

CASTLE HIGHLANDS

HOMEOWNERS ASSOCIATION

DESIGN GUIDELINES

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PLANNING AND DESIGN PHILOSOPHY

The planning and design philosophy of Castle Highlands is to encourage consistent quality and design expression throughout its boundaries, while allowing for individuality of architectural expression by its Owners.

The guidelines, procedures and information herein define the means by which homes built at Castle Highlands can be compatible with each other and with their unique setting. These Design Guidelines are the criteria for judgment and form the basis of control by the Architectural Review Committee.

These Architectural Guidelines may change from time to time to reflect new experiences and changing conditions without modifying their overall intent.

A. INTRODUCTION/GENERAL

1. Authority

Per the Declaration of the Covenants, Conditions and Restrictions for Castle Highland (the "Declaration"), the Castle Highlands Architectural Review Committee (the "Committee") hereby exercises its rights and establishes these Architectural Guidelines (the "Guidelines"). The Declaration will control if there are any discrepancies between the Guidelines and the Declaration.

2. General Purposes

The Committee has adopted the Guidelines to maintain consistency in the use and development of Castle Highlands (the "Property"). The Guidelines are subject to the Committee's supervision and approval, and to the zoning and planning regulations of the City of Castle Rock, and applicable federal and state statutes, rules and ordinances.

3. Definitions

- a. "Declarant" is Pulte Home Corporation, and its specifically designated successors or assigns.
- b. "Improvement" or "Development" shall mean all structures and improvements located upon or made to a Lot and any appurtenances thereto of every type or kind, including, but not limited to, buildings, outbuildings, swimming pools, patio covers, awnings, the painting of any exterior surfaces of any visible structure, roofing, trash containers, mail boxes, satellite dishes, additions, walkways, outdoor sculptures or artwork, sprinkler pipes, garages, carports, roads, driveways, parking areas, fences, screening walls, retaining walls, stairs, decks, fixtures, landscaping, hedges, windbreaks, plantings, planted trees and shrubs, poles, signs, exterior tanks, solar equipment, exterior air conditioning and water softener fixtures.
- c. "Owner" means the record owner, whether one or more persons or entities, of the fee simple title to any site.
- d. "Lot" or "Site" means any numbered lot shown on the recorded subdivision map, but shall not include the Common Areas.

4. Architectural Review Committee

The Committee shall consist of three members, initially designated by Declarant, to review, study, and approve or reject proposed Improvements upon the Property. The term of the members shall be designated by the Board of Directors.

Unless otherwise expressly provided herein to the contrary, all approvals required shall be in writing and may be granted or withheld at the sole discretion of the Committee. Any approval pursuant to these guidelines does not constitute a warranty, assurance, or representation by the approving party; and the approving party should have no responsibility by virtue of such approval.

The Committee shall meet at the convenience of its members or may utilize the mail or phone as necessary to transact its business. An Owner or his representative need not be present for the Committee to act upon an application. The initial address of the principal office of the Committee shall be: 7475 S. Joliet St, Englewood, CO 80112.

a. Right of Waiver

The Committee reserves the right to waive or vary any of the procedures or Design Guidelines at its discretion, for good cause shown. Any waiver or variance granted shall be considered unique and will not set any precedent for future decisions.

b. Enforcement and Non-Liability of Committee, Declarant, Management Company and Castle Highlands Homeowners Association, Inc.

These guidelines may be enforced by the Committee as provided in the Declaration. Neither the Committee, the Association, the Board of Directors of the Association, the Declarant, nor the management company nor any of their respective individual members, employees, agents, successors or assigns shall be liable for any loss, damage or injury arising out of or in any way connected with the performance and duties of the Committee. Every Owner or other person who submits plans to the Committee for approval agrees, by submission of such plans and specifications, that they will not bring an action, lawsuit or claim against the Committee, the Association, the Board of Directors of the Association, the Declarant, nor the management company nor any of their respective individual members, employees, agents, successors or assigns based on mistake in judgment, negligence, or nonfeasance arising out of, or in connection with, the

approval or disapproval or failure to approve any plans or specifications. Approval by the Committee shall not be deemed to constitute compliance with the requirements of any local building codes, development regulations or other applicable laws, and it shall be the responsibility of the Owner to comply therewith.

c. Information Submitted by An Owner

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

d. Re-submittal of Plans and Appeal

Should the Committee deny any submission, any re-submission shall follow the same procedures as the rejected submittal. The Owner shall reply in writing to Committee concerns during, or after the submission, if requested.

e. Owner Representation

The Owner shall advise all his representatives, including but not limited to, his architect, engineer, contractor, subcontractors, and their employees of the standards and procedures outlined in the Declaration and these Design Guidelines, including the Appendixes, and all such representatives shall abide by said documents.

B. ARCHITECTURAL GUIDELINES

All requirements noted within this section which are pertinent to the development of an Owner's Site shall be incorporated into the plan submittal in the form of general notes, details or drawings.

1. Professional Design Assistance

The Committee reserves the right to require Owners to utilize a registered and accredited architect.

2. Design and Configuration

Additions or improvements will have details that are coordinated and consistent in their architectural treatment and with any and all statues currently existing on the lot.

3. Exterior Materials and Finishes

Exterior materials and finishes shall be reviewed on an individual basis by the Committee and should be consistent with any materials of finishes currently existng on the lot.

4. Finishes

Solid body stains which relate to the surrounding improvements are acceptable. Color samples must be submitted for Committee review.

5. Roofs

A building's roof is integral to a home's architectural character. Roofing material color and texture should reflect other materials on the homes and adjacent properties. Roofing materials to be used for replacement of an existing roof are to be submitted to the Committee for approval prior to replacement.

6. Doors

Solid core wood, plank, or fiberglass doors are acceptable for exterior doors. Any painted materials must be of an approved color. Door designs complementary to the overall residence design are preferred. Overly ornate, gaudy or period designs are not allowed. One or more standard storm, security or screen doors are allowed on a case by case basis.

7. Color

Exterior improvement colors shall generally be complementary to the applicant's home color. The use of decorative accent colors and color-blocking will be reviewed for location and application. The Committee will consider all coloration schemes based on their architectural merit and compatibility to the community as a whole. Any submittal not utilizing the existing home colors must be accompanied by color samples of all proposed materials.

8. Changes

No material changes in plans or materials previously approved may be undertaken without WRITTEN approval of the Committee. No work shall be undertaken (other than routine maintenance and repair) which will result in material changes in the exterior appearance of an approved residence, including painting or re-staining, without prior, written approval of the Committee.

C. SITE STANDARDS

These Site Standards, together with the Architectural Guidelines, form the basic direction for the community.

Plans should minimize disturbance of existing terrain and should not disturb drainage patterns. Respect for adjacent residences is stressed.

1. Setbacks and Side Yards

Building envelopes and minimum setbacks are defined for each Site.

2. Trash/Garbage Receptacles

Trash receptacles storage will be screened, enclosed from view, planned as a part of the total design, and subject to Committee approval. Trash receptacles shall only be placed out for collection on the night before collection and must be returned to storage on the night after collection.

3. Landscaping

When preparing to landscape or amending existing landscaping, an Owner must submit a complete landscape plan and schedule per the Architectural Review Process as described herein.

4. Retaining Walls

Retaining walls should be as low as possible and integrated into the entire landscape plan.

5. Erosion Control

Techniques to control Site erosion and protect adjacent properties are mandatory and must conform to the requirements of the City of Castle Rock.

6. Drainage

No Owner shall interfere with or redirect the natural course or intended flow of any drainage and runoff, nor construct any improvement, place any landscaping, or allow the existence of any condition which will alter the drainage pattern as intended.

7. Fencing

Community fencing surrounding Castle Highlands has been designed and constructed to provide a consistent and unified image. This fencing is designed to satisfy the functional and privacy needs of residents.

Three distinct types of fencing or yard enclosures may be constructed depending on location and functional requirements. These include Community Fencing, constructed along the perimeter of a neighborhood, Lot Fencing (open), built along interior side and rear lot lines; and Privacy Fencing and Walls, used to screen or enclose a private patio, spa, or outdoor living area.

a. Lot and Privacy Fences

Lot Fences are designed to define interior lot lines, (side and rear yards). Lot fences shall be limited to open space fencing located adjacent to open space and solid wood designs. Open style lot fences, located along property lines adjacent to open space shall be 4' 5" three rail fences that comply with Exhibit 1.

Privacy Fences to be used for patios, spas, etc. (within the boundaries of the homeowner lot) are to be 4' privacy fences of solid wood without exposed posts.