



Timber Springs Design Guidelines

January 2008 / Revised February 2026

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I. Background & Statement of Intent

With its rich contrasts in views, terrain, vegetation, and micro-environments, Timber Springs natural setting truly exemplifies the central Rocky Mountains of Colorado. Timber Springs offers an intimate mountain setting, a multi-spring fed creek, distant panoramas of snow-covered peaks, surrounding forests of aspen, cottonwood and fir trees, and varied landscapes of sage, juniper, and spruce. One of the primary goals in the planning and development of Timber Springs is the preservation and enhancement of the existing landforms, vegetation, wetlands, and wildlife that characterize this environment.

This is to be achieved by encouraging a characteristic style of landscape and building design that assures compatibility between buildings and their setting. While all buildings in Timber Springs are to reflect the architectural styles defined in these guidelines, each building should also present unique and creative design solutions that avoid a repetitive copy of precedent structures.

It is essential that highly qualified teams are assembled to design and construct the homes within Timber Springs. Therefore, only licensed architects will be permitted to design homes in Timber Springs, and only professional landscape architects will be permitted to design landscape and site improvements. It is recommended that all architects and landscape architects have experience designing in mountain environments.

Timber Springs Design Guidelines have been prepared to ensure visual harmony between the built environment and the landscape; to preserve the beauty of the natural environment; to maintain and enhance views; to maintain property values; and to ensure that construction within Timber Springs is done in the most sensitive manner possible. All new buildings, modifications to existing buildings, landscaping, site improvements, and the use of property within Timber Springs must be reviewed and approved in accordance with the provisions of these Guidelines. Timber Springs Design Review Board (“DRB”) has been appointed to implement these Guidelines and assist owners with the design review process. All references in these Design Guidelines to DRB approval, with respect to any issue, shall be construed as referring to *written* approval only. Any question about whether the DRB has rendered written approval for a particular matter should be directed to the DRB Administrator.

Harmony with the surrounding environment is paramount. The intent of these regulations is that the homes be indigenous to the physical context of Timber Springs; that they incorporate sensitive siting, protection of natural site features, and native and natural materials. The Timber Springs residence’s look to a combination of National Park Lodge and high-country fishing camp vernacular for their design and inspiration.

II. Granting Clause

These Design Guidelines have been promulgated pursuant to Article 1 of the Declaration of Covenants, Conditions, Restrictions and Easements for Timber Springs. The Design Guidelines are binding upon all persons who at any time construct, reconstruct, refinish, alter, or maintain any improvement upon the Property, or make any change in the natural or existing surface, drainage, or plant life thereof. The Design Guidelines are administered and enforced by the Design Review Board in accordance with the Declaration of Covenants, Conditions, Restrictions and Easements for Timber Springs and the procedures herein and therein set forth. The Design Guidelines and relevant application fees may be amended from time to time, and it is the responsibility of each owner or other person to obtain and review a copy of the most recently revised Design Guidelines.

Under the terms of the Declaration of Covenants, Conditions and Restrictions for the Timber Springs Association (hereafter called "Declaration"), the Board does hereby establish these Standards and Procedures pursuant to the Declaration. Copies of the most recent Standards and Procedures may be obtained at the office of the Association, located at Marchetti and Weaver, 28 2nd St, Unit 213, Edwards, CO 81632. The Declaration will control if there are any discrepancies between these Standards and Procedures and the Declaration.

The standards, procedures and information that follow are intended to formulate and define the means by which homes can be built at Timber Springs in a manner in which they will be compatible with each other and the very unique setting. The standards will be the criteria for judgement by the Timber Springs' Design Review Board (the Board) and form the basis of control imposed by the Board. Compliance with the spirit of these standards is crucial to the mutual enhancement and protection of the qualities of Timber Springs and is committed to the preservation of this ruggedly handsome area.

Chairperson
Timber Springs Design Review Board

III. General Purposes

These Standards and Procedures are made by the Board for the purpose of maintaining standards for the development of Lots 1-8, Timber Springs. The purposes also include guarding against unnecessary and unreasonable interference with the views, natural beauty, and ecological integrity of Timber Springs. Development of Timber Springs is also subject to the Eagle County Land Use Regulations (“ECLUR”), as may be amended from time to time. The property is located in the Zone District titled Resource, according to the Eagle County Zone District Maps. Each lot is equal or greater to thirty-five acres and as such, must meet certain site development standards as defined in the ECLUR. Owners of the properties located within Timber Springs acknowledge that the Eagle County Land Use Regulations govern the land use and development of the lots therein. Such regulations may be more restrictive than these guidelines.

Although final judgement of any submission must remain the discretionary opinion of the Board, the Board will be guided in its decisions by the Standards and Procedures, which are summarized herein. These Standards and Procedures may be changed from time to time as the Board deems necessary or appropriate.

Timber Springs’ neighborhood is distinguished primarily by the natural characteristics such as existing vegetation, natural water features, geology, geography, and orientation. An important concept of Timber Springs Design Guidelines is to recognize the unique characteristics of the neighborhood with specific architectural and landscape guidelines. These guidelines set forth a distinctive design theme, which establishes specific development controls designed to preserve views and trees, protect the waterways, minimize the visual impact of development, and respond to wildlife considerations.

The Design Guidelines include separate sections of architectural and landscape guidelines for Timber Springs. These guidelines provide specific parameters for the design and development of all improvements. Timber Springs Design Guidelines provide the primary tool for guiding the design of all development in Timber Springs. These guidelines are not, however, the only document that addresses design and development in Timber Springs. For example, the Declaration of Covenants, Conditions, Restrictions and Easements for Timber Springs include additional standards pertaining to the development of Timber Springs that should be reviewed during the design process. In addition to these guidelines, additional information regarding design and construction in Timber Springs is available from Timber Springs Design Review Board. This information may pertain to environmental considerations, wildlife, geology, and other factors that should be considered prior to initiating development in Timber Springs.

IV. Definitions

Unless the context otherwise specifies or requires, use of the following words or phrases when used in these Design Guidelines shall have the following meanings:

Applicant

An Owner or Owner's representative who is authorized to represent and/or act upon any application materials or submittals.

Architect

A licensed Architect in the State of Colorado is required for the design of all buildings.

Association

The term "Association" shall mean and refer to the Timber Springs Property Owners Association, a Colorado non-profit corporation, and its successors and assigns.

Board

The term "Board" shall mean the Timber Springs Design Review Board.

Builder

A person or entity engaged by an "Owner" for the purpose of constructing any improvement within the Project. The "Builder" and "Owner" may be the same person or entity.

Building Envelope

An area designated on the approved final plat drawings recorded with Eagle County within which the required Homesite has been designated.

Building Height

Building Height (exclusive of chimneys) shall be measured from any point around the building at existing or finished grade (whichever is more restrictive) to the midpoint of the highest sloping roof above. Existing grade is the natural topography that exists before any development takes place. Height measurement of buildings with stepped roofs will be at the discretion of the DRB.

Compliance Agreement

The Document the property owner signs with the DRB to ensure improvements are built within compliance of the approved drawings.

Compliance Deposit

The deposit that the Owner is required to deliver to the Timber Springs Design Review Board prior to commencing a Construction Activity.

Construction Activity

Any site disturbance, construction, addition or alteration of any building, landscaping, or any other improvement on any Site.

Construction Site

A site upon which Construction Activity takes place.

Construction Vehicle

Any car, truck, tractor, trailer, or other vehicle used to perform any part of a Construction Activity or to transport equipment, supplies or workers to a Construction Site.

Declarant

The term “Declarant” shall mean and refer to The Timber Springs Property Owners Association, a Colorado corporation, its successors and assigns other than individual lot purchasers.

Declaration

Declaration shall mean that certain Declaration of Protective Covenants, Conditions, Restrictions and Easements for Timber Springs, as recorded in the Office of the Clerk and Recorder for Eagle County, Colorado under Reception No. 760130 as it may have been or may be amended from time to time by Supplemental Declaration.

Design Guidelines

The review procedures, restrictions, and construction regulations adopted and enforced by the Design Review Board as set forth in this document and as amended from time to time by the Design Review Board.

Design Review (DRB)

The committee appointed by the Declarant described in Declaration of Protective Covenants, Conditions, Restrictions and Easements for Timber Springs (CC&R’s) as the “Design Review Board.” The Design Review Board shall review and either approve or disapprove proposals and/or plans and specifications for all Construction Activity within Timber Springs.

Excavation

Any disturbance of the surface of the land (except to the extent reasonably necessary for planting of approved vegetation or soil testing), including any trenching which results in the removal of earth, rock, or other substance or any grading of the surface.

Fill

Any addition of earth, rock, or other materials to the surface of the land, which increases the natural elevation of such surface.

Gross Floor Area

The total floor area of a building which includes basements, covered parking, storage, and mechanical area as measured from outside wall to outside wall. See also the definition for “Maximum Gross Floor Area” which applies to Lot Diagrams, Homesite Features and these Design Guidelines.

Homesite

That portion of a Lot, which encompasses the area in which all improvements must be built as specified on the Lot Diagram for each Lot.

Improvement

Any changes, alterations, or additions to a Lot including any excavation, fill residence or buildings, outbuildings, roads, driveways, parking areas, walls, retaining walls, stairs, patios, courtyards, landscape plantings, fences, signs, and any structure of any type or kind.

Lot Diagram

The term “Lot Diagram” shall refer to the drawing prepared for each individual Lot. Each Lot Diagram specifies the required Homesite area, specific building height, suggested driveway access, views, and any additional special restrictions pertinent to the development of the Lot.

Maximum Gross Floor Area

“Maximum Gross Floor Area”, as shown in the Lot Diagrams and Homesite Features, means the sum of the gross horizontal areas of all floors of a building measured from the outside of all exterior walls, including but not limited to, lofts, stairways, fireplaces, halls, habitable attics and basements, bathrooms, closets, and storage or utility/mechanical areas; and not including crawl space, garages or areas designed for parking or loading within the building. The entire area of basements which have any exposed exterior walls with windows and/or doors shall be included in the Maximum Gross Floor Area calculations for these guidelines. Subterranean basements will not be included but will be included for parking calculations if bedrooms are developed.

Minimum Floor Area

“Minimum Floor Area” shall be 2,500 square feet (“floor area” is defined the same as in “Maximum Gross Floor Area” above).

Member

“Member” means each person or entity who holds a membership in the Association.

Owner

The term “Owner” shall mean the record holder of legal title to fee simple interest in a Unit or interest therein. The Owner may act through an agent provided that such agent is authorized in writing to act in such capacity.

Owner’s Representative

Any Contractor, Subcontractor, agent, or employee performing the duties of an Owner with the consent of an Owner in connection with any Construction Activity.

Public Safety Department

Any entity, if any, which has been contracted or created by the Association to provide public safety, security, and/or enforcement of Association rules and regulations or any other entity to whom such responsibilities may be delegated by the Associations from time to time.

Quiet Work

Work or Construction Activity conducted on the Construction Site, which is not audible from adjacent Sites by homeowners or visitors.

Residence

The building or buildings, including any garage, or other accessory building, used for residential purposes constructed on a Lot, and any improvements constructed in connection therewith.

Timber Springs

All Covered Property as defined in the applicable Declaration or Supplemental Declaration.

Timber Springs Development Plan (TSDP)

A document showing easements, lot lines, Homesites and approximate existing site features affecting development.

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V. Design Review Board Organization

A. Design Review Board Membership

The Timber Springs Design Review Board (DRB) shall consist of three to five members appointed by the Board of Directors of the Timber Springs Property Owners' Association. Two members shall constitute a quorum to transact any business of the Design Review Board. At its discretion, the Board of Directors may designate an alternate member of the Design Review Board to substitute for any regular member unable to be present at regularly scheduled meetings. Members of the Design Review Board need not be members of the Timber Springs Property Owners Association.

The regular term of office for each member shall be one year, coinciding with the fiscal year of the Association. Any member may be removed by the Board of Directors at any time by written notice to such appointee. A successor to fill such vacancy shall serve the remainder of the term of the former member. Any member of the Design Review Board may at any time resign upon written notice delivered to the Board of Directors.

B. Duties and Powers

Pursuant to the Declaration, no Improvement may be constructed or installed on any Lot without the prior review and written approval of the Board. The Board may approve a proposed Improvement, approve a proposed Improvement subject to the satisfaction of certain conditions imposed by the Board, or withhold its approval to a proposed Improvement.

Applicants for Board action may, but need not, be given an opportunity to be personally heard in support of their application. If the Board gives approval with conditions, the applicant will be allowed to meet with the Board, if requested by the applicant.

All plans for site preparation, building construction, landscaping and site modifications, modifications to the exterior of buildings, alterations or enlargement of an existing structure, paving, fencing, sign erection, or other improvements must receive written approval from the Design Review Board. Approval from the DRB must be received prior to initiating any of the above activities. Alterations or remodeling of existing improvements which are completely within a building or structure, and which do not change the exterior appearance of a structure may be undertaken without Design Review Board approval.

During the construction process, no changes, alterations or additions to any plan or specification shall be made prior to obtaining written approval by the Design Review Board.

The Design Review Board shall rely on and have the right to interpret the guidelines contained herein as the primary basis for evaluating development proposals. The approval or consent of the Design Review Board shall not be unreasonably withheld, actions taken shall not be arbitrary or capricious and decisions shall be conclusive and binding on all interested parties, subject only to the right of appeal by the applicant and review by the Design Review Board. Notwithstanding the above, the DRB shall have sole discretion to approve or deny

any proposed improvement or development. Upon showing of good cause, the DRB may approve variances from any regulation or restriction contained herein, in accordance with the provisions of the Declaration of Protective Covenants, Conditions, Restrictions and Easements for Timber Springs.

The Design Review Board or its designated representative may monitor any approved project to the extent required to ensure that the construction or work on such project complies with any and all plans and construction procedures. The Design Review Board or its designated representative may enter upon any property at any reasonable time to inspect the progress, work status, or completion of any project. In addition to the enforcement of these guidelines, the Design Review Board may withdraw approval of any project and require all activity at such project to cease and desist if deviations from approved plans or construction procedures are not corrected or reconciled within 24 hours after written notification to the Owner specifying such deviations. Any material to be submitted or notice given to the Design Review Board shall be submitted at the office of the Design Review Board.

C. Operating Procedures

The Design Review Board shall select its own chairman and vice-chairman from among its members. The chairman, or in his absence the vice-chairman, shall be the presiding officer of DRB meetings. In the absence of both the chairman and the vice-chairman, the members present shall appoint a member to serve as acting chairman. Meetings shall be held upon call of the chairman or vice-chairman. All meetings shall be held in Eagle County.

A majority of members shall constitute a quorum for the transaction of all business. The affirmative vote of a majority of the members of the Design Review Board shall constitute the action of the Design Review Board on any matter before it. An alternate member may participate at any meeting at which there is not a quorum and shall have all of the full authority of a regular member. In the absence of a quorum, Design Review Board meetings shall be adjourned to a later time or date as determined by the chairman.

D. Right of Waiver

The Board maintains the right to waive or vary the Standards and/or Procedures in its reasonable discretion, as it deems necessary or appropriate.

E. Non-Liability of the Board and Declarant

Neither the Board nor the Declarant shall be liable to anyone submitting plans to them for approval, or to any Owner by reason of mistake in judgement, negligence or non-feasance arising out of or in connection with the approval, denial, or failure to approve any plans and specifications. Every Owner or other person who submits plans to the Board for approval agrees, by submission of such plans and specifications, that he will not bring any action or suit against the Board or Declarant to recover damages. Approval by the Board shall not be deemed to constitute compliance with the requirements of any local building codes and it shall be the responsibility of the Owner or other person submitting plans to the Board to comply therewith.

F. Grading, Dimensions, Elevations, and other Information Submitted By An Owner

Any Owner submitting plans for approval to the Board shall be responsible for the verification and accuracy of all Lot dimensions, grade, elevations, and the location of the key features of the natural terrain.

G. Design Review Fees, Compliance Deposits and Fines

The Board of Directors established design review fees to defray the costs of reviewing applications submitted to the Design Review Board (see application type Exhibit “D” for fee structure). A Compliance Deposit (see Requirements under Section IX) also be required in order to guarantee compliance with construction regulations and the completion of all improvements as proposed and approved. Finally, additional escrowed funds in an amount sufficient to guarantee completion of proposed landscaping or other site work may be required if a Certificate of Compliance is requested prior to the completion of landscaping and site improvements. All fees are payable to RHM Designs LLC, or such other consulting firm as designated by the DRB, and deposits shall be payable to the Timber Springs Property Owners’ Association.

Failure to show up to a DRB meeting, or pre-construction meeting may result in additional fees. Failure to have a site completely finished (including removal of all construction materials) at Final Inspection and the scheduling of more than three meetings with the DRB for the review process may also result in additional fees. Fines for non-compliance will be determined by the DRB.

H. Design Consultants

The Design Review Board is authorized to retain the services of one or more consulting architects, landscape architects, or land planning consultants to advise and assist the DRB in performing design review functions. Such consultants may be retained to assist the DRB on a single project, on a number of projects or on a continuing basis. Costs of such services shall be borne by the applicant.

I. Amendments to Design Guidelines

The Timber Springs Design Guidelines may be amended from time to time at the sole discretion of the Design Review Board. All such additions, revisions or other amendments shall have an effective date designated and shall be made part of the Timber Springs Design Guidelines and shall, therefore, have the same force and effect. Each owner is responsible for obtaining the most current set of design guidelines from the Design Review Board.

J. Enforcement

The Design Review Board shall have primary responsibility for the enforcement of the Design Guidelines and restrictions set forth herein. Authority of the DRB shall be as outlined

in the Declaration of Protective Covenants, Conditions, Restrictions and Easements for Timber Springs.

Except as otherwise provided in the Declaration, the Board shall have the right to enforce, by a proceeding at law or in equity, the provisions, conditions, and regulations now or hereafter imposed by the Board. Failure by the Board to enforce any provision or regulation herein contained shall in no event be deemed a waiver of the right to do so thereafter.

K. Resubmittal of Plans and Appeal

In the event of any denial or conditional approval by the Board of a schematic design, preliminary design, or construction document submission, the resubmission of plans shall follow the same procedure as outlined in Section IX. The Owner or his architect shall reply in writing to any concerns expressed by the Board during the review process. Any exterior additions or changes to the Lot or residence that are not part of the original construction document approval shall be submitted to the Board for review and approval following the same procedure as outlined in Section IX hereof.

L. Owner Representation

All representatives of the Owner, including but not limited to his architect, engineer, contractor, subcontractor, and their employees, shall be made aware of and abide by the standards and procedures outlined in the Declaration; Declaration of Protective Covenants, Conditions, Restrictions and Easements for Timber Springs; the Articles of Incorporation for the Timber Springs Homeowners Association; and these Standards and Procedures, and the Construction Period Regulations.

VI. Lot Development Standards

A. Introduction

The Lot development standards, together with the architectural and landscape standards, form the basic visual and planning direction necessary to maintain the natural and integrate residential development into it.

The preservation of open space, common areas, and indigenous vegetation combined with sympathetic residential design and Lot planning is the overriding goal of the Board and in turn the Owners involved in this process.

Due to the topography, ridgelines and general terrain found in Timber Springs, site planning is a particularly important part of the design process. Generally, buildings should be sited to maximize the attributes of a site while minimizing the disturbance of the site's natural features.

The overall form, massing and location of a building should be designed in response to the natural landforms and topography of a site. On steep sites, buildings should be designed to step with site contours. In order to minimize site grading, level changes should be incorporated into a building to create a composition of forms rather than a single massive structure on a single level. Building forms and rooflines should relate to surrounding land forms and natural slopes. Careful consideration must also be given to driveways and access when locating a building on a site.

The following Lot development standards will be in effect at Timber Springs.

B. Building Envelopes

A building envelope has been defined for all residential lots in Timber Springs. The purpose of defining building envelopes is to reduce uncertainty of neighbors as to the location of future construction and to promote buildings in harmony with and subservient to the surrounding natural features with consideration given to views from neighboring lots.

The building envelope defines the portion of each lot within which most improvements must be located. Improvements include all buildings, accessory buildings, garages, decks, patios, terraces, retaining walls, site walls, fences, screens, and recreational facilities. At the direction of the Design Review Board, retaining walls, site walls, fences, patios, and other similar improvements may be located outside the building envelope. Landscape screening to allow for view corridors and privacy barriers are encouraged and are allowed to be located outside of the building envelope but shall require Design Review Board approval. Refer to the applicable Eagle County Land Use Regulations for specific restrictions and allowances pertaining to setbacks. It shall be demonstrated by the applicant that such improvements do not adversely affect the natural characteristics of the site or impact adjacent properties.

The Board on an individual basis will judge the specific locations of structures and improvements in relation to the Building Envelopes. Each building location will be analyzed as to its visual impact, relationship to views and neighbors, safety, access, and preservation of existing significant trees and landscape features.

C. Building Siting

Most building sites in Timber Springs have some degree of slope, and as such, the locations of buildings and site improvements are a key component of the design process. The underlying goal of site planning guidelines is for all buildings, structures, and site improvements to be integrated with the natural features of a site. Building form, orientation and massing should respond to natural landforms, drainage patterns, topography, vegetation, views, and sun exposure. Buildings should step with the site, accomplishing level changes through a composition of forms rather than extensive site grading. Building forms and rooflines should relate to site contours and surrounding land forms. Exposed building profiles atop ridgelines and harsh angular forms that are in contrast to natural slopes should be avoided.

The location and design of buildings should minimize disturbance to existing vegetation on a site. Access should also be considered during the site planning and building design process to minimize extensive cut and fill slopes.

D. Grading and Drainage

No Owner or contractor shall interfere with or redirect the natural course of any drainage and runoff nor construct any Improvement, place any landscaping or alter the drainage pattern or runoff from its natural flow into or across the land of another except to the extent such alteration in drainage pattern or runoff is approved in writing by the Board, and any other public authorities having jurisdiction. This is to include all irrigation ditches and canals now existing at Timber Springs.

Cut and fill slopes should be kept to a minimum by utilizing the natural contours of a lot in the design of buildings and site improvements. The maximum allowable cut is twelve feet. When cut and fill slopes cannot be avoided, they shall be feathered into the existing terrain and revegetated to blend with adjacent vegetation. Final grading of long slopes should be designed to avoid unnaturally broad, flat surfaces. Allowable slopes for cut and fill banks should be based upon site-specific soil characteristics, but in no case should they be greater than a 2:1 slope. Re-contouring of large areas or "over lot" grading is prohibited. Finish grading shall be consistent with existing contours.

Drainage plans for such sites shall provide for on-site detention of 100-year storm flow in excess of historic flow. Improvements to minor drainages or the development of new drainage swales to accommodate the improvements shall be constructed as natural grass-lined swales with a minimum two percent gradient.

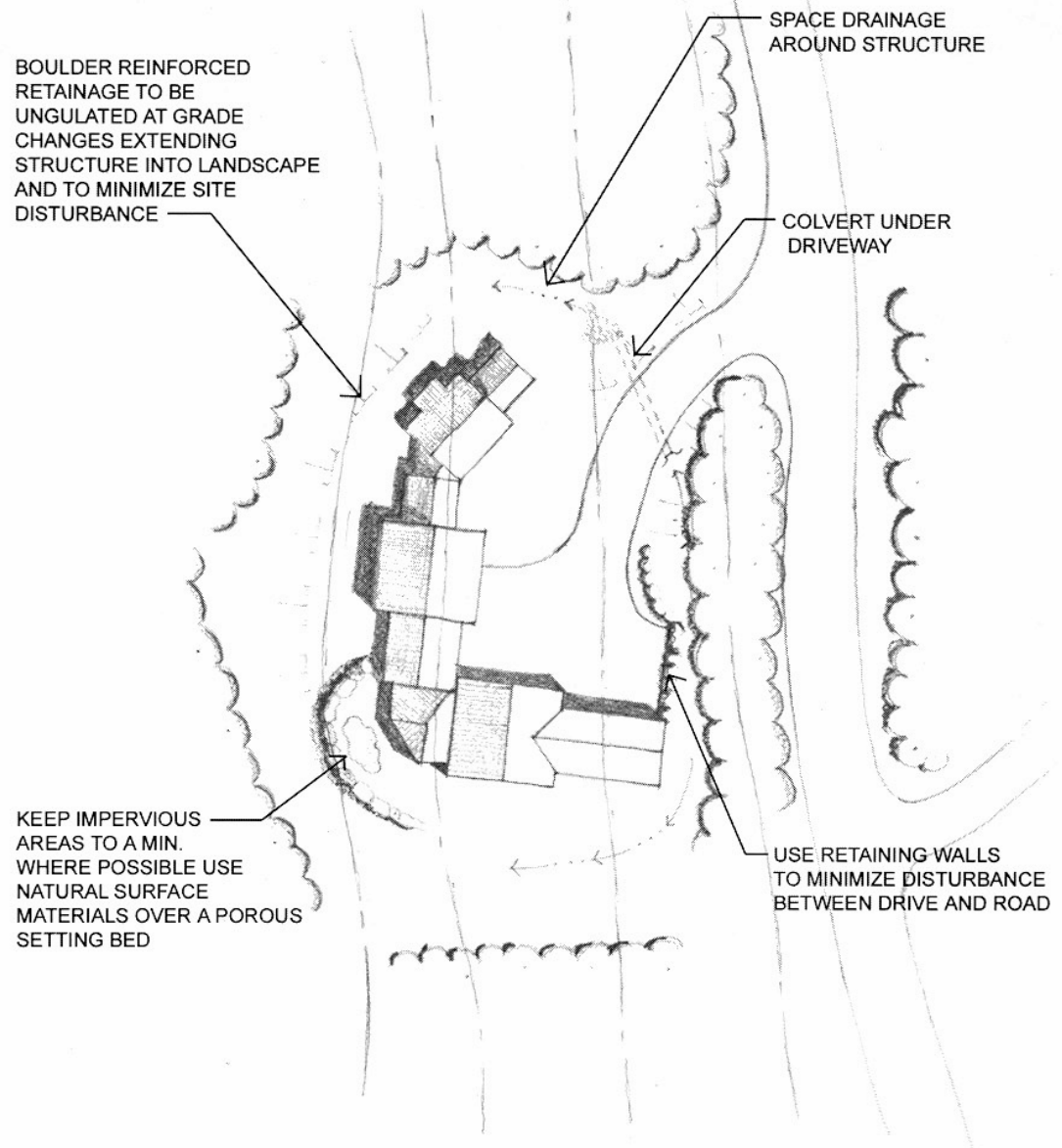


FIGURE #1
GRADING EXAMPLE

E. Driveways

Driveways shall be designed to follow site contours as much as possible and to minimize impacts upon significant plant materials, rock outcroppings, wetlands, natural contours, and drainage patterns. Portions of the driveway, drainage and landscaping within the street right-of-way are the responsibility of the owner. Adequate areas for snow removal and storage should be incorporated into the design. The driveway shall meet the main road at no less than a 75-degree angle for no less than a 20-foot length measured at centerline. Under special site conditions, the Design Review Board may allow the intersection to be less than a 75-degree angle. Indirect or side-loaded access to the garage opening is encouraged. Driveways must follow all County and local government regulations.

Grading and modifications to existing site contours should be minimized to the greatest extent possible. Recommended maximum driveway grades are 3-4% for the first 20 feet from the roadway, and 10% on all other portions of the driveway. The driveway grade may be increased to 12% if there is a snowmelt system in place. In addition, driveways should be designed with a 2% negative grade from the centerline of the road to the adjacent ditchline. With the exception of on-site parking areas adjacent to garages, the maximum driveway width shall not exceed 12 feet, except at stream crossings.

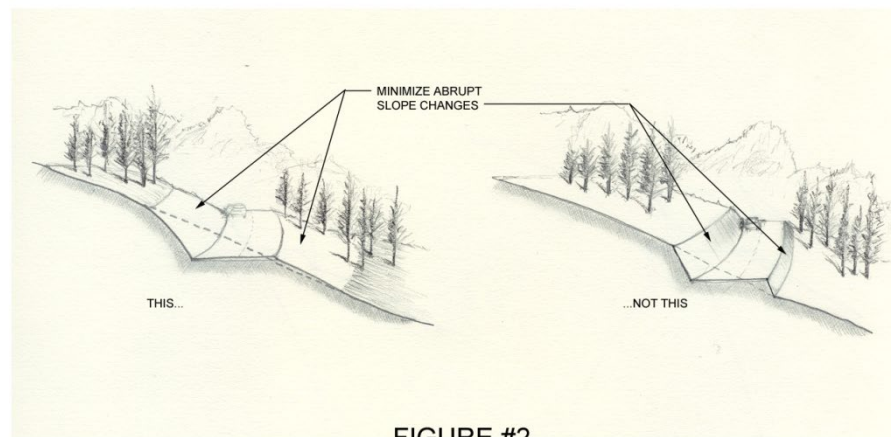


FIGURE #2
DRIVEWAY GRADING

Roadway drainage shall be accommodated by a culvert under the driveway. The size of the culvert shall be engineered and constructed at the owner's expense. When culverts are required, culvert ends shall be cut to match the slope. A culvert detail shall be included with the site plan. The culvert must extend a minimum of 8' on either side of the drive. If endwalls are used, they shall be constructed of stone or concrete faced with stone to match building materials. Flared metal ends are unacceptable. For specific guidelines on paving materials refer to the Driveway Paving Materials section of the Landscape Design Guidelines.

Any improvements made within a right of way or an easement are at risk and subject to repair, removal, or replacement at the owner's expense.

Access Roads or Driveways shall span the flowing springs and creek areas by the use of bridges or stone-faced culverts. Bridges shall be constructed of steel, heavy timber, stone, or the combination thereof.

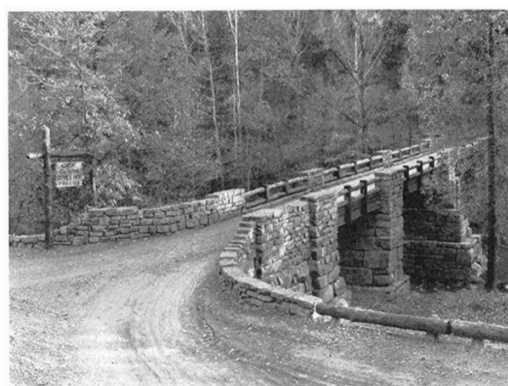
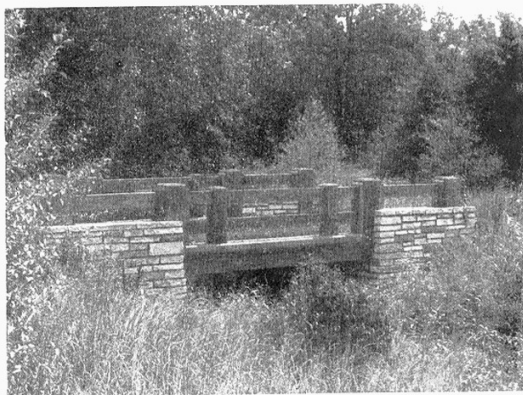
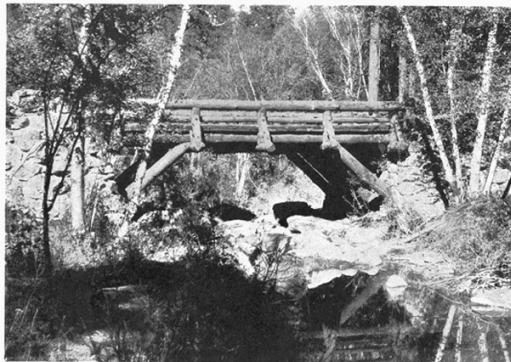


Figure #3
Site Entry Bridges

There shall be one driveway access per site and should be located as indicated on Exhibits B-1 through B-8 in the Declaration of Protective Covenants, Conditions, Restrictions and Easements for Timber Springs to minimize disturbance to existing wetlands and vegetation. Construction access shall be limited to the permanent driveway access.

F. Parking and Garages

A minimum of three parking spaces shall be provided for each single-family dwelling, unless further restricted by the ECLURs. All parking shall be located within the building envelope. At least two of the required parking spaces shall be fully enclosed within a garage. The minimum size of indoor parking spaces is 10' x 20' and for outdoor parking spaces is 9' x 18'.

Garages should be attached or semi attached to the main residence. The DRB may, however, approve garages that are physically separated from the main residence if such a design is warranted by existing site contours and will result in a more sensitive design solution. In all cases, the design of the garage shall be compatible with the architecture and materials of the main residence.

G. Exterior Equipment and Satellite Dishes

All outdoor mechanical and electrical equipment, such as metering devices, transformers and air conditioning units shall be concealed from the view of adjacent lots and public spaces. Wall mounted equipment shall be enclosed with material to match exterior wall material of the residence. Refer to the Retaining Walls, Landscape Walls, Fences and Screening section of the Landscape Design Guidelines for appropriate means of screening free-standing equipment. Window or wall-mounted air conditioning units are not permitted.

Built-in exterior barbecue grills or similar outdoor entertainment facilities may be allowed on terraces and patios provided the exterior walls of the built-in appliances are constructed of a similar material to the exterior of the residence. Stone is an appropriate material; wood siding is not.

Satellite dishes no larger than 24" in diameter may be approved by the DRB provided the dish presents no significant adverse visual impacts on adjacent lots or public roadways. Dishes shall be sited to minimize their visibility from adjacent lots and public roadways. The dish shall be painted to blend with surrounding buildings or landscape. In addition, landscape materials shall be utilized to screen the dish. Rooftop installations are not permitted.

Flagpoles must be located within a building envelope and must be indicated on the site plan. Location and materials are subject to DRB review and approval.

H. Easements and Utilities

Utility and drainage easements have been established across each lot to facilitate drainage and the installation and maintenance of all utilities. No grading, site improvements, or

landscape materials that may damage or interfere with utilities or drainage shall be permitted within these easements. Notwithstanding the above, landscape plans shall address easement areas and in all instances revegetation shall be required for all areas within easements that have been disturbed during the installation of individual residential utilities.

Connections to all utilities including gas, electricity, telephone, and cable television shall be installed underground from existing trunk lines. Utility connections from main service lines to individual buildings shall be located to minimize disruption of the site and existing vegetation. Utility meters shall be located on the home. Utility boxes on the site shall be enclosed and screened.

Utility meters, garbage areas, and other related utilitarian features shall be screened, buried, or enclosed from view and designed as an integral (not stand alone) part of the home. Specific written approval must be obtained for such features. Such features shall be of an approved color.

In accordance with the requirements of Eagle County, bear-proof trash cans, dumpsters, or dumpster enclosures shall be provided.

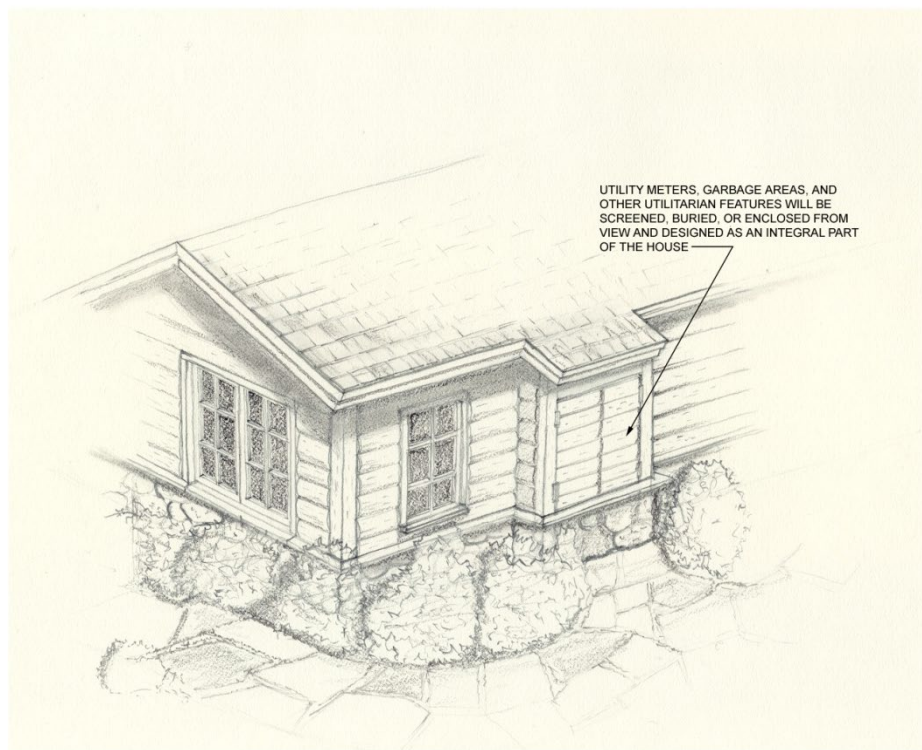


FIGURE #4
UTILITY METERS

Sewage disposal systems for residential dwelling units shall be installed pursuant to Eagle County regulations for septic tanks and leach fields. The location of the sewage disposal system must be approved by the Design Review Board.

All lots within Timber Springs are planned to be served by wells, pursuant to all local, State and Federal regulations.

I. Recreation Facilities

All recreational facilities, structures, and improvements, including swimming pools, shall be located within the building envelope. Permanent or temporary overhead structures to cover recreational facilities are not permitted. Open structures, such as trellis and pergolas, may be allowed, but must be approved by the DRB. Walls, fences, or landscaped screens may be required to reduce the visual impact of recreational facilities from adjacent properties. Basketball hoops may be permitted provided they are not attached to the buildings and are not visible from the road.

Due to the existing topography and extensive grading that would be required to create a flat buildable surface, tennis courts are not permitted in Timber Springs.

J. Signage

All signage, including project identification, construction and address identification must have approval of the Design Review Board prior to installation.

All residences are required to have street address signs that are located adjacent to driveway access and visible from the road. Residential identification signs may be illuminated and shall be a minimum size of one square foot and maximum of four square feet. In order to ensure continuity along Timber Spring's roads, the use of a common bollard design is required.

Figure 5 shows bollard/entry sign designs have been approved by the DRB for use on residential lots. Alternate designs may be proposed, however, all bollards should use the same materials and reflect the general design concept as indicate. All proposed designs and the location of such signs are subject to DRB approval.

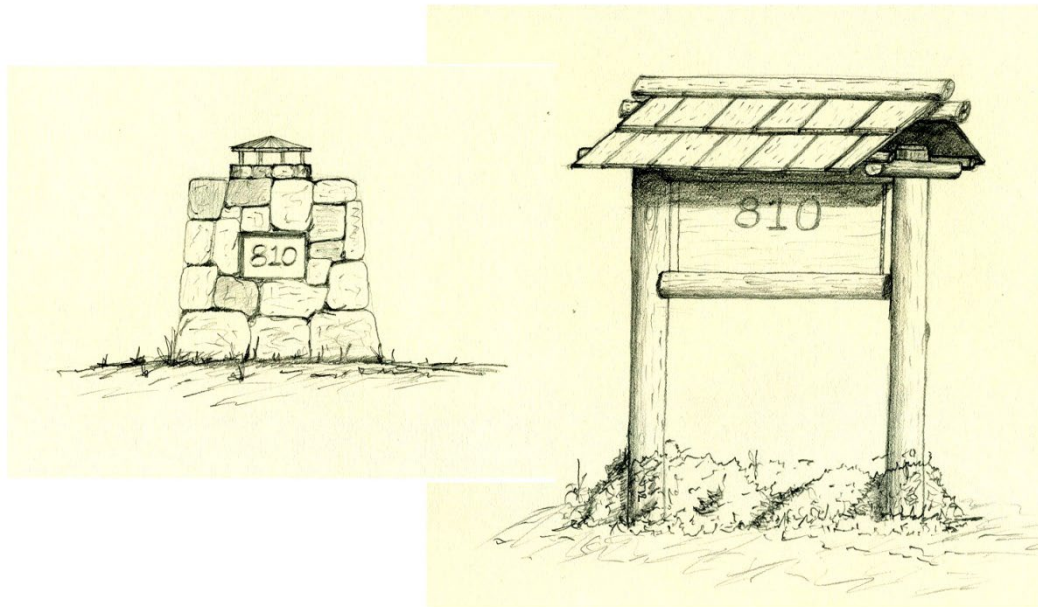


FIGURE #5
LOT ENTRY SIGNAGE

One temporary construction sign not to exceed 20 square feet shall be permitted on each lot. The removal of construction signs shall be required prior to the issuance of a Temporary Certificate of Occupancy or Final Certificate of Occupancy. Details of the construction sign allowance may be found in the Construction Rules and Regulations.

K. Pathways and Walkways

Major circulation routes should be a minimum of six feet in width and lighted with low profile indirect down lighting for nighttime use. Surface materials may be asphalt, flagstone, brick pavers, cobbles, or exposed aggregate concrete. Minor paths and walkways should be a minimum of four feet in width and may be constructed of either asphalt, crushed rock, flagstone stepping stones or wood bark chips.

Owners are allowed to construct footpaths along the creek to connect to any common area trails which may be constructed on the individual lots.

L. Wetlands

Each lot within Timber Springs is impacted by wetlands. When feasible, wetlands located within or near individual building envelopes should be preserved as an amenity. The potential impacts created from the proposed access driveways have been calculated within the overall project impacts and have received the approval of the US Army Corp of Engineers, Permit number 200175187. When additional impacts from access drives or

structures cannot be avoided, it is the owner's responsibility to obtain all necessary permits from the US Army Corp of Engineers and Eagle County as may be required.

M. Wildfire Regulations

All habitable structures within the Timber Springs shall conform to the following Wildfire Safety Measures:

1. All roofs shall be kept clear of debris;
2. All floor, roof, and attic openings shall be enclosed;
3. Cedar Shake roofing may only be used if treated with a fire retardant - Fire retardant cedar shakes must be pressure impregnated - No surface only application of fire retardants on wood shake roofing is allowed;
4. Only Noncombustible Underwriter Laboratories Class "A" approved roof finish materials must be used, unless approved by the DRB;
5. Remove all tree branches within fifteen feet of chimneys;
6. Install approved spark arrestors on fireplace chimney;
7. Keep roof free of flammable debris;
8. Keep trees and shrubs pruned and thinned in defensible space;
9. Thin trees to eliminate overlay of canopy;
10. Thin shrubs to create small widely separated patches within defensible space;
11. All tree branches hanging within 15 feet of buildings shall be removed;
12. All weeds and debris shall be cleared a minimum of 10 feet from the foundation of buildings;
13. Thin out brush within 30 feet of each building;
14. Prune dead limbs to a height of at least 10 feet;
15. No vehicles may park in tall grasses;
16. Place one or more 10-pound ABC- Class fire extinguisher in each home;
17. Maintain external water source on all houses;
18. Utilize outdoor water supply for fighting fires (i.e. fire hydrants, ponds, etc.);
19. Stack firewood at least 15 feet from building and uphill or on a contour or in a designated area and remove fuels from the vicinity of the firewood;
20. Install smoke detectors in houses;
21. Maintain residential numbering system plainly visible from the road;
22. Develop emergency wildfire hazard evacuation plans;
23. All horizontal at-grade surfaces such as decks and patios are encouraged to be constructed with fire impervious materials such as stone or pavers - Decks and porches connected to the structures may be constructed of wood.

VII. Architectural Guidelines

All design requirements set forth within this section shall be incorporated into the construction document review submittal in the form of general notes, details, or drawings.

A. Introduction

The goals of architectural design for Timber Springs are to encourage the integration of buildings with their site, and to ensure a high level of design quality throughout the community. It is intended that the design of the Lots and Improvements be as indigenous to the physical and historical context of Timber Springs and the mountain region as possible. These goals will be achieved by sensitive design and the use of building materials and colors that blend improvements with their site.

Buildings should step with the site, accomplishing level changes through composition of forms rather than massive site grading. Building forms and rooflines should relate to surrounding landforms and natural changes in grade. Exposed profiles on ridgelines and harsh angular forms that are in conflict with natural slopes should be avoided. The use of exterior materials and colors with ties to indigenous site characteristics will lessen the visual contrast of buildings and allow a strong integration of landscape and structure.

It is required that all Owners engage a licensed architect, familiar with mountain home design, for the design of their residences. It is further required that the architect personally visit the Lot prior to the first submission.

“Off the Shelf” or stock plans are not acceptable design solutions for Improvements on Timber Springs Lots.

Repetitive use of the same plan shall not be allowed at Timber Springs.

B. Building Forms

Structures shall be designed by carefully integrating three basic building elements with the site as well as with each other.

1. Foundation walls shall form the heavy base that merges with the ground surface rather than just sitting on a flat grade. They shall consist primarily of moss rock and red sandstone styles generally one story in height or less and on down-hill portions up to on and one-half stories in height. Walls are to be battered or shaped into the site’s topography to further blend the building with its setting. The design intent is to obscure the line of demarcation between the structures and the site itself.

2. Building walls are not to exceed two stories in height and may be constructed of logs, timber, approved siding, or stone. Decks, balconies, or porches projecting out beyond building walls shall be supported by log, stone, or heavy timber structures no more than one story in height. Undersides are to be fully hidden from off site views by planting or infill materials. Smaller projections may be supported by brackets or outriggers with undersides finished and enclosed architecturally. Larger decks shall be stepped to follow the natural terrain and shall be broken up to avoid long horizontal lines.
3. Roof shapes shall be sloped and contain gable ends and dormers and must be the dominant element within the structure. Hipped roofs are strongly discouraged.

Overall, the building forms in Timber Springs should be understated and simple with extended eaves on pitched gable roofs, having an appearance of being added on to over time. With large sheltering roofs clearly supported by large over-scaled vertical structural elements such as log walls, columns, or stone piers, that rest on strong foundations merging with the land. The architecture is enriched by handcrafted details that thematically convey an understanding of the region's folklore, wildlife, and flora. Details may be expressed in ironwork, carved wood, etched glass, stone, woodwork, trim, and joinery.

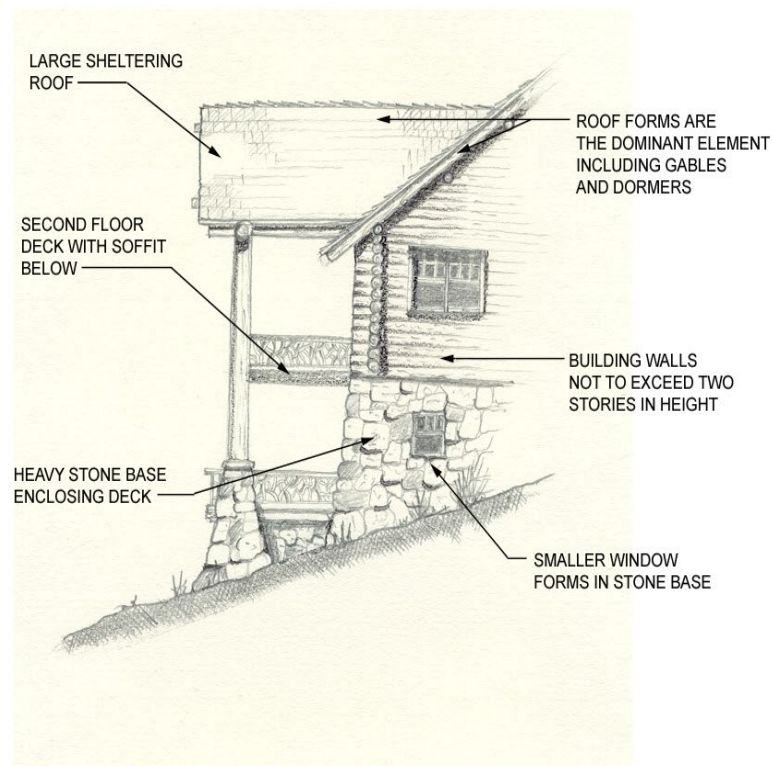
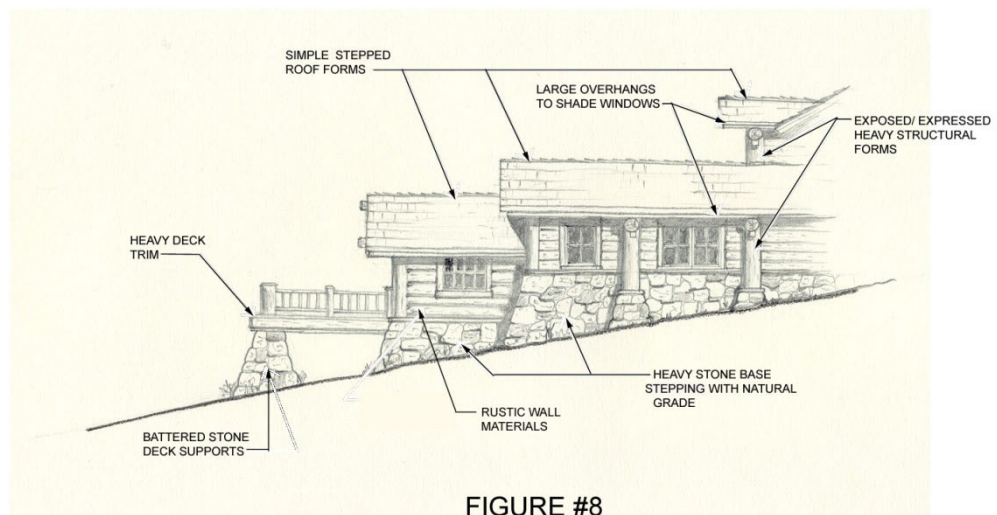
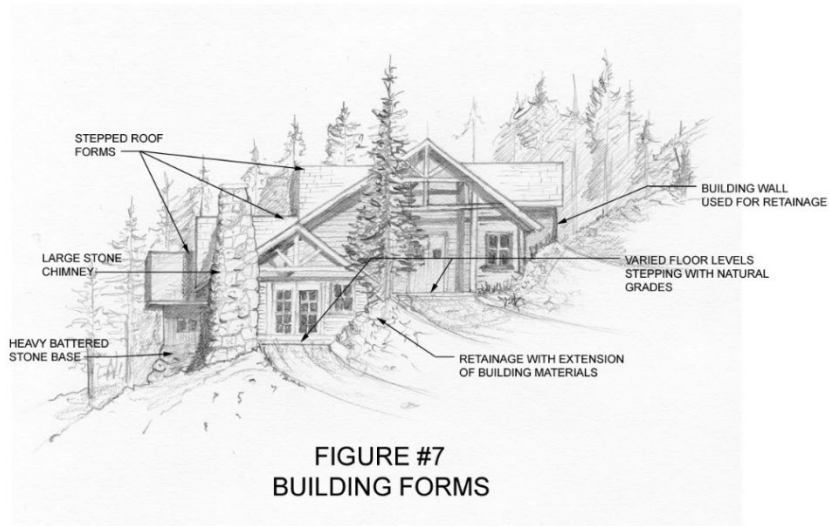


FIGURE #6
BUILDING FORMS



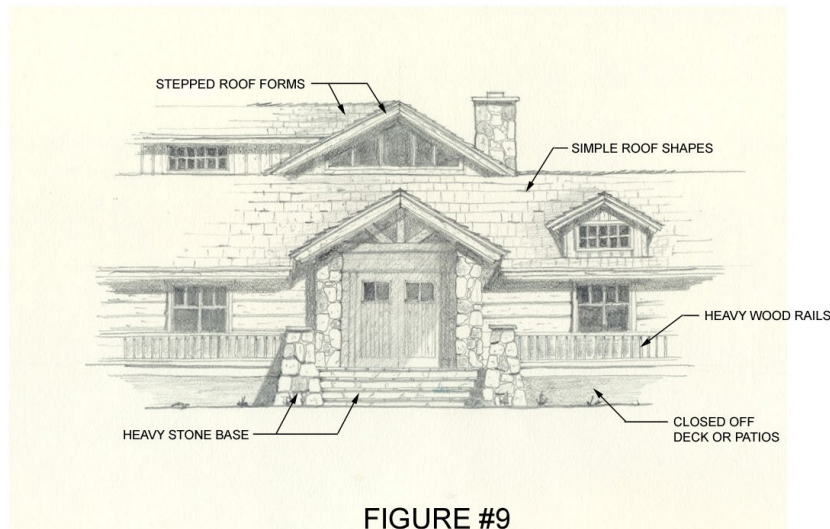


FIGURE #9
BUILDING FORMS

C. Land Uses

Each site will be permitted the following uses, unless further restricted by the Eagle County Land Use Regulations:

- Lot 1 Single Family Dwelling Unit
- Lot 2 Single Family Dwelling Unit
- Lot 3 Single Family Dwelling Unit
- Lot 4 Single Family Dwelling Unit
- Lot 5 Single Family Dwelling Unit
- Lot 6 Single Family Dwelling Unit
- Lot 7 Single Family Dwelling Unit
- Lot 8 Single Family Dwelling Unit

D. Building Size

Primary Dwelling Unit

Unless further restricted by the Eagle County Land Use Regulations (ECLUR), Single-family residences shall have a minimum footprint of 2,500 square feet and a maximum footprint of 8,000 square feet. The building footprint is calculated by the outside dimensions of the building foundation, excluding porches, patios, or other unroofed areas. The overall floor area of enclosed habitable space for single-family residences shall be at a minimum of 2,500 square feet and a maximum of 8,000 square feet.

When two-story homes are proposed or two-story elements stepping with the natural grade are proposed, the second floor (above grade) for each element shall be limited to a maximum of 70% of the first-floor area above which it sits.

E. Setbacks

Building Setbacks are defined by the designated building envelopes on each lot. In addition to the designated building envelope the following setbacks shall apply unless further restricted by the ECLURs, State or Federal rules and regulations.

| | |
|--|--|
| Setback of improvements from stream: | A 50-foot strip of land or the 100-year flood plain, whichever is the greater distance, measured horizontally from the centerline of any live stream shall be protected in its natural state. Footpaths, bridges (driveway access), fences, irrigation structures, flood control, and erosion protection devices may be constructed thereon. |
| Setback of a well from a stream: | 25' |
| Setback of a well from a property line: | 10' |
| Setback of a leach field from a stream: | 50' |
| Setback of a well from a leach field: | 100' |
| Setback of a leach field to property line: | 10' |
| Minimum rear yard setback: | 12.5' or half the height of the tallest building on the lot, whichever is greater. [Note: the minimum rear yard setbacks may be more restrictive than the building envelopes depending on the building heights.] |
| Minimum side yard setback: | 12.5' or half the height of the tallest building on the lot, whichever is greater. [Note: the minimum side yard setbacks may be more restrictive than the building envelopes depending on the building heights.] |

F. Building Height

The building height limit for each homesite at Timber Springs is 28 feet, as defined below. Maximum allowable building heights are not intended to imply that all portions of a building may be built to the maximum allowable height limit. Rather, building height and massing shall be designed in relationship to the characteristics of the topography of each site and in all cases buildings shall be designed with a low-profile understated appearance. Form and massing shall step with the natural grades.

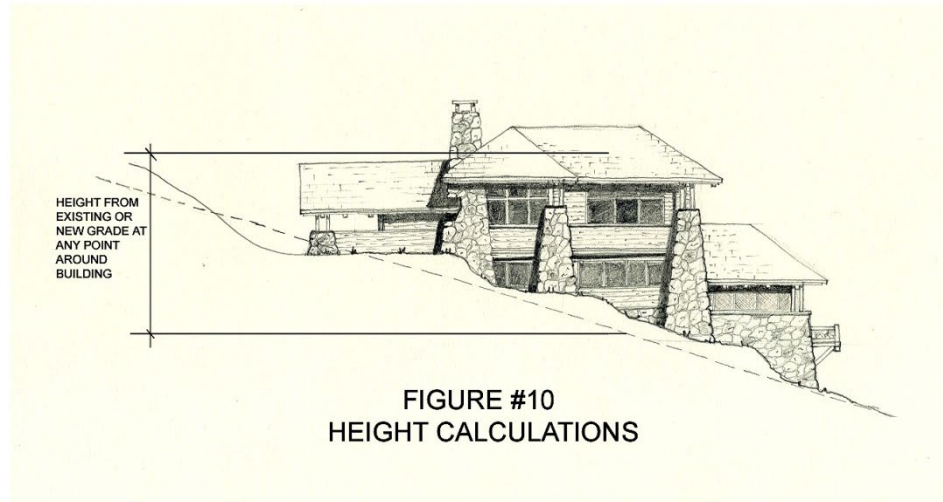
Building Height (exclusive of chimneys) shall be measured from any point around the building at existing or finished grade (whichever is more restrictive) to the mid-point of the highest sloping roof above. Existing grade is the natural topography that exists before any development takes place. Height measurement of buildings with stepped roofs will be at the discretion of the DRB. Refer to Figure 10.

The intent is that building roof forms and skylines will be fragmented, with foundations and roof lines stepped to follow existing slopes, and the roof lines are to appear to be below the surrounding tree top levels when viewed from off site.

For that reason, the DRB may allow cupolas, and/or roof peaks in limited areas to exceed the limits or maximum height, provided the intent is achieved. A site-specific topographical

survey completed by a registered engineer, or surveyor must be used to determine existing grade. Finish grade for purposes of these height calculations is the final elevation of the surface material (soil, paving or patio) adjacent to the building as shown on the architect's site plan. Construction of berms or building up grades around the building for the purposes of satisfying building height requirements shall be prohibited.

In addition to the height limit established by the definition above, buildings must also comply with building height limits as defined by Eagle County. In most cases, buildings that comply with the height definition above will also comply with the Eagle County height definition. Owners and their design team should consult the Eagle County Land Use Regulations for additional information on how Eagle County calculates building height limits.



G. Roofs

Simple patterns shall be the basis of all primary and secondary roof forms. Primary roofs are to be gabled with slopes of 6:12 to 12:12 and secondary roof slopes shall be a minimum of 4:12. Roof forms should be relatively simple and limited to mainly gable and sheds. Although clipped gables and hips are discouraged they should be incorporated and may be allowed if the Design Review Board deems them to be appropriate to reduce overall roof length and height. Roofs should be comprised of primary and secondary roof planes with 24" minimum and 18" minimum overhangs, respectively. Flat roofs are not permitted. Deep width fascias shall be multi-layered but can be narrowed if rafter tails or outriggers are exposed. Long roof overhangs are to be incorporated, especially where shading of windows

is necessary. Roof structures are to be designed to express traditional log or timber construction. Traditional trusses, braces, brackets, and column spacing are to be used where they are needed to keep the appearance of unsupported spans and cantilevers consistent with the structural properties of the visible logs and/or timbers.

Roofing materials are to be an approved Class A fire-rated artificial material that closely resembles wood shakes. Wood shakes are not permitted. Patterns, such as a rhythmic double coursing of shingles, are to be used to emphasize horizontality. Glazed tile and asphalt or fiberglass shingles are not permitted. All roofing materials are subject to DRB review and approval. Additional roofing materials beyond the Class “A” artificial material resembling wood shakes for primary roofs shall be; Vermont Slate, concrete or clay tiles or an approved synthetic material. Secondary roofs can be the same as primary or may also include Cor-Ten, zinc, or copper. All roofs shall be of a gray-brown or green-gray-brown color and shall have a non-reflective finish. Approved metal roofs will be allowed to patina naturally.

Roof edges at eaves and rakes are to be open, exposing structural elements, and not boxed in. Depths of more than 5 inches (less at dormers) at fascias or eaves are unacceptable (See Figure 30).

Flashing, gutters, and downspouts are to be minimized. Where required, they are to be constructed of durable metals, such as copper, which will weather to colors that blend with roofs and walls. Galvanized metals are not acceptable nor are painted metals.

Protection of pedestrians, walkways and driveways from snow shedding is to be handled by building gable ends, porches, and/or balconies over entrances and/or incorporating snow retention devices and shall be made of log or timbers.

Roof construction shall either be a cold roof or a super insulated design. Shed roofs shall be no more than 40% of the total roof in a single plane and gable roofs shall be limited to a maximum of 75% of the total roof in a single plane.

All exposed roof vent flashing, gutters, downspouts, and other roofing devices other than snow guards shall be made of copper. In all cases, such material shall be compatible with the colors and materials of the residence and the community.

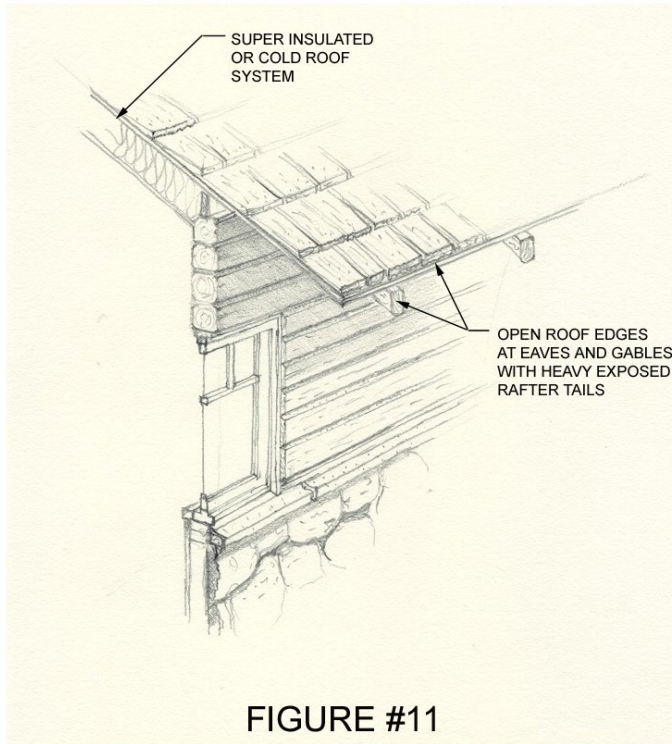


FIGURE #11
ROOF FORMS

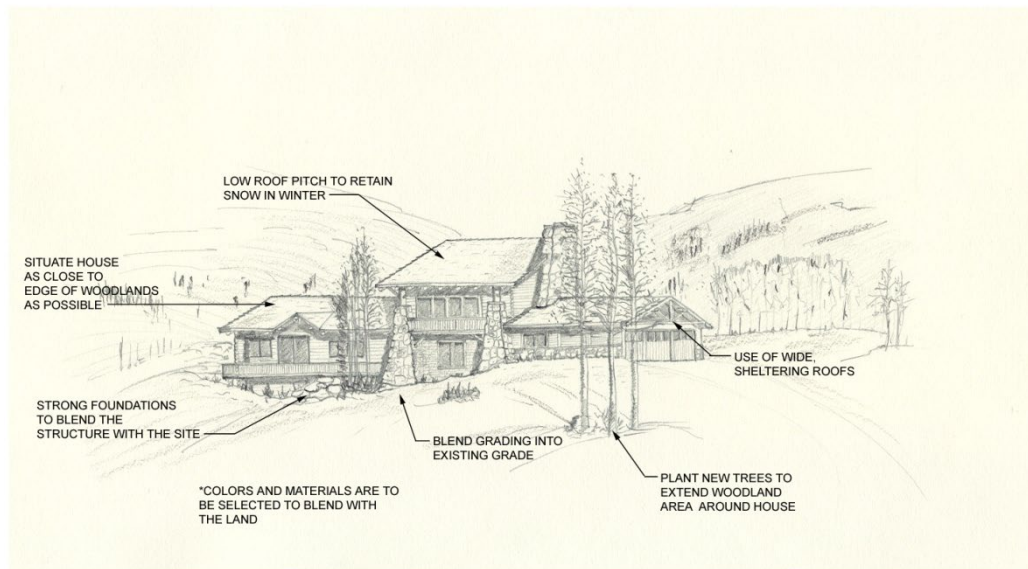


FIGURE #12
AN APPLICATION OF THE BUILDING GUIDELINES

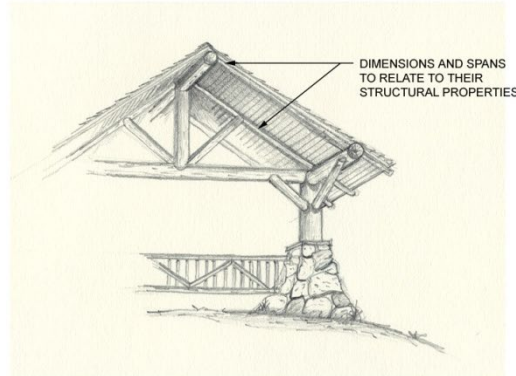


FIGURE #13
STRUCTURAL EXPRESSION OF BUILDING ELEMENTS

H. Exterior Wall Materials

As the major supporting element of a structure, exterior walls shall lend the feeling of strength and mass. The use of exterior wall materials shall therefore be selected and designed with consideration of the “visual weight” the wall must carry. The feeling of strength and mass can be accomplished with the judicious use of “solid” materials such as stone, timbers, and logs. Stone, when used, shall be Moss Rock or Red Sandstone.

In all cases, heavier materials such as stone, timbers, and logs shall be used around the base of the structure to create a “mass wall” to visually support the upper levels of the home. Foundation walls must be concealed to finished grade with one of these materials. Exposed concrete foundation walls are not allowed. Window openings in mass walls should be relatively small in scale and be used in an informal pattern on the wall with deep-set reveals and varied proportions.

In contrast to the lower mass walls of a structure, lighter natural wood elements may be used above to support the upper levels of the structure. Acceptable materials for these upper levels include logs, timbers, plank siding, board and batten, and wood shakes. These materials should be heavily textured and irregular.

Accent materials, such as metal siding, may be used in limited amounts subject to the review and approval by the Board on a case-by-case basis.

Traditional siding materials such as bevel lap, channel rustic, tongue and groove, and uniform shingles are not allowed.

Additional materials not permitted for exterior walls include plywood siding, synthetic siding, ferro cement siding, stucco, concrete block, brick, unit masonry, adobe, and contrasting light or dark grout or mortar and synthetic stone.

Large expanses of continuous wall planes shall be avoided. Generally no more than 2/3 of any exterior wall surface should be composed of wood siding. Stone shall cover at least 15% of the exterior wall area.

I. Exterior Trim

The design theme for Timber Springs calls for a high level of quality in exterior materials and details. Details provide the opportunity to present the skill of the designer and craftsman while expressing the heritage, cultural folklore, and artistry of the architectural style and the Colorado setting.

Many opportunities can be exploited to enrich building details. Among these are windows and doors, gates, balconies and railings, deck and patio surfaces, chimneys and dormers, corbels, artwork, and lighting. In concert with the overall architectural style, details should be consistent in their origin and interpretation throughout the building. Functional details such as window boxes and shutters are encouraged; however, shutters must be proportioned to cover their respective windows. The design of functional hardware is encouraged.

All trim boards shall be a minimum of 2x material. Trim for headers if used in stone, shall be consistent with the stones' weight and shall simulate or be stone or heavy timber. Exposed steel lintels shall not be allowed. Jambs can be wood or stone and sills should be stone.

Trim used in all areas of wood shall be rustic in nature and have a heavy timber appearance. Log work trim shall be either heavy timbers, logs, or beveled logs with heavy timber insets.

J. Windows and Doors

Garage doors shall be wooden or of a material and color to match adjacent surfaces. Simple unique designs are encouraged, and single-car garage doors shall be used.

Openings for windows and doors shall be designed in proportion to the structure and form of the residence. Openings of unusual shapes, sizes, and colors that distract from the overall design of a home shall be avoided.

Generally, large window panes should be detailed with window mullions and large banks of windows should be designed with intermediate framing or deep recesses to reduce the scale of the glass area.

Window openings in mass walls should be relatively small in scale and be used in an informal pattern on the wall with deep-set reveals and varied proportions.

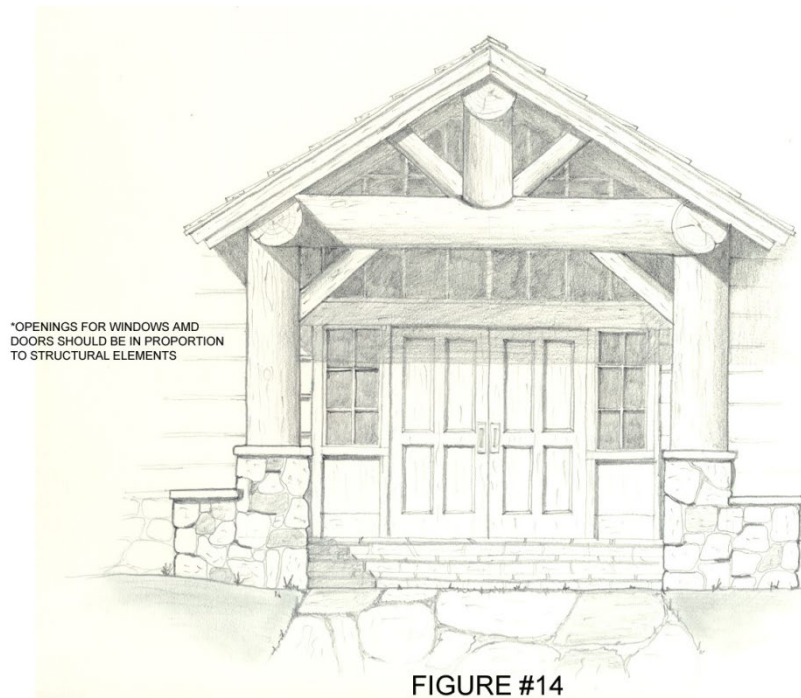


FIGURE #14
FENESTRATION

Figure 14 – Fenestration

Openings for windows and doors should be designed in proportion to the structure and form of the residence.

Clad wood windows are recommended. Clad materials such as anodized metal, baked enamel or plastics are subject to the review and approval of the Board.

True divided light windows may be used. Interior snap-in mullions are not acceptable.

Insulated glass windows are required by state and local energy codes. Clear, solar gray and solar bronze glass may be used. Other colored, reflective, or mirrored glass is not permitted.

Exterior wood shutters shall be reviewed by the Board on a case-by-case basis.

Front doors shall be a prominent feature. Garages shall not dominate the structure and shall be subordinate to the residence. Garage walls shall be set back behind the front primary walls of the home. Where possible, garages shall be side loaded.

Simple decorative doors such as carved wood, plank, and glazed are encouraged for exterior doors. Ornate, gaudy or period designs are not permitted.

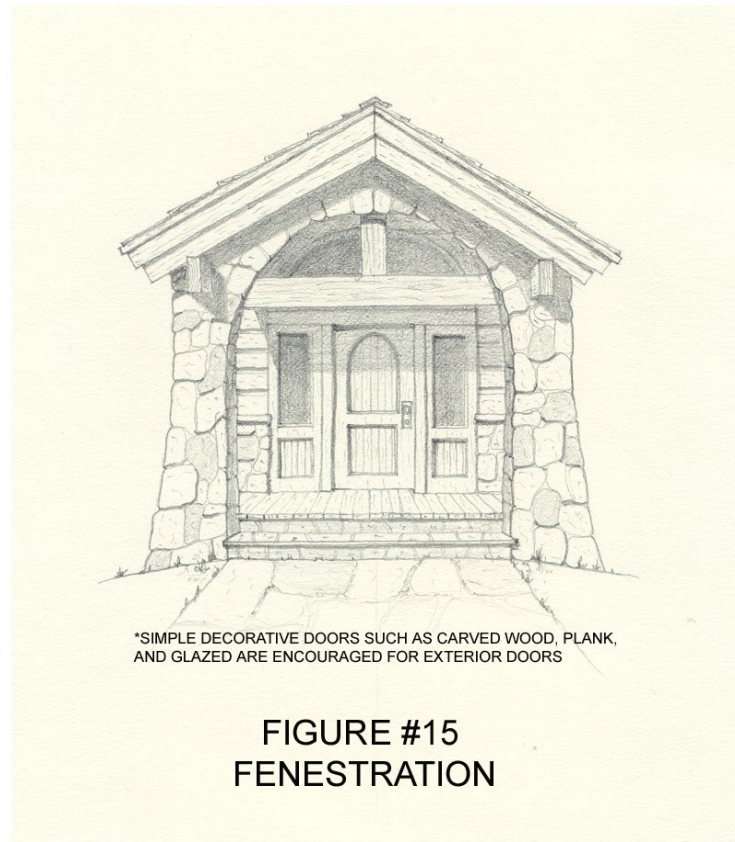


Figure 15

Simple decorative doors such as carved wood, plank, and glazed are encouraged for exterior doors. Ornate, gaudy, or period designs are not acceptable.

K. Balconies and Railings

Balconies should be sized to individual rooms or functions within the building and should be proportional to the overall exterior elevation of the building. Long horizontal expanses of continuous or repetitive balconies shall be avoided.

Balcony railings should be light in appearance with a significant portion of the area left open by using narrow pickets or railing patterns. Balconies enclosed with wood walls are not permitted. The use of framing material for balcony railings is not permitted. Wood or wrought iron railings may be used. Painted tube steel is not permitted as a railing material.

Railings on balconies, decks, stairs and porches, are to be made up of structures and materials that appear as natural extensions of the buildings that adjoin them. Within those limits, personalized designs are encouraged.

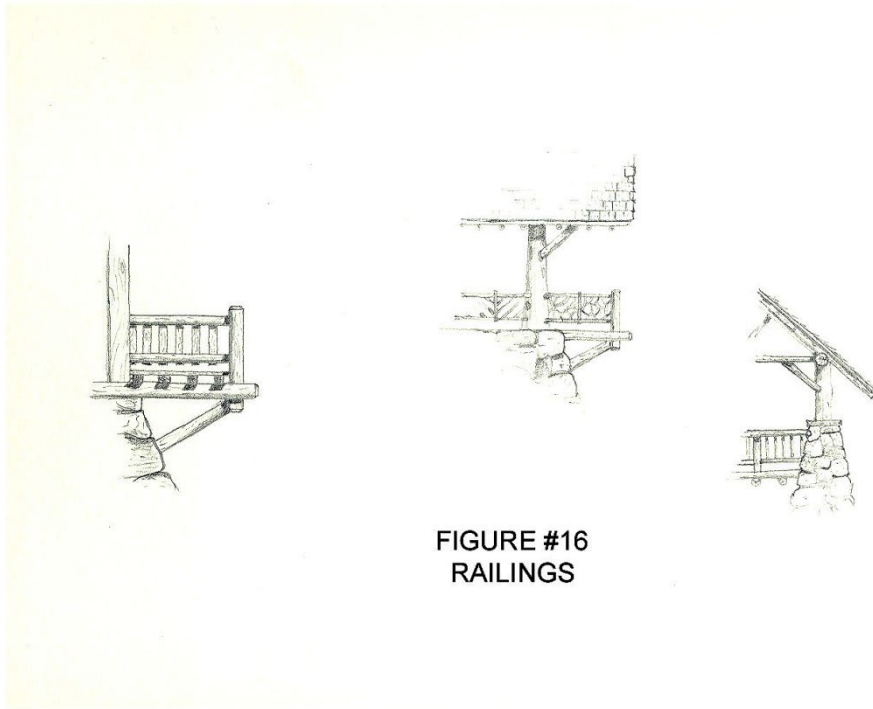


FIGURE #16
RAILINGS

L. Chimneys and Roof Vents

Chimneys should relate in form and materials to the design style of the primary structure. Chimneys shall be constructed of stone with cut stone caps or decorative metal spark arresting “roofs.” Fireplace flues as well as mechanical flues and vents should be consolidated and enclosed within chimneys. All exposed metal flues or pipes on the roofs shall be enclosed in stone or painted to match the approved roof color.

In accordance with current Eagle County Regulations, no more than one wood-burning device per residence is permitted. The proposed wood burning device must be clean burning, utilizing a catalytic converter, and must be an EPA approved product. Refer to the Environmental Health Officer at Eagle County for more information.

M. Exterior Colors

The overriding principle for the exterior color of buildings within Timber Springs is to blend buildings into the terrain and vegetation of the natural landscape. Therefore, naturally weathering materials such as cedar shakes and shingles; redwood and western red cedar boards, cor-ten, copper or terne metal, and native stone are central to the design theme.

If exterior stains are to be used on wood they must be semi-transparent in colors that are subtle and only accent the natural wood tones. Paint is not to be used on exterior siding.

Accent colors can be used to bring interest and individual identity to buildings. Colors that relate to the natural vegetation of the site area can be effective, vibrant accents to the subdued tones of the overall building. Accent colors may also be used on secondary details of the building such as door and window trim, fascias, and frieze boards. When accent colors are used, they shall be selected to blend with the overall colors of the building. Bright colors, colors that call undue attention to a specific element of a building or colors that overpower the building shall not be permitted. Doors and window and door frames may be stained, painted, clad wood, or painted steel. Their colors and related trim colors are to be selected from darker shades of red, green, and other colors found in natural materials on the site or colors used elsewhere in the building. Bright or light colors which create strong contrast are not acceptable.

N. Solid Waste Collection and Service Areas

Adequate areas shall be provided for trash containers, storage areas for patio furniture, firewood and maintenance and recreational equipment. Storage areas incorporated within the building are preferred. However, if storage areas are outside, such areas shall be enclosed or screened from view from public areas and from adjacent properties. The enclosures or screens shall be compatible with the overall style, form, and materials of the residence. Refer to Retaining Walls, Landscape Walls, Fences and Screening for specific screening guidelines. Trash containers shall be designed to prevent access by wildlife and domestic animals and shall not be left outside overnight.

O. Fire Protection

In addition to the wildfire protection measures described previously, all permanent buildings are strongly encouraged to install additional fire protection measures. Such measures include the installation of a 10,000-gallon storage tank as part of the domestic water system. A separate 2 ½" fire department connection should be installed at least 100' from the nearest structure and connected to the water storage tank to allow for draw down in emergency situations.

Additionally, each home must install a fire alarm connected to a telephone notification system. Each home is required to install a Knox-Box to allow for emergency entrance by the fire department in cases of emergency.

VIII. Landscape Guidelines

A. Introduction

The goal of landscape design for Timber Springs is to integrate buildings and improvements with the natural landscape that characterizes the site. Like the architectural theme, the landscape theme should further the natural characteristics of the site through the use of natural materials that are an outgrowth of their setting.

Landscape plans and grading plans must address two distinct landscape areas and the creation of a transition zone between them.

The intent of landscape design for The Timber Springs is not to replace all existing natural vegetation and features with lush lawns, gardens, ornamental plants, and other man-made elements. Nor, is it the intention to specifically deny the opportunity to modify the existing landscape in order to effectively complement buildings, structures, or other improvements. Rather, the objective of these guidelines is to ensure that landscape design reflects the rustic qualities of the American West while retaining the overall qualities and integrity of the existing site and mountain landscape.

B. Native Landscape Area

The native landscape area is generally defined as the portion of the lot located outside the building envelope. The purpose of this area is to maintain a common natural landscape element throughout Timber Springs. In addition, the native landscape can extend into the building envelope to reinforce the relationship between the built and natural environment. Except for the installation of a driveway, footpaths, and tree planting for screening purposes the native landscape area should remain primarily undisturbed during construction. Unless specifically approved by the Design Review Board, all construction, excavation, cut and fill slopes vegetation and tree removal and installation and other forms of disturbance are prohibited within the native landscape area. Property owners acknowledge that wetlands exist on all lots within Timber Springs, and as such, any proposed improvements in these areas may require the US Army Corp of Engineers' approvals.

All portions of the native landscape area that are disturbed during construction shall be revegetated with plant materials indigenous to Timber Springs. The introduction of plant materials into the native landscape area that is not indigenous is prohibited. Indigenous plants approved for use in Timber Springs are listed in Appendix A. These plants should be selected according to microclimatic conditions, natural vegetation patterns, plant geography, plant associations, and plant coverage patterns of the existing vegetation on the site.

Temporary above ground irrigation systems to re-establish native vegetation may be permitted, subject to approval of the Design Review Board. Temporary systems shall be removed after one growing season unless additional time is required for the vegetation to re-establish. Such an extension requires approval from the Design Review Board. Once vegetation is re-established, the system shall be removed gradually allowing the newly established vegetation to adjust to natural site conditions.

Underground irrigation systems are not permitted in the native areas, except in areas where trees are installed for screening purposes. The use of low water usage plants and moisture sensors on irrigation systems is required. Low water usage plants have been designated in Appendix A.

Where and if the native landscape area meets the structure, a roof drip edge shall be established to mitigate soil erosion from roof runoff. Native planting between the drip edge and the structure is encouraged to accomplish all design goals (framing views, anchoring the structure to the site, etc.).

C. Manicured Landscape Area

The manicured landscape area is comprised of lawns, planting beds, patios, terraces, and other formal landscape improvements. All such improvements shall be located within the building envelope unless otherwise approved by the Design Review Board. Acceptable plant materials within the manicured areas are low water usage plants adaptable to USDA Zone 4, as defined by the 1990 USDA climate map. Such plants are listed in Appendix A. Approved plant materials for manicured areas also include ornamental species. Appropriate locations for ornamental plantings are adjacent to the residence and outdoor living spaces such as patios, decks, and front entries. Planting should frame views, provide privacy, anchor the corners of the structure, buffer prevailing winds and offer seasonal interest. Trees should be planted in varying sizes to provide a natural appearance. Refrain from planting in rows. Clusters of evergreen trees shall range in height from 8' to 12' minimum with each tree identified on the plan. Slope should be accounted for when assigning heights. Trees in higher profile areas should exceed this height range. Deciduous trees shall range in size from 2" to 3" in caliper minimum. Shrubs must be 5-gallon minimum. It will be at the discretion of the DRB to require larger plant materials as it sees appropriate. Annuals and ornamental plantings are not appropriate outside of the building envelope or along the drive. Generally, native indigenous plant materials should be the predominant landscape feature visible from adjacent properties, streets, or trails.

Permanent underground irrigation systems are permitted within landscape areas, provided that such areas do not exceed 7,500 square feet per lot. Irrigated area shall be calculated as all ground area covered by overhead spray irrigation. Drip irrigation to individual plant locations shall be calculated in accordance with the following formula: one-gallon pots will equal 1/4 square foot; two-gallon pots will equal 1/2 square foot; five-gallon pots shall equal 3 square feet, seven-gallon pots shall equal 4 1/2 square feet. Individual trees and larger shrubs should be factored accordingly based upon root ball size. Drip irrigation hoses leading to trees located in planting beds must be concealed. Property owners are encouraged to provide a mix of vegetative types within manicured areas including shrub beds, perennial beds, trees, container plants, and lawn. The remaining area allowed for underground irrigation systems may be used to permanently support native plantings adjacent to the manicured landscape areas. In order to conserve water, owners are encouraged to minimize irrigated areas, use moisture sensors on irrigation systems and design irrigation systems that are water efficient and low maintenance. All automatic irrigation systems shall be equipped with a rain sensor that will disengage the system during periods of rain. With the exception

of starter systems as described in the native landscape area section, above ground systems are not acceptable.

Backflow preventors are required with all irrigation systems and remote electrical control valves shall be installed in valve boxes. Manual valves are prohibited. Irrigation controllers shall not be visible on the exterior of the building. The use of typical drip irrigation or pop-up heads that conserve water is encouraged. Systems shall be designed so that peak summertime lawn irrigation can be completed between 8 pm and 7 am. The use of drip zones is also encouraged.

D. Transition Zone

The transition zone provides for a smooth planting treatment between manicured landscape area and the indigenous vegetation of the native landscape area. The intent of this transition zone is to create an edge or zone that clearly contains the manicured landscape areas. The transition may be a simple edge such as stone edging or a low landscape wall; or it may be a zone such as a series of planted terraces or a planting bed.

E. Plant Materials

In order to avoid browsing by deer and elk, it is strongly recommended that plant species which are less palatable to big game be used. Non-palatable species are identified in Appendix A.

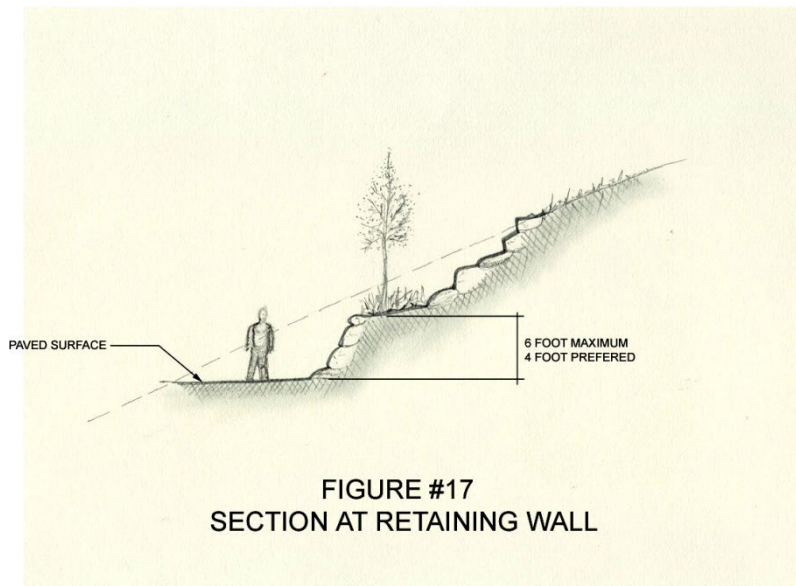
F. Retaining Walls, Landscape Walls, Fences and Screening

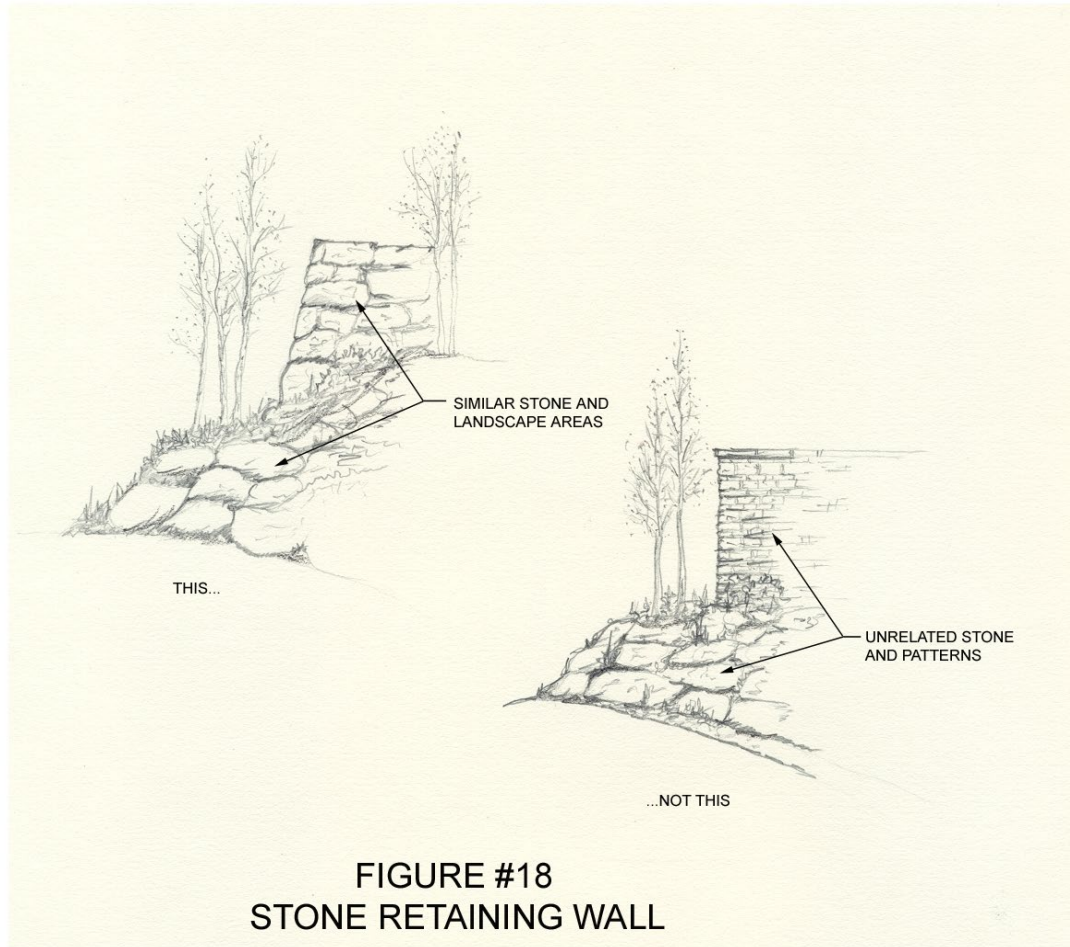
Retaining walls, low landscape walls, fences, and other screening elements are encouraged to facilitate changes in grade, to define exterior living spaces and to transition from the native to manicured landscape areas. The location and alignment of such features should be determined based on site contours, natural features, or man-made improvements. In no case shall walls, screens or fences follow property lines. Unless otherwise approved by the Design Review Board, all such elements shall be located within the building envelope.

Materials used to construct walls shall be consistent with the architectural materials, textures, and colors used on the main building. Generally, walls should be constructed of stone or concrete with a stone veneer. The use of stucco, brick or wood as wall material is inappropriate. Randomly placed boulders, consistent with the structure's stone wall veneer, giving a feel of informality is encouraged. Plant materials are required at the base and top of all retaining walls to soften their appearance. Planting in the spaces between the boulders is encouraged. Round boulders may be used but 1/3 of the mass of ground level rocks shall be buried. Stone should be of an indigenous Colorado source and shall be laid in a pattern matching the building construction. Landscape walls should emerge from the ground and convey a sense of strength and permanence.

Unless otherwise approved by the Design Review Board, the maximum vertical face for individual retaining walls shall not exceed six feet above finish grade. Any walls in excess of 4 feet in height are to be designed by a Structural Engineer. It is recommended that terraced retaining walls be used for extreme grade changes. Terraced walls should be designed with

a minimum of three feet from the back of the lower wall to the face of the upper wall in order to allow for the use of plants between terraces. Walls used to screen service yards, utility tanks, trash containers, storage of patio furniture, and maintenance and recreational equipment shall not exceed six feet. Free-standing low landscape walls used as a transition or to define outdoor spaces should not exceed forty-two inches above finished grade. Allow 2' – 3', for planting, between retaining walls and any other hard surfaces, such as patios or driveways.





The use of living fences is strongly encouraged in lieu of traditional fencing and screening. Wood fencing may be used for screening but is subject to Design Review Board approval. Ornamental metal fencing will be allowed when used as an accent decoration, a gate, or similar features. In addition, dark colored vinyl clad chain link fencing may be used to enclose dog runs as long as it is located within the building envelope and is screened from public view. Such facilities must be adjacent to the residence, shall not exceed 1,000 square feet. The maximum allowable height for dog runs and screening is six feet and all other fencing is forty-two inches above finish grade.

G. Terraces, Patios, Walkways and Decks

Terraces, patios, walkways, and decks serve as an effective transition between the mass of a building and the topography, vegetation, and other natural characteristics of a site. The location and size of terraces, patios, walkways, and decks should be determined based on the characteristics of the site as well as its intended use. Unless specifically approved by the Design Review Board, these improvements should be located within the building envelope. Acceptable paving materials for terraces, patios and walkways include flagstone, sandstone, cobbles, concrete pavers, and exposed or colored concrete.

Care should be taken when designing decks on a sloped site, since the underside of the deck may be unattractive. Public view of the deck bottom should be avoided. Support columns for decks should appear substantial and be connected to the ground with massive materials such as stone bases or caps. Refer to Section VII Part J for additional information on balconies.

H. Driveway Paving Surfaces

Appropriate surfaces for driveways in Timber Springs include asphalt, stamped asphalt, cobbles, brick pavers, exposed concrete, and colored concrete. Bominite gravel and porous stone are unacceptable as paving materials.

I. Exterior and Landscape Lighting

The intent of lighting guidelines is to maintain the rural character of the setting preserve the night sky and protect neighboring properties from the view of bright lights and direct light sources. Exterior lighting shall be limited to identification signs and security and safety lighting. Project identification signs and residence address signs should be illuminated and visible from access roadways. In addition, driveways, porches and patios, entrances and pathways may be illuminated for safety and security. In all cases, downlighting shall be used in order to minimize excessive glare to pedestrian or vehicular traffic. Lighting shall be installed such that the direct light source is not visible from neighboring lots. Frosted or seeded glass is required for exterior light fixtures. Low wattage bulbs must be installed and shall not exceed 60 watts.

With the exception of the seasonal display of decorative holiday lighting (between November 15 through January 15), and small white lights in a minimal amount of trees (between November 15 through March 15), the use of exterior landscape lighting is not permitted. Spotlights, uplighting of trees and landscape lighting shall not be permitted.

J. Additional Restrictions

Additional restrictions may apply to individual lots within Timber Springs. The building envelopes for Lot 2 and Lot 3 include a *no build area* in which only landscaping improvements and at-grade improvements may be constructed (See Supplemental Declaration for more information.).

Lot 3 includes an irrigation ditch within portions of the building envelope and is subject to the terms and conditions of a separate Ditch Agreement.

IX. Design Review Process

A. Governing Regulations

All site development and improvements constructed within Timber Springs shall conform with the following design review and construction procedures and all other applicable local, county, state and federal governing codes, regulations, and restrictions.

It is the responsibility of the owner/architect to become familiar with all regulations and requirements applicable to development within Timber Springs, and to secure copies of the most up-to-date versions of all applicable regulations. The following list of codes, regulations and other documents are provided for informational purposes only, and serve as examples of other governing regulations that may apply to Timber Springs:

- Timber Springs Design Review Board Construction Rules and Regulations
- Declaration of Protective Covenants, Conditions, Restrictions and Easements for Timber Springs
- Eagle County Land Use Regulations
- Uniform Building Code
- Uniform Mechanical Code
- Uniform Plumbing Code
- National Electrical Code
- Uniform Fire Code
- NFPA 101 Life Safety Code

B. Four Step Review (see EXHIBIT “D” for fee structure)

The following pages outline the four major steps in the design review and construction process.

- Step One: Sketch Plan Review
- Step Two: Final Plan Review
- Step Three: Technical Review
- Step Four: Inspections and Certificate of Compliance

A design review fee shall be submitted to the DRB in order to defray the cost of reviewing submittals and for site and building inspections. The fee shall be collected at each review submittal. A compliance deposit will be submitted with the Step 3 application. The compliance deposit shall be returned to the owner upon a successful final inspection minus any fines or charges imposed by the DRB. All fees shall be payable to RHM Designs LLC, or such other consulting firm as designated by the DRB, and all deposits shall be payable to the Timber Springs Property Owners Association (Timber Springs POA). The plans will be stamped as “Approved by the Timber Springs Design Review Board” after the Technical Review is completed, all fees and deposits are paid, and the Compliance Agreement is signed by the owner. The Compliance Agreement is attached in the back of these Guidelines.

Incomplete submittals or submittals not presented in an approved electronic format or in two complete and stapled sets will be denied, by staff, in writing, within 48 business hours upon delivery to the DRB office. If denied, the applicant may re-submit for the next available meeting date. A complete set shall include the most current stamped and signed topographic survey, by a licensed surveyor, for Steps 1-3.

1. **Step One: Sketch Plan Review**

Step One in the design review and construction process is sketch plan review. The purpose of sketch plan review is to address the design of the proposed site, building, and landscape improvements. An approved electronic format or two copies of the following information are to be submitted to the Design Review Board.

- (1) Topographic Survey - prepared and stamped by a licensed surveyor indicating site contours at 2' intervals, easements, and significant natural features such as rock outcroppings, drainages, and mature stands of trees (Scale: minimum of 1"=10')
- (2) Site Plan - indicating property boundaries, building envelope, proposed buildings and structures, driveway and grades, stream crossing structures, transformer, and vault location (if installed by owner), well location, parking areas, snow storage areas, major site improvements, existing and proposed grading, and drainage (Scale: minimum of 1"=10')
- (3) Floor Plans - indicating the general layout of all rooms, approximate size, and total square footage of enclosed space for each floor level (Scale: minimum of 1/8"=1'- 0", 1/4" = 1'0" is preferred)
- (4) Exterior Elevations - in sufficient detail to indicate the architectural character of the residence, fenestration, and existing and proposed grades. Elevations should also include a description of exterior materials and colors (Scale: same as floor plans)
- (5) Roof Plan - indicating proposed roof pitch, overhang lengths, flue locations, roofing materials and elevations of major ridge lines and all eave lines (Scale: same as floor plans)
- (6) Site/Building Sections - indicating building walls, floors, and roof relative to the site, including existing and proposed grades, retaining walls and proposed site improvements such as patios, decks, driveways, and other landscape features (Scale: minimum of 1/8"=1'-0")
- (7) Landscape Plan - indicating all existing landscaping to remain and all existing landscaping to be removed, the location and size of all proposed landscape materials, other proposed improvements such as patios and decks, walkways, retaining walls, landscape walls, fences, and both temporary and permanent measures for slope stabilization and erosion control. (Scale: minimum of 1"= 20'). These plans shall be prepared by a professional landscape architect.

The review fee will be submitted at this time. Review will not commence until the review fee is received by RHM Designs LLC or such other consulting firm as designated by the DRB, Upon receipt of the sketch plan submittal, the Design Review Board will notify the owner within seven days of the date, location and time of the meeting at which the sketch plan will be formally reviewed.

The owner and/or its representative shall attend the meeting to present the proposed project to the Design Review Board and to address any questions regarding the project. The Design Review Board will notify the owner in writing of its findings at the meeting. Applicants who receive sketch plan approval may submit plans for Final Review. In the event the Design Review Board rejects the proposed sketch plan, the applicant may revise their plans and resubmit them to the Design Review Board. If, after a second review by the DRB, the sketch plan is denied, the applicant may appeal the decision of the DRB to the Timber Springs Property Owners' Association Board of Directors. Said appeal must be filed within 30 days of the DRB's decision.

2. Step Two: Final Plan Review

Step Two in the design review and construction process is the final plan review. Upon approval of the sketch plan, the owner/architect shall submit an approved electronic format or two copies of the following documents to the Design Review Board for final plan review by the submittal date prior to a scheduled Design Review Board meeting:

- (1) Topographic Survey - prepared and stamped by a licensed surveyor indicating site contours at 2' intervals, easements, and significant natural features such as rock outcroppings, drainages, and mature stands of trees (Scale: minimum of 1"=10')
- (2) Site Plan - indicating proposed building footprint, building envelope, site boundaries and easements, existing and proposed contours, utility locations, site drainage, retaining walls, proposed driveways and grades, stream crossing structures, transformer and vault location (if installed by owner), well location, parking areas, snow storage areas, walkways, patios, terraces, utility lines and connections, and any other proposed improvements (Scale: minimum of 1"=20')
- (3) Floor Plans - dimensioned plans indicating roof size, room names and sizes, the location of doors and windows, the location of mechanical and electrical systems, and total square footage of the residence by floor level (Scale: minimum of 1/4"=1'-0"). These plans shall be prepared and stamped by a licensed architect.
- (4) Roof Plan - indicating roofing materials, roof pitch, overhangs, gutter and downspout locations, and projections and penetrations located above roof, such as mechanical exhaust vents and chimneys (Scale: same as floor plans). These plans shall be prepared and stamped by a licensed architect.
- (5) Exterior Elevations - indicating exterior appearance of all elevations including materials and colors, fenestration, textures and finishes, architectural details, shadow

patterns, and finished grade (Scale: same as floor plans). These plans shall be prepared and stamped by a licensed architect.

- (6) Building Sections - indicating floors, exterior walls and roof, existing and finished grade, decks and patios, and other pertinent information to demonstrate the relationship between the exterior and interior of the residence (Scale: same as floor plans). These plans shall be prepared and stamped by a licensed architect.
- (7) Building Height Calculation - Submit drawing indicating building footprint, Roof Plan configuration and grading. Drawing shall note all ridge lines with their associative elevations to the top of finished roof system, relative to existing topography. Provide all existing and proposed grading (existing grade shall be represented completely beneath the Roof Plan and building footprint background). Contour lines shall be shown at a minimum 2' interval. (For a complete description of this calculation see Appendix H)
- (8) Stone Calculation - The Timber Springs Design Review Board Guidelines indicate that each home requires a minimum percentage of wall surface to be stone. At the Timber Springs and Divide the minimum is 15%. Determine the entire area of vertical wall surface (including that covered with stone) for all full and partial elevations around the building. (Columns, piers, and any element attached to the building structure may be factored in. Attached retaining walls are not included.) From the total above, subtract the area of window surface on all elevations (yields the total area of opaque wall surface). Determine from the remaining wall surfaces what area is dedicated to stone. Calculate the percentage of stone by dividing the total area of stone wall surface by the total area of overall opaque wall surface. Provide these calculations on elevation drawing sheets and include with the full set of project drawings.
- (9) Model - indicating the buildings three-dimensional form, scale and massing, and relationship to the site (Scale: minimum of 1/16"=1'-0"). Must be brought to the meeting.
- (10) Details - provide descriptions and drawings in sufficient detail to demonstrate the architectural character of the building, exposed structural connections, material interfaces, etc.
- (11) Exterior Finish -samples indicating type, color, and texture of all exterior materials. Must be brought to the meeting.
- (12) Specifications - provide written specifications and/or cut sheets for the following items: exterior wall materials, windows and exterior doors, exterior trim materials, wall and roof flashing, fireplace and flue caps, and exterior lighting fixtures
- (13) Landscape Plan - indicating all existing landscaping to remain and all existing landscaping to be removed, specifically identifying all trees greater than 3" in diameter to be removed; a planting plan with proposed plant materials identified by

common and botanical names and size and with plant installation specifications and instructions; type and location of irrigation system; the location and size of all other proposed landscape materials such as retaining walls, patios and decks, walkways, walls and fences, and specifications for seeded areas including seed mix, mulch and fertilizer type, and application method and schedule. The area of land covered by spray irrigation shall be calculated and listed, by square foot, on the landscape plan. (Scale: 1"= 20' minimum). These plans shall be prepared by a professional landscape architect.

- (14) Erosion Control and Revegetation Plan - indicating the means and time schedule by which the prevention of soil erosion will be addressed during and after construction, revegetation of cut and fill slopes, methods of controlling surface water, siltation control devices, vehicular access points, and location of soil storage areas and stabilization measures (Scale: minimum of 1"=20')
- (15) Proposed Construction Schedule and Construction Management Plan - provide approximate time schedule of start-up and completion dates for construction, utility hook-up, completion of landscaping and anticipated occupancy date. The construction plan shall identify a Limits of Disruption Zone, an area within which all construction activities will be limited. In addition to the Limits of Disruption Zone, this plan shall indicate the location of access drives and parking, temporary structures/trailers, chemical toilet, dumpsters, material lay-down and staging areas, and construction sign. In addition, the Construction Management Plan shall indicate all mitigating measures for protecting natural features of the lot during construction. This plan shall be separate from the final landscape and site plans.
- (16) Perspective Sketches - architectural rendering(s) from pedestrian level representing the primary public exposure of the building, building form and mass; fenestration; exterior materials, colors, textures, and shadows; exterior character and detailing; and surrounding vegetation and landscape features.

Upon receipt of the final plan submittal, the Design Review Board will notify the owner within seven days of the date, location, and time of the meeting at which the final plan will be formally reviewed. The owner and/or its representative shall attend the meeting to present the proposed project to the Design Review Board and to address any questions regarding the project. The Design Review Board will notify the owner in writing of its findings at the meeting.

Applicants who receive final plan approval may proceed with the preparation of construction drawings. In the event the Design Review Board rejects the proposed final plan, the applicant may revise their plans and resubmit to the Design Review Board. If, after a second review by the DRB, the final plan is denied, the applicant may appeal the decision of the DRB to the Timber Springs Property Owners Association Board of Directors. Said appeal must be filed within 30 days of the DRB's decision.

3. Step Three: Technical Review

Step Three in the design review and construction process is the submittal and review of construction drawings. Construction drawings shall be submitted to the Design Review Board following final plan approval. A comprehensive set of construction drawings shall include, but not be limited to, stamped structural drawings and everything listed under Final Plan Review.

At the time construction plans are submitted, the Compliance Deposit made payable to Timber Springs Property Owners' Association and the signed and dated Compliance Agreement shall also be submitted. No final approval to commence with construction shall be issued until these deposits have been submitted to the DRB and the mandatory pre-construction meeting with the project superintendent and a representative of the DRB has been completed. The purpose of this meeting is to review the construction management plan and to discuss construction related issues.

The purpose of the Technical Review is to ensure that all aspects of the final construction drawings are consistent with the plans approved by the DRB at the final plan review and as a final technical review for compliance with these guidelines and other rules and regulations affecting construction within Timber Springs. Step Four requires no formal meeting with the Design Review Board. If construction drawings are consistent with the approved final plans and address all prior DRB comments, the DRB shall notify the owner within a minimum of two weeks of its approval. Construction drawings that deviate from approved final plans shall be rejected. In such cases, the DRB shall provide a written statement describing why the proposed construction drawings were not approved. The architectural construction drawings shall be prepared and stamped by a licensed architect. Structural drawings shall be prepared by a licensed engineer.

4. Step Four: Inspections and Certificate of Compliance

Step Four in the design review and construction process requires three stages of inspections. All Timber Springs owners agree to allow site access to the DRB or its representative to inspect all work in progress at any time during construction, and when required, to give notice to the owner of non-compliance. Notwithstanding the above, absence of such inspections or notification during the construction period shall not imply approval of the work in progress or compliance with these design regulations. The owner/builder is responsible for scheduling inspections and receiving written approvals from the Design Review Board at four critical stages, one just prior to construction, two during construction and one upon completion:

- (1) Pre-Construction Meeting - Scheduled prior to the start of construction, the purpose of this inspection is for the DRB to review with project contractors the Construction Management Plan, Construction Rules and Regulations and any other site-related issues. The contractor shall install all site fencing including erosion control fencing before scheduling the Pre-Construction meeting with the DRB Administrator. All footprints, setback lines and driveways shall be staked by a licensed Colorado surveyor prior to Step four, Site Inspection.

- (2) Foundation Inspection – The DRB inspector shall review the foundation to ensure driveway access, general location of the building within the envelope, grading issues, continued adherence to the Construction Management Plan and any other site related issues.
- (3) Framing Inspection - This inspection is scheduled to coincide with the enclosure of all exterior walls and roof systems. The purpose of this inspection is to ensure that the location and overall form of the residence is consistent with approved plans and that all construction impact mitigation has been implemented. An ILC may be required at this time upon DRB request.

During the construction process, the inspection of road cuts and all sewer and water line and tap installations is also required.

If there are deviations from the approved set of plans and the owner or owner’s representative has not received written DRB approval for such modifications, all work on the project shall cease until all changes are remedied and approved by the DRB.

- (4) Final Inspection - Final inspection is scheduled at the completion of all construction, landscaping, and site work. In order to receive final inspection approval, all aspects of the proposed residence must be completed. The Design Review Board shall issue a Certificate of Compliance for all projects approved at final inspection.

If one or more inspections additional to those specified in the Guidelines are required, either at the owner’s request or due to noncompliance, the owner shall reimburse the DRB its costs, expenses and fees incurred in performing such additional inspections, or the same shall be deducted from the Compliance Deposit, after notice to the owner.

Inspections by the Design Review Board are independent of the periodic inspections required by the Eagle County Building Department.

C. Modifications

All changes, alterations or additions to an existing home or property or any part of the DRB approved plans shall be submitted to the DRB Administrator. Failure to submit modifications may result in a cease construction notice, fines, and/or loss of the owner’s Compliance Deposit. Modifications include any exterior changes to any structure, landscape, construction plan, or site. Approval must be granted, in writing, by the DRB before the modification work may commence.

Fines for non-compliance will be determined by the DRB.

D. Appeal Process

Applicants may appeal a decision made by the Design Review Board by submitting a written appeal within 30 days of the DRB’s decision. The initial appeal of a DRB decision shall be

considered by the Design Review Board, provided however, that such appeal shall be considered no sooner than thirty days after the initial DRB decision. The intention of this thirty-day period is to allow the applicant an opportunity to consider the comments of the DRB and to develop a design solution that is consistent with these guidelines and the direction of the Board. The Design Review Board will review the applicant's appeal and render a decision at a regularly scheduled meeting. The decision will then be transmitted to the applicant and to the Board of Directors within seven days of the DRB meeting.

Following a second review by the Design Review Board, any applicant aggrieved by a decision of the Design Review Board may appeal the decision to the Board of Directors of the Timber Springs Property Owners' Association. Such appeal shall be in writing and shall be filed within 30 days after the decision of the Design Review Board. In the event the decision of the Design Review Board is overruled by the Board of Directors, the prior decision of the Design Review Board shall be deemed modified to the extent specified by the Board of Directors and, for purposes of this Declaration, such decision, as so modified shall thereafter be deemed the decision of the Design Review Board.

E. Eagle County Review and Approval

The Timber Springs design review and construction process is required of all development within the Timber Springs Subdivision. This process complements, rather than supplements, the plan review and approval process of Eagle County, Colorado. Approval of project design and/or construction methods by the Timber Springs Design Review Board shall not substitute for, or be misconstrued as, approval by Eagle County. Accordingly, the owner/architect/builder shall be responsible for meeting all requirements and regulations of Eagle County related to project development. Specific requirements may be obtained from the Eagle County Department of Community Development

X. Construction Rules and Regulations

A. Purpose

In order to ensure that any Construction Activity (as such term is defined below) conducted within Timber Springs is done in the most sensitive manner possible and to minimize impacts to guests and Owners, the following Construction Regulations shall be enforced during the construction period. This document shall be known as the "**Construction Rules and Regulations**" and may be referred to herein as the "Regulations." These Regulations supplement the Design Guidelines, which are incorporated herein by reference. The Timber Springs Design Review Board has the power to amend these Regulations from time to time, without notice. Each Owner shall ensure that all Construction Activity that is performed on their Construction Site shall be performed in accordance with the following requirements.

B. Design Review Process

Prior to commencing any Construction Activities within Timber Springs, design approval must be granted by the Timber Springs Design Review Board. Design Guidelines have been prepared to ensure visual harmony between the built environment and the landscape; to preserve the beauty of the natural environment; to maintain and enhance views; to protect and maintain property values; and to ensure that construction within Timber Springs is done in the most sensitive manner possible. All new buildings, modifications to existing buildings, landscaping, Site improvements, and the use of property within Timber Springs must be reviewed and approved in accordance with the provisions of the applicable Guidelines. The Design Review Board has been appointed to implement these Guidelines and assist owners with the design review process.

The Design Guidelines interface with these Rules and Regulations and contain additional information regarding the design review and construction process. Owners, Owner's Representatives, and contractors should review and become familiar with both documents prior to initiating the design and construction process.

C. Final Plan Review

The interface between the Design Guidelines and these Rules and Regulations begins during Step Three of the review process with the submittal and review of the Construction Management Plan and Proposed Construction Schedule. This plan and schedule provide an approximate timeline for project start-up and completion dates for construction, utility hook up, completion of landscaping, and an anticipated occupancy date. The Construction Management Plan identifies Limits of Disruption Zone, a limited area within which all Construction Activities must take place. In addition to the Limits of Disruption Zone, the Construction Management Plan indicates the location of all access drives and on-site construction parking areas, temporary structures and trailers, sanitation facilities, dumpsters, material lay-down and staging areas, and the construction sign, and further, all mitigation measures for protecting natural features of the lot during construction including an erosion control and soil stabilization plan for areas of construction disturbance.

Written approval of a Construction Management Plan must be obtained from the DRB prior to initiating any Construction Activities.

D. Pre-Construction Meeting

Step Four of the design review process includes a mandatory pre-construction meeting with the Owner or Owner's Representative and the project superintendent and a representative of the DRB. This meeting may be scheduled by calling the offices of the DRB. The purpose of this meeting is to review the Construction Management Plan and to discuss construction-related issues. All site fencing must be installed prior to the pre-construction meeting.

E. Compliance Deposit

After the DRB approves an Owner's proposed Construction Activity and prior to commencing such Construction Activity (at the time of the Technical Review Submittal), the Owner shall deliver a Compliance Deposit to the DRB as security for the Owner's full and faithful performance of its Construction Activity in accordance with its approved Final Plans, Construction Management Plan, and these Regulations, as described below.

AMOUNT: Thirty thousand dollars (\$30,000) payable to the Association.

FORM: The Compliance Deposit shall be delivered to the DRB by certified or cashier's check or by wire transfer. Letters of credit are not accepted.

ADMINISTRATION: The DRB administers each Compliance Deposit as follows:

- a) The DRB holds the Compliance Deposit as security for the Owner's full and faithful performance of its Construction Activity in accordance with its approved Final Plans and these Regulations.
- b) The DRB may use, apply, or retain the whole or any part of a Compliance Deposit to the extent required to reimburse the DRB for any cost which the DRB may incur, or may be required to incur, by reason of an Owner's noncompliance in respect to any of the terms and conditions set forth herein. DRB shall be entitled to a fee in an amount equal to fifteen percent (15%) of the amount of any costs incurred by DRB to cure any noncompliance by an Owner, which fee may be paid from the Compliance Deposit.
- c) If the amount of the Compliance Deposit is not sufficient to cure any such noncompliance by an Owner, the DRB may apply the Compliance Deposit in a manner which best mitigates the effects of such noncompliance while not actually curing the noncompliance. In addition, the DRB may use, apply, or retain the whole or any part of a Compliance Deposit to pay to the DRB any fine imposed by the DRB under paragraph 7.2 below that is not paid as and when the same becomes due and payable.
- d) The DRB's decision to use the Compliance Deposit as permitted hereunder shall be at the sole and absolute discretion of the DRB.
- e) If the DRB uses part or all of the Compliance Deposit pursuant to paragraph b) above, then the Owner, within five (5) days after written demand from the DRB to restore the Compliance Deposit to its original amount, shall pay the DRB the amount used. Neither the Owner nor any other party shall have any rights of any kind or nature against the DRB, its officers, agents, employees, directors, or attorneys arising out of the DRB's use

of the Compliance Deposit, unless the DRB is grossly negligent, or intentionally acts in bad faith.

- f) The DRB shall be under no obligation of any kind or nature to take any action to complete any Construction Activity or cure any failure of the Owner to comply with all Regulations pertaining to the Construction Activity.
- g) Any part of the Compliance Deposit not used by the DRB as permitted by paragraph b) above, shall be returned to the Owner within thirty (30) days after the issuance of a final Certificate of Compliance for the Site by the DRB.
- h) The deposit shall be submitted with the signed and dated Compliance Agreement to ensure that all construction is in compliance with the DRB approved set of drawings

F. Access and Parking

Construction Vehicles shall gain access to Construction Sites only from existing roads adjacent to the Construction Sites. Prior to commencement of construction, the Owner of a Construction Site shall submit as an element of the Construction Management Plan, a parking plan that indicates how contractor and employee parking needs will be handled. Parking will not be allowed, at any time, on Timber Springs Road without prior approval from the DRB. Special safety precautions are necessary for the road including, but not limited to, safety cones, barriers, and flaggers. Each parking plan shall describe:

- a) how and where Construction and Delivery Vehicles will be parked at the Construction Site during the Construction Activity; and
- b) the maximum number of Construction and Delivery Vehicles that will be parked at or adjacent to the Construction Site at any one time.

The DRB may require modifications to any proposed Parking Plan submitted by an Owner. Such modifications may include, without limitation, modifications that:

- alter designated Construction Vehicle parking areas;
- limit the maximum number of Construction Vehicles that may be parked at or adjacent to a Construction Site at any one time; and
- mitigate any impediment to emergency response, including but not limited to fire department, ambulance, snow removal operations, road maintenance, or obstruction of vehicular traffic.

G. Blasting

No blasting shall be performed on any Site without the DRB's prior consent. Notification shall be provided to the DRB a minimum of 24 hours in advance of any blasting operations, and in all cases blasting shall occur only between the hours of 9:00 AM and 5:00 PM. Blasting may be subject to certain restrictions, which shall be determined by the DRB in its sole and absolute discretion and which may vary from Site to Site.

H. Contractor Pass

In order to assist the DRB to monitor and control access to Timber Springs; contractors working in Timber Springs *may* be required to obtain a Timber Springs contractor pass. A contractor pass may be obtained from the Association Administrative office. All Owners and Owner's Representatives shall be responsible for preparing and maintaining a current list of all contractors and subcontractors working on each project. A copy of the current list shall be submitted to the Design Review Board Administrator by the end of each month in which any change in the list take place.

I. Completion of Construction

Once construction on a project is initiated, completion of the project shall be pursued with due diligence until completion. In such cases where construction of a project is suspended for more than thirty days, the Owner or Owner's Representative shall meet with the DRB to establish a revised schedule for completion. If completion of the project is to be delayed for an unreasonable length of time, the DRB may, at its discretion, require the restoration and revegetation of disturbed areas of the Site.

Unless otherwise approved by the DRB, each Owner shall ensure that any Construction Activity it performs or causes to be performed shall:

- commence within six (6) months after the DRB's approval of Final Plans therefore;
- be substantially complete within twelve months after commencement thereof; and;
- be fully and finally complete, including all required landscaping, within twelve months after commencement thereof

J. Compliance with Laws and Regulations

Each Owner shall, at their own expense:

- a) comply with all terms and conditions of these Regulations, the Compliance agreement and the Declaration of Protective Covenants, Conditions, Restrictions and Easements for Timber Springs and all other Regulations promulgated from time to time by the DRB that are applicable to its Construction Activities;
- b) comply with all federal, state, and local laws, ordinances, orders, rules, regulations, and other governmental requirements relating to its Construction Activities; and
- c) ensure that its Owner's Representatives and contractors comply with the foregoing terms and conditions.

K. Conservation of Landscape Materials

During the design review process, the DRB shall determine which natural features and vegetation on a Construction Site not directly impacted by the placement of buildings or other improvements shall be protected and preserved. The Owner shall then specify in the Construction Management Plan that such areas be protected.

Landscape materials such as trees, native or endangered plants, rock outcroppings and boulders that will be preserved shall be marked and protected by flagging, fencing, or barriers. The DRB shall have the right to flag major terrain features or plants, which are to be fenced off for protection.

No tree or shrub shall be removed without prior approval by the DRB.

Any terrain or plant materials designated for preservation that is damaged or removed during construction shall be promptly replaced or restored by Owner. In the event that Owner fails to timely replace or restore removed or damaged materials, the cost of replacement or restoration will be valued by the DRB and the value deducted from the Compliance Deposit

L. Erosion Control and Vegetation Protection

The DRB shall not approve any proposed Construction Activity unless and until it has first approved an erosion control and soil stabilization plan as a part of the Construction Management Plan.

The Owner of the Construction Site is responsible for preparing and submitting such plans to the DRB. Refer to the Timber Springs Design Guidelines for acceptable methods and materials to be used for erosion control and revegetation.

If the DRB rejects any such plan submitted by the Owner, the Owner shall make such changes to the plan as the DRB shall require and resubmit the plan to the DRB. Once the DRB has approved such plans for a Construction Site, the Owner shall ensure that:

- a) trees, plants, or other natural features not authorized for removal are not damaged;
- b) brush, surplus soil, and other excavated debris are promptly removed from the Construction Site;
- c) dust is controlled by a dust abatement method approved by the DRB; and,
- d) during all construction, all driveway, parking, and lay-down areas are covered with at least three inches of three-quarter inch screened rock and the roads shall be scraped at the end of the work day to remove mud.
- e) the site is fenced around the limit of disturbance and silt fencing is placed where necessary for erosion control.

M. Construction Equipment and Material Storage

Each Owner or Owner's Representatives and their contractors shall ensure that all construction material is stored in a designated materials storage area. Such storage area shall be indicated on the Construction Management Plan described above and shall be located to minimize the visual impact from adjacent properties and roadways.

N. Debris and Trash Removal

Owners, Owner's Representatives, and their contractors shall be responsible for assuring that

- at the end of each day, all trash and debris on the Construction Site is cleaned up and stored in proper **covered** containers or organized piles and not permitted to be blown about the Site or adjacent property, and
- at least once a week, all trash and debris are removed from the Construction Site to a proper dumpsite located off the Timber Springs Property.
- Due to the abundant wildlife within the Timber Springs community, all food trash must either be removed from the site at the end of each work day or the General Contractor must arrange for bear-proof trash containers to be available on-site.

All trash and debris shall be kept off the road right of way and adjacent property at all times. Littering and failure to maintain a clean Site are punishable by fines as described in Section 2. Any clean up costs incurred by the DRB in enforcing these requirements will be billed to the Owner or deducted from the Compliance Deposit.

O. Construction Hours & Noise

Construction Activities shall be limited to the following hours of operation:

Monday through Friday: 7:30 AM - 6:00 PM
Saturday: 9:00 AM - 5:00 PM

Entrance to work site for the purpose of **SET-UP only** is permitted one half hour prior to hours of operation. (M-F 7:00 AM, SAT 8:30 AM) ***During the half-hour set-up, the operation of heavy equipment, compressors, impact tools, or any activity that creates noise as that term is defined in section 3.j) Quiet Work; shall be prohibited. At no time shall contractors, sub-contractors or laborers park and wait at the gatehouses before 7:00 a.m.***

Work before or after the aforementioned hours and on Sundays and holidays is generally prohibited. Special, specific authorization for early, late, and/or Sunday work must be obtained from the DRB Administrator.

At all times, each Owner shall use reasonable efforts to minimize external noise resulting from Construction Activity. No loud music shall be permitted.

P. Deliveries

Construction Vehicles that cannot travel faster than 25 mph on any road within Timber Springs shall travel during the hours of:

9:00 AM - 5:00 PM Mon. – Sat.

In addition, the DRB, in its sole and absolute discretion, may restrict the use of one or more such roads by Construction Vehicles whenever a special event, festival, convention, emergency, or similar activity presents the possibility of significant traffic congestion.

Q. Field Staking

All building footprints, setback lines, and driveways, storage and lay-down areas shall be staked in the field. A licensed Colorado land surveyor shall stake the building footprint and setback lines. Staking must be completed prior to the DRB Site Inspection.

R. Fire Protection

At least one 10-pound ABC-rated dry chemical fire extinguisher shall be present and available in a conspicuous place on the Construction Site at all times. Fire protection is the Owner's responsibility, but Public Safety recommends that the Owner or Owner's Representative establish additional fire protection, the handling of combustible materials and suppression measures as part of an overall Site safety program.

S. Prohibited General Practices

All Owners will be absolutely responsible for the conduct and behavior of their Owner's Representatives in Timber Springs. The following practices are prohibited within Timber Springs and will result in an automatic fine:

- a) bringing pets, particularly dogs, onto Timber Springs property;
- b) changing oil on any vehicle or equipment on the Construction Site or at a location other than one designated for that purpose by the DRB;
- c) allowing concrete suppliers and contractors to clean their equipment on any Timber Springs lot, roadway, right-of-way, ditch, easement, or other Timber Springs or metro district property;
- d) removing any rocks, plant material, topsoil, or similar items from any property of others within Timber Springs;
- e) carrying any type of firearms or archery equipment within Timber Springs;
- f) using disposal methods or units other than those approved by the DRB;
- g) careless disposition of cigarettes and other flammable materials;
- h) careless treatment or removal of any native plant materials not previously approved by the DRB;
- i) use of or transit over the golf course area;
- j) disruptive activity including, but not limited to, public drinking, public nuisances, and disturbing the peace;
- k) drinking alcoholic beverages on Timber Springs property (excluding on-property restaurants);
- l) working before or after the scheduled construction hours without prior permission;
- m) driving trucks with uncovered loads onto Timber Springs property.

T. Protection of Property

Owner's Construction Activity shall be limited to its Construction Site unless the DRB or Public Safety Department provides specific written authorization to the contrary. An Owner shall promptly restore any Common Areas and/or adjacent Sites damaged during its

Construction Activity to the DRB's satisfaction and, in every case, within thirty (30) days after such damage occurs.

U. Roadway Maintenance

Owners and their contractors and sub-contractors shall keep all Timber Springs roads and road rights-of-way free and clear of all materials, rubbish, and debris resulting from Owner's Construction Activity and shall repair and revegetate any damage to roads, road rights-of-way, landscaping, Squaw Creek Metro District vehicles and other streetscape improvements within Timber Springs caused by Construction Vehicles used in connection with Owner's Construction Activity. No road cuts, deletions, or additions shall be made without the prior, written consent of the Timber Springs Metropolitan District and the submittal of a deposit per Exhibit D.

Contractors must keep the Site driveway and all adjacent roads clean from dust, dirt, mud, and debris at all times. If a contractor fails to keep roads clean and if the DRB must arrange for cleaning, the cost of cleaning will be billed to the Owner, care of the contractor, at a rate then set by the Timber Springs Metropolitan District.

V. Sanitary Facilities

On-Site, enclosed, chemical toilets must be available at all times when Construction Activity is taking place on a Construction Site. Chemical toilets shall be screened from view and shall be located so as to minimize any adverse impacts on adjacent lots. In no instance shall chemical toilets be placed within any road right-of-way or on the road.

W. Signage

REQUIRED SITE SIGNAGE

One temporary construction sign not to exceed 20 square feet overall, prepared by a professional sign maker, shall be located within the Site boundary and shall be easily visible from the adjacent roadway or entry to the Site. The sign must conform generally to the layout shown below with only the name, address and telephone number of the developer, architect, contractor, project name, logo, and location. All information listed must be shown in uniform type style and color.

| |
|---|
| <p style="text-align: center;">PROJECT LOGO AND/OR NAME</p> <p style="text-align: center;">Building Permit # _____</p> <p style="text-align: center;">Developer/Owner: [Name and Phone #] Architect: [Name] Contractor: [Name]</p> |
|---|

Layout for the sign must be submitted to the DRB twelve (12) days prior to the scheduled DRB meeting.

PERMITTED SITE SIGNAGE

Required Signs may, at the Owner's option, contain the following phrase at the bottom of the sign: "For more information contact (individual's name) at (phone number)." The sign may *not* display any brokerage name, logo, or other identification. At no time shall the words "for sale" be allowed on any signs within the Timber Springs community.

Open House Signs

A residence which (a) is complete to the extent that it contains final floor coverings (e.g., carpet), (b) is currently open for public viewing, and (c) is manned by a qualified real estate sales person, may display *on the Site* one (1) *temporary* "open house" sign not larger than six (6) square feet and containing only the words "Open House." The sign may *not* display any brokerage name, logo, or other identification and must be removed at the end of each day.

The DRB specifically reserves the right to approve or reject the design of any permitted signage. Stock plastic signs obtained at hardware stores will generally not be approved. Owners, Owner's Representatives, contractors, and brokers are required to submit sign designs to the DRB for approval before erecting them on site.

PROHIBITED SIGNAGE

No other signage shall be permitted within Timber Springs at any time. This prohibition specifically includes, but is not limited to the following:

- "For Sale" or "For Lease" signs
- brokerage identification signs
- "Take One" brochure or flyer boxes
- balloons, flags, or other paraphernalia intended to draw attention to a Site
- Temporary Structures.

Temporary office and storage structures may be maintained on a Construction Site. Temporary living quarters are not permitted on any Construction Site. Permitted temporary structures shall not be used for residential purposes at any time. Temporary structures shall be screened to minimize the visual impact upon neighboring properties and the public. The placement and screening of temporary structures must be drawn on the Construction Management Plan and approved by the DRB prior to their erection or installation. All temporary structures shall be removed within thirty (30) days after completion of the Construction Activity. A temporary material and color mock-up is required on-site for DRB approval before materials are applied to the home.

X. Water Connections and Propane Heater Policy

Prior to the installation and turn-on of permanent residential water service to the Site, temporary water connections must be available on-site at all times when Construction Activity is taking place on a Construction Site. At no time shall water be removed from a home on an adjacent property.

The following procedures and guidelines must be followed when using propane heaters:

- Heater, tank, and line shall be inspected prior to each use for leaks, improper fittings, or faulty igniters. Faulty heaters shall be turned in to the construction trailer for repair
- Heaters shall be placed on a level noncombustible surface. If used on a wood subfloor the heater shall be placed on a minimum 4'x4' piece of fire rated drywall or concrete board.
- The heater hose shall be extended straight out from the heater to the propane tank maintaining maximum distance from tank to heater.
- The heater shall be placed in the center of the room. If you are unable to place the heater in the center of the room with the hose fully extended from heater to tank then the room is too small.
- Do not use heaters in hallways, closets, bathrooms, under stairs or in crawl spaces.
- Propane heaters shall not be left running overnight or unattended without prior written approval from the Project Builder. The DRB Administrator or Public Safety Department must be notified of any propane heaters that will run overnight.
- Subcontractors who need the use of propane heaters must contact the Project Builder.
- Propane heaters and tanks shall be stored no closer than 15' to roads or traffic areas.

In an effort to curb light pollution within the Timber Springs community, all project Superintendents will ensure that all lights are shut off for the evening before the last person leaves the job site.

Y. Construction Inspections

In addition to any inspections required by the Eagle County Building Department, any other governmental or quasi-governmental entity with jurisdiction over the Construction Site, the Owner must schedule the following inspections with the DRB. The DRB shall use good faith efforts to conduct the inspections within ten (10) business days after receiving written requests therefore. Should a Site not pass an inspection, the DRB shall provide notice to the Owner or Owner's Representative of the reasons for the failure. Absence of such inspections or notification during the construction period shall not imply approval of the work in progress or compliance with these Regulations.

After providing evidence to the DRB of corrections to the prior failure, the Owner may request a re-inspection. The DRB may enter upon a Site at any reasonable time to inspect the

progress of construction and to ensure compliance with approved Final Plans, the Construction Management Plan, and these Regulations.

1. Pre-Construction Meeting

Prior to commencing its Construction Activity and after the staking of all footprints, setback lines, and all parking, storage, and lay-down areas, etc., the Owner shall request a Site Inspection. The purpose of this inspection is for the DRB to review with the Owner or its Owner's Representatives the proposed locations of building corners, driveway and parking areas, patios, cut and fill areas, and existing natural features of the Site to be protected during construction.

2. Foundation Inspection

Upon completion of all foundation work, and prior to framing, the Owner (or Owner's representative) shall request a Foundation Inspection by the DRB and, simultaneously therewith, deliver to the DRB three copies of an Improvement Location Certificate for the Construction Site which:

- a) is certified by a licensed engineer or registered land surveyor in the State of Colorado;
- b) shows the location of all permanent improvements then located on the Construction Site; and,
- c) Sets forth the elevations of all floors and the highest roof ridge of all such permanent improvements.

Thereafter, the DRB will inspect the framing to ensure that the Construction Activity is being performed in compliance with the approved Final Plans and these Regulations and that all required construction impact mitigation has been implemented.

3. Framing Inspection

Upon completion of core and shell framing, and prior to enclosing exterior walls and roofs, the Owner shall request a Framing Inspection by the DRB. The DRB will inspect the framing to ensure that all improvements are in compliance with the approved Final Plans. Thereafter, the DRB will conduct a Final Inspection of the home.

4. Final Inspection

Upon final completion of all portions of the Construction Activity, including all landscaping required in connection therewith, the Owner shall request a Final Inspection from the DRB. Thereafter, the DRB shall inspect the Construction Site to ensure that all portions of the Construction Activity, including all such landscaping and remedial work, are fully complete and have been performed in compliance with the approved Final Plans and these Regulations.

5. Certificate of Compliance and Occupancy

"Certificates of *Compliance*" are issued by the DRB. The Eagle County Building Department issues "Certificates of Occupancy." An Owner may not occupy or otherwise use any improvement constructed on a Construction Site until it has received:

- a) A Certificate of Compliance from the DRB, and;
- b) A Certificate of Occupancy or a Temporary Certificate of Occupancy from the Eagle County Building Department.

A Certificate of Compliance will not be issued until all inspections have been completed and all outstanding items have been addressed.

6. Certificate of Compliance

If an Owner has performed its Construction Activity in compliance with its approved Final Plans and these Regulations, the DRB will issue a Certificate of Compliance to the Owner following a Final Inspection. If the Owner has failed to perform its Construction Activity in compliance with its approved Final Plans and these Regulations, the Owner shall promptly perform such remedial work, as the DRB shall require.

Z. Enforcement

If an Owner or Owner's Representative violates any term or condition set forth herein, the DRB shall have the following rights and remedies.

1. Right to Self Help

After (1) notifying the Owner or Owner's Representative of a violation of the Design Guidelines, these Regulations, or any covenants, conditions, restrictions, rules or regulations established or permitted by the Declaration and (2) providing the Owner a reasonable opportunity to cure, the DRB may, but is not obligated to, enter upon the Site and cure such violation at the Owner's cost and expense. If the DRB cures any such violation, the Owner shall pay to the DRB the amount of all costs incurred by the DRB in connection therewith, plus an administrative fee equal to fifteen percent (15%) of all such costs, within five (5) days after the Owner receives a written invoice therefore from the DRB.

2. Right to Fine

The DRB may impose a fine of up to One Hundred Dollars (\$100.00) against the Owner for the first violation of any term or condition of these Regulations. ***For each subsequent violation of that same term or condition, the DRB may impose a fine in an amount equal to twice the amount of the fine imposed against the Owner for the Owner's last violation*** of that same term or condition up to a maximum fine of Three Thousand Two Hundred Dollars (\$3,200.00) for any single violation. The Owner shall pay any fine imposed and all costs and damages incurred under this paragraph 7 within twelve (12) days after the Owner receives written notice thereof. If an Owner fails to pay such fine(s) when due, the DRB may

deduct the amount of the fine from the Owner's Compliance Deposit and/or take such other action as is permitted under the Declaration, the Design Guidelines, and these Regulations.

3. Right to Sue for Injunctive Relief

The DRB may sue the Owner to enjoin violation of the Design Guidelines and these Regulations.

4. Right to Sue for Damages

The DRB may sue the Owner for all damages, losses, costs, and expenses, including, without limitation, reasonable attorney's fees and disbursements incurred by the DRB as a result of any violation of any term or condition of these Regulations.

5. Lien

As provided in the Declaration, the Association shall have, and by its commencement of Construction Activities upon the Site the Owner further acknowledges the existence of, a lien against the Site and all of the Owner's other properties within Timber Springs to secure payment of:

- a) any fee, charge, fine or other amount due from the Owner to the DRB under the Declaration, the Design Guidelines, and these Regulations;
- b) interest on any unpaid amounts at the rate of eighteen percent (18%) per annum (or such lesser percent, if eighteen percent exceeds the maximum rate permitted by any applicable usury statute in effect at the time) from the date due until paid; and,
- c) all costs, damages, and expenses of collecting any unpaid amounts, including, without limitation, reasonable attorney's fees, and disbursements.

Any such lien may be foreclosed as a mortgage under the laws of the State of Colorado. This lien may be evidenced by a lien statement executed by the Association and recorded against the Owner's Site.

6. Other Rights and Remedies

The DRB shall have all other rights and remedies available to it by law or in equity. All rights and remedies of the DRB shall be cumulative and the exercise of one right or remedy shall not preclude the exercise of any other right or remedy, including loss of privilege of use of homeowner common area facilities.

The Association and the DRB hereby empower and direct the Public Safety Department, as its agent, to enforce and carry out any and all of the foregoing DRB remedies (except the rights of a lien holder) including the right to fine.

7. Appeals of Fines

An Owner may appeal any fine imposed against the Owner by the DRB to the Board of Directors or Executive Board, as the case may be (“Board”), in accordance with the following terms and conditions. Within ten (10) days after receiving written notice from the DRB or the Public Safety Department imposing a fine against the Owner, the Owner may file a written appeal with the Board. If the Owner fails to file a written appeal with the Board within such ten- (10) day period, the Owner shall have no further right to appeal the fine under this section. If the Owner files a written appeal within such ten (10) day period, the Board shall review such appeal and deliver a written decision with respect thereto to the Owner and to the DRB as the case may be, within thirty days after its receipt of such appeal.

If the Board decides in favor of the Owner, the DRB shall revoke its notice imposing the fine. If the Board decides in favor of the Association or DRB, the Owner shall pay such fine, as originally imposed by the DRB within five (5) days after its receipt of the Board’s written decision.

APPENDIX A:

List of Recommended Plant Materials

The following plant list includes a majority of the indigenous species found within Timber Springs. These lists are to be used for revegetation of disturbed area and habitat enhancement. Homeowners are encouraged to incorporate indigenous plants into the manicured landscape areas. Selecting the big game resistant plants identified below will reduce or minimize browsing damage by deer and elk. To conserve water homeowners are encouraged to use low water consuming plant species, identified below.

Any lot may contain numerous microclimates and plant habitats. It is the Owner's responsibility to introduce indigenous plants into the native landscape areas which are consistent with the existing habitats types and adapted to the conditions of the specific location.

NORTH FACING SLOPES

EVERGREEN TREES

| | |
|------------------------------|------------------------|
| <i>Abies concolor</i> | White Fir |
| <i>Abies lasiocarpa</i> | Subalpine Fir |
| <i>Picea engelmannii</i> | * Engelmann Spruce |
| <i>Picea pungens</i> | * Colorado Blue Spruce |
| <i>Pinus contorta</i> | + Lodgepole Pine |
| <i>Pseudotsuga menziesii</i> | * Douglas Fir |

DECIDUOUS TREES

| | |
|-----------------------------|------------------------|
| <i>Populus angustifolia</i> | Narrow-leaf Cottonwood |
| <i>Populus balsamifera</i> | Balsam Poplar |
| <i>Populus tremuloides</i> | Quaking Aspen |

SMALL TREES AND SHRUBS

| | |
|--------------------------------|-----------------------------------|
| <i>Acer ginnala</i> | Amur Maple |
| <i>Acer glabrum</i> | Rocky Mountain Maple |
| <i>Amelanchier alnifolia</i> | + Serviceberry |
| <i>Arctostaphylos uva-uris</i> | Kinnikinnik |
| <i>Juniperus communis</i> | * Common Juniper |
| <i>Mahonia repens</i> | * Oregon Grape (Creeping Mahonia) |
| <i>Pachistima myrsinites</i> | Mountain-lover |
| <i>Physocarpus monogynus</i> | * Low Ninebark |
| <i>Prunus pennsylvanica</i> | Pin Cherry |
| <i>Prunus virginiana</i> | Chokecherry |
| <i>Ribes alpinum</i> | Alpine Currant |
| <i>Ribes aureum</i> | +* Golden Currant |

Ribes inerme
Rosa woodsii
Sambucus pubens
Sambucus racemosa
Sheperdia canadensis
Sorbus scopulina
Symphoricarpus albus
Symphoricarpus uthaensis
Vaccinium myrtillus
Vaccinium scoparium

Wild Gooseberry
+ Wood's Rose
Red-berried Elder
Elderberry
Canada Buffaloberry
+ Mountain Ash
Common Snowberry
Birchleaf Spiraea
Blueberry
Huckleberry

FORBS AND GRASSES

Aquilegia caerulea
Arnica cordifolia
Calamagrostis rubescens
Carex geyeri
Elymus glaucus
Galium boreale
Geranium richardsonii
Lathyrus leucanthus
Thalictrum fendleri
Vicia americana

Wild Columbine
Heartleaf Arnica
Reedgrass
Elk Sedge
Blue Wildrye
Bedstraw
Geranium
Peavine
Meadowrue
Vetch

DRY SUNNY SLOPES

EVERGREEN TREES

Juniperus scopulorum
Pinus aristata
Pinus contorta
Pinus edulis
Pinus flexilis

+ Rocky Mountain Juniper
+ Bristol-cone Pine
+ Lodgepole Pine
+* Pinyon Pine
* Limber Pine

SMALL TREES AND SHRUBS

Amelanchier alnifolia
Arctostaphylos uva-ursi
Artemisia cana
Artemisia frigida
Artemisia tridentata spp. *vaseyana*
Ceratoides lanata
Cercocarpus intricatus
Cercocarpus montanus
Chrysothamnus parryi & spp.
Chrysothamnus nauseosus
Chrysothamnus viscidiflorus

+ Serviceberry
Kinnikinnick
+ Hairy Sage
+ Fringed Sage
+ Big Sagebrush
+ Winterfat
Dwarf Mountain Mahogany
+ Mountain Mahogany
+ Mountain Rabbitbrush
+ Rubber Rabbitbrush
+ Low Rabbitbrush

Clematis liquisticifolia
Fallugia paradoxa
Holodiscus dumosus
Jamesia americana
Juniperus osteosperma
Mahonia repens
Potentilla fruticosa
Prunus virginiana
Purshia tridentata
Quercus gambelii
Rhus glabra
Rhus trilobata
Ribes cereum
Sorbus scopulina
Symphoricarpos oreophilus
Tetradymia canescens

Western Clematis
* Apache Plume
Rock Spirea
Waxflower (Mountain Mock Orange)
+ Utah Juniper
* Oregon Grape (Creeping Mahonia)
* Shrubby Cinquefoil
Chokecherry
+ Antelope Brush (Bitterbrush)
+ Scrub Oak
+ Smooth Sumac
+* Skunkbush
* Squaw Currant
+ Dwarf Mountain Ash
+ Snowberry
Horsebrush

FORBS AND GRASSES

Agropyron dasystachyum
Agropyron smithii
Agropyron spicatum
Bromus porteri
Castilleja flauva
Cerastium oreophilum
Chenopodium leptophyllum
Delphinium nuttlaianum and spp.
Erigeron subtrinervis
Erigonum subalpinum
Erigonum umbellatum
Festucia idahoensis
Hedeoma hispida
Heliomeris multiflora
Koeleria cristata
Lupinus spp.
Oryzopsis hymenoides
Poa compressa
Poa secunda
Phlox multiflora
Sphaeralcea coccinea
Stipa columbiana
Stipa comata
Trifolium gymnocarpon

+ Thick Spike Wheatgrass
+ Western Wheatgrass
+ Bluebunch Grass
+ Nodding Brome
Paintbrush
Mouse-ear
Goosefoot
* Larkspur
* Fleabane
* Buckwheat
+* Sulphur Flower
Idaho Fescue
False Pennyroyal
Showy Goldeneye
Junegrass
+* Lupines
+ Indian Ricegrass
Canadian Bluegrass
Sandberg Bluegrass
Phlox
Scarlet Globemallow
Columbia Needlegrass
+ Needle-and-thread
Hollyleaf Clover

MOIST LOW LYING AREAS ALONG CREEKS AND STREAMS

EVERGREEN TREES

Picea engelmannii
Picea pungens
Pseudotsuga menziesii

* Engelmann Spruce
Colorado Blue Spruce
* Douglas Fir

DECIDUOUS TREES

Populus acuminata
Populus angustifolia
Populus balsamifera
Populus fremontii
Populus sargentii
Populus spp. siouxland
Populus tremuloides

Lanceleaf Cottonwood
Narrow-leaf Cottonwood
Balsam Poplar
Fremont Cottonwood
Plains Cottonwood
Siouxland Cottonwood
Quaking Aspen

SMALL TREES AND SHRUBS

Alnus tenuifolia
Betula occidentalis
Carex spp.
Ceanothus velutinus
Cornus stolonifera
Crataegus douglassii
Juniperus communis
Ledus glandulosum
Lonicera involucrata
Pachystima myrsinites
Prunus melanocarpa
Ribes coloradense
Ribes inerme
Ribes lacustre
Ribes wolfii
Rosa woodsii
Rubus deliciosus
Rubus idaeus
Rubus parviflorus
Rubus strigosus
Salix geyeriana
Salix monticola
Salix pseudomonitcola

Rocky Mountain Alder
Rocky Mountain Birch
Sedges
Deer Bush
Redosier Dogwood
+ Hawthorn
* Mountain Common Juniper
Western Labrador Tea
* Bearberry Honeysuckle
+ Mountain Lover
Western Chokecherry
Colorado Currant
Wild Gooseberry
Small-fruited Gooseberry
Wolf's Currant
+ Woods Rose
Thimbleberry
Western Red Raspberry
Western Thimbleberry
Wild Red Raspberry
Geyer Willow
Mountain Willow
Southern Park Willow

Salix scouleriana

Salix wolfii

Sambucus melanocarpa

Symphoricarpos oreophilus

Vaccinium caespitosum

Vaccinium myrtillus

Viburnum edule

Scouler Willow

Wolf's Willow

Black Elder

Mountain Snowberry

Grouse Whortleberry

Mountain Blueberry

Arrowwood Viburnum

AGRICULTURAL AREAS

FORBS AND GRASSES

Agropyron cristatum

Agrostis alba

Bromus inermis

Dactylis glomerata

Phleum pratense

Poa pratensis

+ Crested Wheatgrass

Redtop

Smooth Brome

Orchardgrass

Timothy

Kentucky Bluegrass

APPENDIX B:

Sedimentation Control Devices

Acceptable Sedimentation Facility

1. Sod Buffer Strips

2. Straw Bale Barrier or Silt Fence

3. Sediment Trap

4. Sediment Basin

Limitations

- A. Maximum slope length is 50 feet.
- B. Maximum slope is 6:1 (17%).

- A. Maximum drainage area is 1/3 acre per 100 feet of barrier.
- B. Maximum slope length is 150 feet.
- C. Maximum slope is 2:1 (50%).

- A. Maximum drainage area is 5 acres.
- B. Must provide 1800 cubic feet of storage per acre of drainage area.

- A. Must provide 1800 cubic feet of storage per acre of drainage area.
- B. Outlet capacity shall be 15 gallons per minute per acre of drainage.

APPENDIX C:

Seed Mix For Dry Habitat

| Scientific Name | Variety | Common Name | Seeding Rate * | Lbs/Acre (PLS) |
|---|-----------------|-----------------------|----------------|----------------|
| GRASSES (seed each of the following): | | | | |
| <i>Agropyron dasystachum</i> | <i>Cristana</i> | Thickspike wheatgrass | | 3-4 |
| <i>Agropyron spicatum</i> | <i>Secar</i> | Bluebunch wheatgrass | | 3-4 |
| <i>Oryzopsis hymenoides</i> | <i>Polma</i> | Indian ricegrass | | 3-4 |
| (seed any 3 of the following): | | | | |
| <i>Elymus cinereus</i> | <i>Megnar</i> | Great Basin wildrye | | 4-5 |
| <i>Koeleria cristata</i> | - | Junegrass | | 1 |
| <i>Poa canbyi</i> | <i>Canbar</i> | Canby bluegrass | | 1 |
| <i>Poa sandbergii</i> | - | Sandberg bluegrass | | 1-2 |
| <i>Sitanion hystrix</i> | - | Squirreltail | | 4-5 |
| FORBS (seed 2 or more of the following): | | | | |
| <i>Achillea millefolium</i> | - | White yarrow | 1/16 | |
| <i>Castilleja linariaefolia</i> | - | Indian paintbrush | 1/16 | |
| <i>Gaillardia aristata</i> | - | Blanket flower | 1/4-1/2 | |
| <i>Linum lewisii</i> | - | Blue flax | 1/4-1/2 | |
| <i>Penstemon palmeri</i> | <i>Cedar</i> | Palmer penstemon | 1/4-1/2 | |
| <i>Rudbeckia hirta</i> | - | Black-eyed Susan | 1/16 | |
| <i>Sphaeralcea coccinea</i> | - | Scarlet globemallow | 1/4-1/2 | |
| SHRUBS (seed each of the following, except on road cuts): | | | | |
| <i>Ceratoides lantata</i> | - | Winterfat | | |
| <i>Cercocarpus montanus</i> | - | Mountain mahogany | | |

* Double the seeding rate for broadcast seeding methods.

For disturbances in the mountain mahogany, mountain sagebrush and rabbitbrush/winterfat shrub habitat types or steep south- or west-facing slopes.

APPENDIX D:

Seed Mix For Mesic Habitat

| Scientific Name | Variety | Common Name | Seeding Rate * | Lbs/Acre (PLS) |
|---|---------------------------|--------------------------|----------------|----------------|
| GRASSES (seed each of the following): | | | | |
| <i>Agropyron smithii</i> | Arriba | Western wheatgrass | | 4-5 |
| <i>Bromus marginatus</i> | Bromar | Mountain brome | | 4-5 |
| <i>Poa compressa</i> | Reubens | Canada bluegrass | | 1 |
| (seed any 3 of the following): | | | | |
| <i>Agropyron trachycaulum</i> | Primar | Slender wheatgrass | | 2-3 |
| <i>Elymus canadensis</i> | - | Canada wildrye | | 4-5 |
| <i>Poa pratensis</i> | (high altitude varieties) | Kentucky bluegrass | | 1 |
| <i>Stipa lettermanii</i> | - | Letterman needlegrass | | 2-3 |
| <i>Stipa viridula</i> | Lodorm | Green needlegrass | | 2-3 |
| FORBS (seed 2 or more of the following): | | | | |
| <i>Achillea millefolium</i> | - | White yarrow | 1/16 | |
| <i>Aquilegia caerulea</i> | - | Colorado blue columbine | 1/2 | |
| <i>Aster chilensis</i> | - | Pacific aster | 1/16 | |
| <i>Epilobium angustifolium</i> | - | Fireweed | 1/1 | |
| <i>Linum lewisii</i> | - | Blue flax | 1/4-1/2 | |
| <i>Oenothera hookeri</i> | - | Evening primrose | 1/4 | |
| <i>Penstemon strictus</i> | Bandera | Rocky Mountain penstemon | 1/4-1/2 | |
| SHRUBS (seed each of the following, except on road cuts): | | | | |
| <i>Amelanchier alnifolia</i> | - | Serviceberry | | |
| <i>Chrysothamnus nauseous</i> | - | Rubber rabbitbrush | | |
| <i>Purshia tridentata</i> | - | Bitterbrush | | |

* Double the seeding rate for broadcast seeding methods.
For disturbances in the aspen, Douglas fir, lodgepole pine, big sagebrush, and agricultural habitats.

APPENDIX E:

Temporary Seed Mix

| Common Name | Seeding Time | Seeding Rate | Lbs/Acre (PLS)* |
|---------------------|---------------------|--------------|-----------------|
| Annual Ryegrass | March-May/September | | 20 |
| Cereal Rye | March-May/September | | 30 |
| Winter Wheat/Barley | September | | 30 |
| Spring Wheat/Barley | March/April | | 30 |
| Millet | May-June | | 20 |

- Double the seeding rate for broadcast seeding methods.

APPENDIX F:

Caretaker Units

1. Land Uses

Each site will be permitted the following uses, unless further restricted by the Eagle County Land Use Regulations:

| | |
|-------|--|
| Lot 1 | Single Family Dwelling Unit and Caretaker Unit |
| Lot 2 | Single Family Dwelling Unit and Caretaker Unit |
| Lot 3 | Single Family Dwelling Unit and Caretaker Unit |
| Lot 4 | Single Family Dwelling Unit and Caretaker Unit |
| Lot 5 | Single Family Dwelling Unit and Caretaker Unit |
| Lot 6 | Single Family Dwelling Unit and Caretaker Unit |
| Lot 7 | Single Family Dwelling Unit and Caretaker Unit |
| Lot 8 | Single Family Dwelling Unit and Caretaker Unit |

2. Building Size

Unless further restricted by the Eagle County Land Use Regulations (ECLUR), Single-family residences and Caretaker units shall have a minimum footprint of 2,500 square feet and a maximum footprint of 15,000 square feet. The building footprint is calculated by the outside dimensions of the building foundation, excluding porches, patios, or other unroofed areas.

The overall floor area of enclosed habitable space for both a single-family residence and a Caretaker unit together shall be at a minimum of 2,500 square feet and a maximum of 15,000 square feet. Each Caretaker unit shall be limited to a maximum of 1,800 square feet of habitable area, unless further restricted by the Eagle County Land Use Regulations (ECLUR).

3. Caretaker Units.

1. Number. No more than one (1) accessory dwelling unit shall be permitted in conjunction with and in addition to the principal use of the parcel. An accessory dwelling unit in the Resource Zone District on 35 acres or more per parcel is considered a use by right and exempt from Limited Review and notice requirements by Eagle County.
2. Size and Use Each Caretaker unit shall be limited to a maximum of 1,800 square feet of habitable area, unless further restricted by the Eagle County Land Use Regulations (ECLUR).
3. Location. An accessory dwelling unit may be located within or attached to the structure containing the principal use of the parcel, or

may be detached from that structure if: 1) it is located within or above a garage; 2) it is located within a lawful accessory building; or 3) it is independent from any structure located within the Resource (R) zone district.

4. **Parking.** There shall be one (1) additional off-street parking space provided for any accessory dwelling unit that is a studio or one-bedroom unit. Any accessory dwelling unit containing two (2) or more bedrooms shall have two (2) off-street parking spaces.
5. **Ownership.** The accessory dwelling unit shall not be condominiumized or sold separately from the principal use of the parcel.
6. **Adequate Facilities.** It shall be demonstrated that the accessory dwelling unit will be provided with adequate facilities for potable water supply, wastewater disposal, solid waste disposal, electrical supply, fire protection, and roads.

**EXHIBIT “A”: SOURCES OF INFORMATION
REGARDING CONSTRUCTION AT TIMBER SPRINGS**

1. Timber Springs Property Owners’ Association
c/o Marchetti & Weaver LLC,
28 2nd St, Unit 213
Edwards, Colorado 81632
2. Timber Springs Design Review Board [DRB Regulation]
28 2nd St, Unit 213
Edwards, Colorado 81632
 - a. General: (970) 926- 6060
 - b. Design Review: (970) 926- 6060
3. Eagle County
Community Development [Construction Permits]
Post Office Box 179
Eagle, Colorado 81631-0170
(970) 328-8730
4. Timber Springs Metropolitan District [Road Cuts]
28 2nd St, Unit 213
Edwards, Colorado 81632
(970) 926-6060
5. Xfinity (Comcast) [Cable Television, Internet, and Telephone Service]
Post Office Box 439
Avon, Colorado 81620
(970) 949-5530
6. Holy Cross Electric Association [Electrical Service]
Post Office Box 972
Avon, Colorado 81620
(970) 949-5892
7. Black Hills Energy [Natural Gas Service]
369 Sawatch Rd
Eagle, Colorado 81631
(888) 890-5554
8. CenturyTel [Telephone, Internet Services]
27850 Harris Road
La Junta, Colorado
800-261-7649 [Residential Accounts]
800-922-1987 [Line locates]

EXHIBIT “B”: OVERVIEW OF DESIGN REVIEW PROCESS, CONCEPT-TO-OCCUPANCY

CONSTRUCTION PROCESS

1. Sketch Plan Submittal and Review by Timber Springs DRB Staff.
2. Final Plan Submittal and Review by Timber Springs DRB Staff.
3. Final Working Drawing Submittal and Technical Review
4. Pre-Construction Meeting
5. Eagle County Plan Check/ Building Permit issuance
6. Construction Period Inspections -Timber Springs DRB and Eagle County
7. Certificate of Compliance-Inspection
8. Certificate of Occupancy-Inspection
9. Refund of Compliance Deposit, as applicable.

PRE-CONSTRUCTION REQUIREMENTS:

1. Submittals to DRB:
 - (A) Final Working Drawings
 - (B) Construction Management Plan
 - (C) Construction Schedule
2. Subsequent Actions
 - (A) Stake footprints of all improvements, parking, storage and Lay down areas.
 - (B) Request a Pre-Construction Meeting from DRB.
 - (C) Deliver Compliance Deposit and a signed and dated Compliance Agreement to DRB.
3. Submit Final Working Drawings to Eagle County for Plan Check.
4. Receive building permit.

CONSTRUCTION REQUIREMENTS:

1. Adhere to Timber Springs DRB Construction Rules & Regulations
2. Request a Foundation Inspection from DRB and deliver Location Improvement Certificate to DRB.
3. Prior to enclosing exterior walls, request Framing Inspection from DRB.
4. Apply for Temporary Certificate of Occupancy from Eagle County, if applicable.
5. Upon final completion of all portions of construction activity, request Final Inspection and Permanent Certificate of Compliance from DRB.

POST CONSTRUCTION AND OCCUPANCY:

1. Apply for Certificate of Occupancy from Eagle County.
2. Request refund of Compliance Deposit.
3. Obtain all signatures on Release of Compliance Deposit Sign-Off and submit to DRB.
4. Any remaining Compliance Deposit returned.

EXHIBIT “C”: DRB RELEASE OF COMPLIANCE DEPOSIT SIGN-OFF SHEET

In order to obtain a refund of your Compliance Deposit, you must obtain the following agencies’ signatures on this form. Present this form with all the applicable agencies’ signatures to the DRB for processing of this information and release of the remaining Compliance Deposit balance.

Compliance deposits will not be released until the DRB Staff have issued a Permanent Certificate of Compliance.

Tract _____, Block _____, Lot _____,
Address _____

Owner:

Mailing Address:

Contractor:

Mailing Address:

The above-referenced property is in conformance with the approved DRB plans, Timber Springs Metropolitan District standards, Timber Springs Safety standards, and is in compliance with all legal aspects for permanent occupancy.

Timber Springs Metropolitan
District _____

Printed Name of

Signatory _____ Date _____

Public Safety Department (if applicable) _____

Printed Name of

Signatory _____ Date _____

Timber Springs Design Review Board

Printed Name of

Signatory _____ Date _____

EXHIBIT “D”: DRB FEES AND DEPOSIT



**Timber Springs Property Owners Association (TSPOA)
Design Review Board - Application Fee per Structure**

Fees: Checks payable to RHM Design LLC

Compliance Deposits: Checks payable to Timber Springs POA

| Application Type | Fee* |
|---|------------------|
| Sketch Plan Submittal – New Construction | \$4,850 |
| Final Plan Submittal – New Construction | \$3,850 |
| DRB meeting beyond one meeting for each application | \$1,800 |
| Deviation from Guidelines / Variance | \$1,000 |
| Minor Modification – single item (Example: minor landscaping, color change, new roof, fencing, hot tub, fire pit, address marker, exterior lights, bocce court) | \$500 per item |
| Modification without adding Building sq. ft. – multiple items (Example: deck, patio, landscape, water feature, window changes, several minor modifications) | \$1,000 per item |
| Building Addition of Livable sq. ft. – Minor (under 500 sq. ft.) | \$770 |
| Building Addition of Livable sq. ft. – Major (500 sq. ft. – 1,000 sq. ft.) | \$1,400 |
| Building Addition of Livable sq. ft. – Major (Over 1,000 sq. ft.) | \$2,500 |
| Building Envelope Amendment | \$2,000 |
| Modification to Approved Plans (Prior to or during Construction) | \$500 per item |
| Final Plan Approval – Extension with no Changes to Plans (Maximum of Two Extensions) | \$500 per item |
| Technical Plan Review – New Construction, includes two inspections (If required for major or minor modifications and additions) | \$2,200 |
| Re-inspection fee – If an inspection fails or is incomplete | \$500 per visit |
| Compliance Deposit | Deposit |
| Road Cuts Deposit – | \$3,500 |
| Compliance Deposit – New Construction of Habitable Space 2,500 – 5,000 sq. ft. | \$30,000 |
| Compliance Deposit – Addition, Remodel, Landscape Construction Cost < \$100,000 | \$10,000 |
| Compliance Deposit – Addition, Remodel, Landscape Construction Cost > \$100,000 | \$20,000 |

*Projects fees outside the scope of the current fee schedule will be determined by DRB. Fees are subject to change, contact DRB to confirm fees.

***Projects started without approval will be charged double the review fee.**

*Project fees paid to the Association are good faith estimates of amounts reasonably expected to cover Architect's time and reimbursables invoiced to TSPOA, and other costs incurred by TSPOA, during the course of reviews and inspections of the applicant's proposed improvement project and related Plans. Should actual costs exceed the Fee estimates paid by applicant during the life of the improvement project, TSPOA, Architect, or other consultants will be timely reimbursed by applicant upon presentation of evidence of excess costs incurred.