

## ARTICLE I

### DEFINITIONS

Section 1. The following words when used in this Declarations or any Supplemental Declaration (unless the context shall prohibit) shall have the following meanings:

A. The word "**Association**" means and refers to Sunset Ridge Property Owners Association, Inc., a Colorado nonprofit corporation, which will be incorporated, its successors and assigns.

B. The word "**Declaration**" means and refers to this Declaration of Covenants and Restrictions.

C. "**The Properties**" shall mean and refer to all such existing properties, and additions thereto, as are subject to this Declaration or any Supplemental Declaration under the provisions of Article II hereof.

D. The word "**Developer**" means and refers to Grand Country Ranches Associates, a limited partnership by Hide-Away Ranches, Inc., a Colorado Corporation, such person or entity to whom the Developer may assign its rights as Subdivider under this Declaration, and any successor to Subdivider.

E. "**Lot**" shall mean and refer to any plot of land shown upon any recorded map of the properties as hereinabove defined.

F. The words "**residential building site**" mean:

A plot or parcel of land conveyed by Subdivider consisting of one lot shown on the recorded plat of Sunset Ridge - Filing No. 1 and No. 2, or one lot and a fractional part of an adjacent lot, or more than one lot provided, however, that no residential building site may have an area of less than one acre and provided further that residential building site shall exclude any parcel designated as a 'tract' on the recorded plat on Sunset Ridge - Filing No. 1 and No. 2 except that Tract E of Filing No. 2 may be developed for up to 5 residential building sites of not less than one acre each or

A plot or parcel of land conveyed by Subdivider consisting of fractional parts of two adjacent lots shown on the recorded plat of Sunset Ridge - Filing No. 1 and No. 2, provided, however, that no residential building site may have an area of less than one acre and provided further that residential building site shall exclude any parcel designated as a 'tract' on the recorded plat of Sunset Ridge - Filing No. 1 and No. 2 except that Tract E of Filing No. 2 may be developed for up to 5 residential building sites of not less than 1 acre each.

No residential building site as originally conveyed by the Subdivider shall be re-subdivided so as to form smaller building sites.

G. "**Living Unit**" shall mean and refer to any portion of a building situated upon the Properties designed and intended for use and occupancy as heretofore defined.

H. "**Multifamily Structure**" shall mean and refer to any building, townhouse or condominium containing two or more Living Units under one roof except when each such Living Unit is situated upon its own individual tract.

I. "**Owner**" shall mean and refer to the record owner, whether one or more persons or entities, of the fee simple title to any Lot or Living Unit situated upon the Properties but, notwithstanding any applicable theory of the mortgage, shall not mean or refer to the mortgagee unless and until such mortgagee has acquired title pursuant to foreclosure or a proceeding in lieu of foreclosure. The word "Owner" includes Subdivider.

J. "**Member**" shall mean and refer to all those Owners who are members of the Association as provided in Article V, Section 1, hereof.

K. "**Dwelling Tract**" shall mean a Tract intended for improvement with a dwelling.

L. "**Dwelling**" shall mean any building located on a dwelling tract and intended for the shelter and housing of a single family.

M. "**Dwelling Accessory Building**" shall mean a subordinate building or a portion of a dwelling the use of which is incidental to the dwelling and customary in connection with that use.

N. "**Single Family**" shall mean one or more persons each related to the other by blood; marriage or adoption, or a group of not more than three persons not all so related, together with his or their domestic servants, maintaining a common household in a dwelling.

O. "**Basement**" shall mean the portion of a dwelling located partly underground but having less than one-half its clear floor-to-ceiling height below the average grade of the adjoining ground at the building front.

P. "**Cellar**" shall mean the portion of the dwelling located partly or wholly underground and having one-half or more than one-half of its clear floor-to-ceiling height below the average grade of the adjoining ground at the building front.

Q. "**Building Height**" shall mean the vertical distance measured from the established building grade at the building front to be highest point of the underside of the ceiling beams, in the case of a flat roof; to the deck line of a mansard roof; and to the mean level of the underside of rafters between the eaves and the ridge of a gable, hip or gambrel roof. Chimneys and ornamental architectural projections shall not be included in calculating the height.

R. "**Building Line**" shall mean a line on a lot that is delineated in the recorded plat of subdivision which denotes the required depth of a front, side, or rear yard.

S. "**Tract Area**" shall mean the area of a horizontal plane bounded by the vertical planes through front, side and rear tract lines.

T. "**Tract Line**" shall mean any boundary of a tract.

U. "**Story**" shall mean that portion of a dwelling included between the surface of any floor and the surface of the floor next above; or if there is no floor above, the space between the floor and the ceiling next above. A basement shall be counted as a story and a cellar shall not be counted as a story.

V. "**Half Story**" shall mean the space under a sloping roof which has the line of intersection of roof decking and wall not more than three feet above the top floor level, and in which space not more than 60% of the floor area is completed for principal or accessory use.

W. "**Ground Floor Area**" shall mean the living area in that story of the dwelling which is the first story entirely above the established building grade, at the building front.

X. "**Living Area**" shall mean that portion of a dwelling which is enclosed and customarily used for dwelling purposes but shall not include open porches, open terraces, breezeways, cellars, attached garages, carports or dwelling accessory buildings.

Y. "**Structure**" shall mean anything erected or constructed, the use of which requires more or less permanent location on or in the ground, or attached to something having a permanent location on or in the ground. Any sign or other advertising device should be construed to be a separate structure.

Z. "**Trail Easement**" shall mean those paths or routes designated in Sunset Ridge Properties for travel and use by horses, pedestrians and skiers, as more fully set out on the plat of survey recorded in Grand County, Colorado.

A-1. "**Common Properties**" shall mean and refer to: those areas of land shown on any recorded subdivision Plat of the Properties as "Common Properties" and intended to be devoted to the common use and enjoyment of the owners of the Properties.

A-2. The word "**Committee**" means and refers to the Architectural Control Committee established pursuant to Article III.

A-3. "**Roadway Easements**" shall mean the 10 foot wide easement along all lot lines that abut streets, as more fully set out on the Plat of Survey recorded in Grand County, Colorado.

A-4. "**Equipment**" shall mean motor homes, pickup trucks with tops, other recreational vehicles, trucks and vans of any kind which could not be stored in a standard one car garage with a door 7 feet tall by 9 feet wide and 18 feet deep. Equipment shall not include motor homes and house trailers used by guests of owners for periods not in excess of 30 days.

Equipment shall also mean detached camper tops, travel trailers, trailers, tractors, truck beds and commercial vehicles of any kind habitually stored on or adjacent to any lot.

Equipment shall also mean construction equipment of any kind stored on or adjacent to any lot, except for equipment used as part of construction approved by the Architectural Control Committee.

Equipment shall also mean boats, snowmobiles, ski doos, jet skis, motorcycles and all-terrain vehicles habitually stored or parked on or adjacent to any lot.