the By-Laws, his right of enjoyment to the Common Area and facilities to the members of his family, his tenants, or contract purchasers who reside on the property.

ARTICLE III MEMBERSHIP AND VOTING RIGHTS

1. Every owner of a lot is required to join the Colorado Mountain Estates Property Owners Association, and shall be a member of the association. Every other lot (Original owner as a non-member) shall become a member of CMEPOA upon execution of a legal sales agreement between the original owner and a new owner. Membership shall be appurtenant to and may not be separated from ownership of any lot which is subject to assessment.
2. CMEPOA shall have one class of voting membership called Owner Members. Each Owner-Member shall be entitled to one vote for each lot owned. When more than one person holds an interest in any lot, all such persons shall be members. The vote for such lot shall be exercised as they determine, but in no event shall more than one vote be cast with respect to any lot. A member shall be entitled to vote only if he/she is current in payment of all annual and special assessments on his/her lot(s).

ARTICLE IV COVENANT FOR MAINTENANCE ASSESSMENTS

1. The Owner-Member of any lot by acceptance of a deed therefore, whether or not it shall be so expressed in such deed, is deemed to covenant and agree to pay to the association annual assessments or charges, and special assessments for capital improvements, such assessments to be established and collected as hereinafter provided. The annual and special assessments, together with interest, costs, and reasonable attorney's fees, shall be a charge on the land and shall be a continuing lien upon the property against which each such assessment is made. Each such assessment, together with interest, costs, and

reasonable attorney's fees, shall also be the personal obligation of the person who was the owner member of such property at the time when the assessment fell due. The personal obligation for delinquent assessments shall not pass to his successors in title unless expressly assumed by them.

2. The assessments levied by the association shall be used exclusively to promote the recreation, health, safety, and welfare of the residents in the properties and for the improvement and maintenance of the Common Areas.
3. Until January 1 of the year immediately following the release of this document, the assessment shall be \$35.28 per lot.
 - (a) From and after January 1, 2015, the annual assessment may be increased by the Board of Directors each year not more than 5% above the assessment for the previous year without a vote of the membership.
 - (b) From and after January 1, 2015, the annual assessment may be increased above 5% by a vote of the holders of two-thirds (2/3) of the membership vote represented at a meeting duly called for this purpose.
 - (c) The annual Common Expense Liability (dues) will not exceed \$300.00 without approval of two-thirds (2/3) the entire voting membership of the CMEPOA.
 - (d) General reasons for Dues increases will be provided to members attending a monthly Board of Directors meeting prior to implementation of the increase.
 - (e) In addition to the annual assessments authorized above, the association may levy, in any assessment year, a special assessment applicable to that year only for the purpose of defraying, in whole or in part, the cost of any construction, reconstruction, repair or replacement of a capital improvement upon the Common Area, including fixtures and personal property related thereto, provided the following are met at a meeting duly called for this purpose. At any such called meeting, the presence of members, proxies entitled to cast, and ballots received equal to at least 10 percent (10%) of the total membership votes shall constitute a quorum. The requested Special Assessment may be levied provided a quorum has been established, and provided at least two-thirds (2/3) of the votes used to establish the quorum approve the Assessment.
4. All members will be notified of any meeting called for the purpose of taking action to increase dues by more than 5% above the assessment for the previous year, or for the purpose of levying a Special Assessment not less than 30 days or more than 60 days in advance of the meeting. The notification will include the proposed changes, meeting date and location, and vote due date. Notification will be made by regular mail, will be posted on the Association's web site, and will be sent via e-mail to those members with e-mail addresses on file. Members may return their ballot or proxy vote by regular mail.
5. Both annual and special assessments must be fixed at a uniform rate for all member lots. If requested by the individual member, Special Assessments in excess of \$50.00 may be paid in a maximum of 10 consecutive and equal monthly payments that will begin the first day of the month the Special Assessment becomes due. Members desiring a Special Assessment payment plan must submit a request in writing to the CME Accounting Administrator at least 30 days prior to the Special Assessment due date. The request must include the member's name, mailing address, lot number, phone number, reason for requesting a payment plan, and desired number of payments. The payment plan agreement is valid only if approved by a majority vote of the Board of Directors prior to the date the Special Assessment is due. Only members in good standing who are not delinquent in their dues or other assessments and who have no unresolved policy violations may be approved for a Special Assessment payment plan. Members requesting a Special Assessment payment plan will be notified in

writing of the decision of the Board of Directors prior to the date the Special Assessment is due.

6. The Board of Directors shall fix the amount of the annual assessment against each member lot at least thirty (30) days in advance of each annual assessment period. Written notice of the annual assessment shall be made by posting the assessment amount on the Association Web site. The due dates shall be established by the Board of Directors. The association shall, upon demand, and for a reasonable charge, furnish a certificate signed by an officer of CMEPOA setting forth whether the assessments on a specified lot have been paid. A properly executed certificate of CMEPOA as to the status of assessments on a lot is binding upon CMEPOA as of the date of its issuance.
7. Any assessment not paid within the time frame defined in the CME Policy Manual shall incur a late charge to be determined by the Board of Directors. CMEPOA may bring an action at law against the owner personally obligated to pay the same, lien, foreclose the lien against the property, or both bring suit and foreclose the lien, in any order. No Owner-Member may waive or otherwise escape liability for the assessments provided for herein by non-use of the Common Areas or abandonment of his lot.
8. The lien of the assessments provided for herein shall be subordinate to the lien of any first mortgage. Sale or transfer of any lot shall not affect the assessment lien. However, the sale or transfer of any lot pursuant to mortgage foreclosure or any proceeding in lieu thereof shall extinguish the lien of such assessments as to payment which became due prior to such sale or transfer. No sale or transfer shall relieve such lot from liability for any assessments thereafter becoming due or from the lien thereof.

ARTICLE V ARCHITECTURAL CONTROL

1. Provisions of Architectural control are defined in the Architectural Control Policy document.

ARTICLE VI GENERAL PROVISIONS

1. The CMEPOA or any Owner-Member shall have the right to enforce, by any proceeding at law or in equity, all restrictions, conditions, covenants, reservations, liens and charges now or hereafter imposed by the provisions of this Declaration or any other CMEPOA governing document. Failure by the CMEPOA or by any Owner-Member to enforce any covenant or restriction herein contained shall in no event be deemed a waiver of the right to do so thereafter.
2. In addition to any easements indicated on the subdivision plat, easements are hereby specifically reserved for the purpose of installing and maintaining electric, telephone, gas, water, or sewer lines within ten (10) feet of the front and rear property lines, and within five (5) feet of each side line of each building plot.
3. No firearms or explosives shall be discharged within the subdivision.
4. No motor vehicles may be used except on the purchasers own property or if properly licensed on dedicated roads and rights-of ways.
5. Property owners hereby grant to the Association an express easement for the purpose of going onto the lots of owners to investigate a reported violation of the Colorado Mountain

Estates Property Owners Association policies. Reasonable attempts will be made to contact the property owner prior to exercise of this rule.

- 6. Invalidation of any of the aforesaid covenants and restrictions by judgment or court order shall in no way affect any of the other covenants which shall remain in full force and effect.
- 7. The covenants and restrictions of this Declaration shall binding upon the owners until 2024 and shall automatically be extended for successive 10 year periods thereafter. However, the owners of record of all separate building sites in the platted subdivision may by a two-thirds (2/3) majority vote of all returned ballots by owners of record terminate or extend any one or more of the said protective covenants as applied to all or any portion of the building sites in the subdivision, by preparing and acknowledging an appropriate agreement and filing same in the public records of Teller County. Enforcement shall be by proceedings at law or in equity against any person(s) violating any of these covenants.
- 8. Additional residential property and Common Areas may be annexed to CMEPOA with the consent of a two-thirds (2/3) majority of members of record present at a meeting called to discuss annexation of additional property.
- 9. All changes to the Covenants must be made in accordance with the Colorado Mountain Estates By-Laws.

IN WITNESS WHEREOF, the undersigned have hereunto set their hands and seals this ____ day of February, 2016.

COLORADO MOUNTAIN ESTATES PROPERTY OWNERS ASSOCIATION, INC.,

By:

Teddy Angel
 By: Teddy Angel, President, CMEPOA

2-22-16
 Date

Chuck Hyskell
 Attest: Chuck Hyskell, Vice President CMEPOA

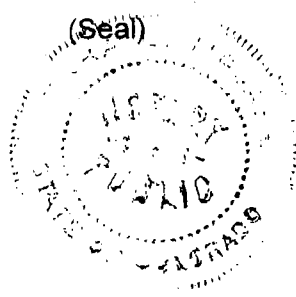
2-22-16
 Date

STATE OF COLORADO)
) : ss.
 County of Teller)

The foregoing instrument was acknowledged before me this 22 day of February, 2016, by Teddy Angel, President of Colorado Mountain Estates Property Owners Association, Inc., and Chuck Hyskell, Secretary of Colorado Mountain Estates Property Owners Association, Inc., on behalf of said corporation.

Tara L. McCabe
 Notary Public

My commission expires: 4-30-2017



Approved by Membership Vote, February 20, 2016



Colorado Mountain Estates
838 S. Mountain Estates Road
Florissant, Colorado 80816
719-748-3100

CMEPOA, Inc. Corporate Resolution

The Colorado Mountain Estates Property Owners Association, Inc. a non-profit corporation under the laws of the State of Colorado, hereby certifies that the following is a full and true copy of a resolution adopted at a meeting of the Board of Directors of said Corporation, duly held on the 20th day of February, 2016.

It is resolved that:

Proposed changes to the Colorado Mountain Estates Property Owners Association, Inc. Declarations of Covenants, Conditions and Restrictions were duly discussed at several monthly Board meetings, included in the minutes of those meetings, and were posted on the Association web page. Ballots were mailed to all Association members. Voters approved the proposed changes as itemized below. As a result of the approval of the members, the attached copy of the Declaration of Covenants, Conditions and Restrictions is hereby adopted.

AND I DO FURTHER CERTIFY that the above resolution has not in any way been altered, amended or repealed, and is now in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Colorado Mountain Estates Property Owners Association, Inc. this 20th day of February, 2016.

Total number of votes possible:	1473
Minimum number of returned votes required to establish quorum:	147
Number of votes returned:	453
Number of returned votes in favor of changes:	372
Number of returned votes against changes:	81
Percent of votes required to approve changes:	51%
Percent of returned votes in favor of changes:	82.12%
Percent of returned votes against changes:	17.88%

Teddy Angel
Chuck Hyskell

Teddy Angel, President

Chuck Hyskell, Vice President

NOT PRESENT

Laura Moreland, Treasurer

Mark Harter

Mark Harter, Secretary

NOT PRESENT

Gloria Clevers, At Large

Karol Scott

Karol Scott, At Large

Dennis Smoot

Dennis Smoot, At Large

EVENT SIGNS RULE

Signs for a garage sale or moving sale or other short-term event will be allowed posting two days prior and two days after the event. Signs must not be more than two feet by two feet. No more than three signs will be allowed for posting. All signs must be removed after the second day of the event. Teller County does not allow postings of any signs on road right-of-way property.

NUISANCE RULE

No noxious or offensive activity shall be carried on upon any lot, nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood. Domestic pets (dogs and cats) shall not be a source of annoyance or nuisance to the neighborhood or other lot owners. No dog boarding or kennels are allowed in CME. The CME Board shall have the authority, after a hearing, to determine whether a particular pet is a nuisance or a source of annoyance to other owners, and such determination shall be conclusive. Pets shall be attended at all times, on a leash and shall be registered, licensed and inoculated as may, from time to time, be required by Teller County law.

OPEN FIRES RULE

The following regulations must be adhered to within Colorado Mountain Estates. All "burns" are subject to Teller County "alert level" for fires at all times up to and including a complete ban on all fires of any kind. No exceptions are allowed. A Burn Permit must be obtained from the Teller County Sheriff's Office for the following types of burn requirements:

1. Open burning is any fire (bonfire, rubbish, other) which is not contained within an incinerator, outdoor fireplace, barbecue grill or pit.
2. Recreational burning is any fire (other than rubbish) that is not contained within an incinerator, outdoor fireplace, campfire, barbecue grill or pit.
3. Pyrotechnic devices - Any use of fused explosives, fireworks of any type to include, but not limited to firing of model rockets or any other pyrotechnic or propelled devices. Fireworks are illegal within Teller County.

Specific Requirements for incinerator, outdoor fireplace barbecue grills or pits:

The total area for fuel may not exceed three (3) feet in diameter and two (2) feet in height or as modified by Teller County Fire Code.

Non-Permit Burns:

Small campfires are restricted in size to a maximum of 3 feet in diameter and 2 feet in height within permanent fire pits or fire grates located at the CME picnic grounds, lakes and private grounds.

Unattended fires

No unattended fires of any kind are allowed.

WATER USE RULE

Pursuant to C.R.S. 37-92-602(3)(b)(II)(A), well water on residential tracts of land of less than 35 acres is to be used for ordinary indoor household purposes only. This means no outside irrigation, watering lawns, washing cars, etc. It is extremely important that members of the CMEPOA follow these regulations so that everyone will continue to have water available in their wells. Anyone found to be watering their lawns etc, will be reported to the Colorado Division of Water Resources, Division 2, in Pueblo, at (719) 542-3368. If the Board contacts you about watering, it will be considered the one and only warning. Subsequent violations will be reported to the State.

AMMENDMENT PROCEDURE

These Rules may be amended in accordance with the Colorado Mountain Estates By-Laws.



Domestic pets (dogs and cats) shall not be a source of annoyance or nuisance to the neighborhood or other lot owners. No dog boarding or kennels are allowed in CME. The CME Board shall have the authority, after a hearing, to determine whether a particular pet is a nuisance or a source of annoyance to other owners, and such determination shall be conclusive. Pets shall be attended at all times, on a leash and shall be registered, licensed and inoculated as may, from time to time, be required by Teller County law.

BUSINESS RULE

Allow a "no impact" home-based business. A "no-impact" home-based business is defined as any business conducted in a private residence meeting the following criteria:

- 1) Conducted entirely within the residence with no external evidence of the activity, operation shall be clearly incidental and secondary to the residential use of the building and character of the property and neighborhood.
- 2) No signage posted.
- 3) No employees other than immediate family members living on site.
- 4) No customers or clients visiting the site or storage of material(s) on the site.
- 5) No equipment used which creates noise, glare, fumes, vibration, odors, or electrical or electronic interference detectable by neighbors or that can be solely and directly attributable to the home-based business; and does not involve the use, storage or disposal of hazardous materials.
- 6) There shall be no salesrooms or display windows. Any materials, supplies, storage, or equipment shall be entirely contained within the building housing the home occupation, or enclosed storage area.
- 7) Has no on-street parking
- 8) Have no outside employees

Certain types of business are not permitted such as manufacturing, retail sales, auto painting and repair shops, etc.

OPEN FIRES RULE

The following regulations must be adhered to within Colorado Mountain Estates. All "burns" are subject to Teller County "alert level" for fires at all times up to and including a complete ban on all fires of any kind. No exceptions are allowed. A Burn Permit must be obtained from the Teller County Sheriff's Office for the following types of burn requirements:

- 1) Open burning is any fire (bonfire, rubbish, other), which is not contained (within an incinerator, outdoor fireplace, barbecue grill or pit).
- 2) Recreational burning is any fire (other than rubbish) that is not contained (within an incinerator, outdoor fireplace, campfire, barbecue grill or pit).
- 3) Pyrotechnic devices - Any use of fused explosives, fireworks of any type to include, but not limited to firing of model rockets or any other pyrotechnic or propelled devices. (fireworks are illegal within Teller County)



Specific Requirements for incinerator, outdoor fireplace barbecue grills or pits:

The total area for fuel may not exceed three (3) feet in diameter and two (2) feet in height or as modified by Teller County Fire Code.

Non-Permit Burns:

The small campfires are restricted in size at or below the fuel pile limits of feet 3 in diameter and 2 feet in height within permanent fire pits or fire grates located at the CME picnic grounds, lakes and private grounds.

LIGHTING RULE

Lighting requirements apply to the following types of exterior lighting: (1) fixed lighting including but not limited to lighting mounted on a building, pole or the ground, and (2) vehicle mounted, or other portable lighting used to illuminate a building exterior or exterior area, or to cast light into the sky (such as a searchlight or beam).

- (a) **Lighting – height** - Building-mounted lighting shall not exceed the building height by more than 5 feet. Pole or ground-mounted lighting shall not exceed 25 feet in height.
- (b) **Lighting - maximum level** - Except where county safety regulations require otherwise, any exterior lighting shall (1) be downcast, (2) be shielded, and (3) not cast direct light onto an adjacent public road or onto adjacent Residential Property.

EVENT SIGNS RULE

Signs for a garage sale or moving sale or other short-term event will be allowed posting two days prior and two days after the event. signs must not be more than two feet by two feet. No more than three signs will be allowed for posting. All signs must be removed after the second day of the event. Teller County does not allow postings of any signs on road right-of-way property.

MOTOR HOMES, TRAVEL, BOAT, UTILITY AND CAMPER TRAILERS RULE

Specific requirements are required for this rule: They are, but not limited to:

- 1) Minimum setbacks for this rule are: front setback is 50 ft. from front lot line, 15 ft. from side lot line and 30 ft from rear lot line.
- 2) All such categories of this rule are subject to a formal review & approval in writing by the CME Board of Directors.
- 3) At a minimum, all current Teller County Code requirements must be met in conjunction with and in addition to these rules.



Temporary Housing

The property owner may live on their property during the construction of a dwelling on the same property, with a valid temporary housing permit from Teller County. To obtain the permit, the property owner demonstrates that the following conditions are met. The permit for temporary housing will be in effect as long as the following conditions continue to be met:

- 1) Approved water supply, sewage disposal systems and electrical service must be installed on the property and connected to the temporary housing.
- 2) The permanent dwelling building permit must be issued by the Teller County Building Department and remain active, and no more than 180 days elapse between required inspections by the Building Department in accordance with the Teller County Building Code.
- 3) The temporary housing must be a currently Colorado licensed trailer, motor home, RV or similar unit. On-site constructed units will be required to meet Building Code requirements for a Dwelling or Efficiency Dwelling Unit (as defined by the Uniform Building Code) and will not be considered temporary housing. Mobile homes and manufactured homes meeting the definition of "dwelling" in the Teller County Land Use Regulations will not be considered temporary housing.
- 4) Compliance with all minimum setbacks.
The temporary housing unit must be vacated within 30 days of the issuance of the certificate of occupancy for the permanent dwelling unit.

These regulations do not permit the use of campers, trailers, lean-to's, tents, motor homes, recreational vehicles, or any other such property as a permanent living residence.

Storage

A lot which has an owner occupied dwelling may store on the property a motor home, and/or a boat trailer and/or a utility trailer and/or a travel trailer which displays current license plates and registration. Storage of more than two (2) of those mentioned will require a request and review by the CME Board and must meet Teller County Code Requirements. Compliance with all minimum setbacks of units is required

Camping

The use and placement of motor homes, travel and camper trailers (must display current license plates and registration) or tents must, while on vacant lots for the use of temporary camping by the lot owner, is subject to Teller County Codes and Health Department Rules for disposing of waste as are all tent campers. No unit may be left unattended more than forty-eight (48) hours, as this is storage of the unit and not allowed on vacant lots. No more than two camping units may be placed on a lot. Camping is restricted to no more than 30 days in a calendar year. Compliance with all minimum setbacks of units is required.



WATER USE RULE

Pursuant to C.R.S. 37-92-602(3)(b)(II)(A), well water on residential tracts of land of less than 35 acres is to be used for ordinary indoor household purposes only. This means no outside irrigation, watering lawns, washing cars, etc. It is extremely important that members of the CMEPOA follow these regulations so that everyone will continue to have water available in their wells. Anyone found to be watering their lawns etc, will be reported to the Colorado Division of Water Resources, Division 2, in Pueblo, at (719) 542-3368. If the Board contacts you about watering, it will be considered the one and only warning. Subsequent violations will be reported to the State.

AMMENDMENT PROCEDURE

These Rules may be amended at a regular or special meeting of the members, by a vote of a majority of a quorum of members present in person and by absentee ballot or by a vote of a majority of the Board of Directors.