

## ARTICLE IV

### GENERAL RESTRICTIONS

Section 1. **Land Use and Building Type.** All lots which are so designated as numbered numerically and those lots developed in Tract E, Filing No. 2 on any recorded subdivision plat of the Properties are intended as dwelling tracts and shall be used for private residence purposes only. No structure, except as specifically authorized elsewhere in this Declaration shall be erected, re-erected or maintained on a dwelling tract except one dwelling for occupancy by a single family, and detached garage containing no more than four parking spaces for the sole use of the Owners or occupants of the dwelling. Said garages may have living quarters in connection therewith for the sole use of the Owner or occupants or his servants or guests. No structure, garage, or other dwelling accessory shall be erected prior to construction of a dwelling. No other dwelling, accessory buildings or structures may be erected except in such manner and location as hereinafter provided or as approved in writing by the Committee. Where foundations are desired, they should be so designed as to minimize excavation (such as column and beam construction) and excavated material should be stocked in a way that it cannot be eroded and carried into the water supply. Where vegetation cover is destroyed, it should be replaced immediately so as not to allow soil to be exposed to erosive forces.

Section 2. **Maximum Height of Building.** No structure on a residential site shall exceed 30 feet in height as measured from grade, being the ground level at a point midway between the side lot lines and 25 feet from the front lot line of each lot, but for good cause the Architectural Control Committee may grant relief from this provision.

Section 3. **Dwelling Materials, Quality and Size.** It is the intention and purposes of these covenants to insure that all dwellings shall be of quality of design, workmanship and materials approved by the Committee. All dwellings shall be constructed in accordance with applicable governmental building codes and with more restrictive standards that may be required by the Architectural Control Committee or the Association. A residential structure on any building site covered by these covenants shall have a habitable ground floor footprint area of 1,000 square feet or more, exclusive of basement, open porches, patios, and garages. All residential sites must have at least a one car garage (attached or detached). All structures shall have an exterior surface of natural wood (which may have a clear finish or stain but shall not be painted), stone, or glass; and roof surfaces shall be asphalt or metal; except that the architectural committee may allow the use of other materials for wall and roof surfaces, provided such materials are designed and located in harmony with surrounding structures and natural land features. The exterior portion of any structure must be completed within one year from date of commencement of said construction.

All structures shall comply with the provisions of the following standard codes, or their official amendments, provided that where unusual circumstances exist, the Architectural Control Committee may grant variances from the terms of such standard codes:

"Uniform Building Code," 1958 Edition International Conference of Building Officials; "Technical Plumbing Code", Colorado State Department of Public Health; "National Electrical Code", 1956 Edition, National Fire Protective Association International or any 'as amended'.

Section 4. **Location on the Lot.** No single residential structure shall be erected or placed on any building site, which does not contain at least one complete lot as designated as the official plat. No other principal building shall be erected or placed on any site which has an area of less than one acre or a width of less than 100 feet at the front building setback line.

No building shall be located on any building site less than 25 feet from the front lot line for all sites covered by these covenants, nor less than 25 feet from any side street line. No building shall be located less than 10 feet from any side lot line or 10 feet from any building on the same site. No building shall be so located as to reduce the rear yard of the plot on which it is located to less than 10 feet.

Section 5. **Parking.** At the time the residence is built on a residential building site, there shall also be constructed on such site adequate parking off the dedicated road for at least four automobiles, provided, however, that the Architectural Control Committee may modify this requirement if the topography and available area limit the space available for parking.

Section 6. **Fireplaces.** All fireplaces, chimneys, and barbecues shall be equipped and maintained with spark arresting screens.

Section 7. **Driveways.** To the extent possible driveways shall be located so as to minimize water run-off and erosion. Culverts meeting standard county requirements, if conditions require, shall be installed wherever the driveway enters the road.

Section 8. **Water Facilities.** No water facility may be built or maintained on any lot or any Common Property without the prior written approval of the Board of Directors of the Association or an Architectural Committee appointed by the Boards. In its discretion the Board may approve, prohibit or limit the construction or maintenance or location of any water facility and the use thereof.

Section 9. **Home Occupations and Nuisances.** No home occupation or profession which results in clients or customers visiting the premise shall be conducted in any Living Unit or accessory building. No noxious activity shall be carried on, in or upon any premises nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood. The use of any garage, carport, driveway or parking area which may be in front or adjacent to a part of any lot as a habitual parking place for commercial vehicles is prohibited. No dwelling house shall be constructed on said land unless there is concurrently constructed on the same land adequate off-street parking for at least four (4) automobiles.

Section 10. **Plant Disease or Noxious Insects.** No plants or seeds or other things or conditions harboring or breeding infectious plant diseases or noxious insects shall be introduced or maintained upon any part of a lot.

Section 11. **Dwelling House to be Constructed First.** No garage or other out building shall be constructed on the lot until after commencement or construction of the dwelling house on the same land.

Section 12. **Residence Completion Deadline.** A residence shall be completed within twelve months after construction begins. The time limit may be extended by the Architectural Control Committee if unusual circumstances delay completion and shall be extended upon proof that the delay is caused by strike, the shortage of material or government restrictions.

Section 13. **Move in Restrictions.** No residence erected upon any residential building site shall be lived in permanently until the exterior is fully completed, including the treating or staining of wood and the residence has been approved for occupancy by the appropriate governmental agency.

Section 14. **Easements.** In the recorded plat of subdivision of the Existing Property Developer has:

(a) The undersigned hereby reserve to themselves, their successors and assigns, perpetual easements (10) feet in width on each side of the boundary line along the entire perimeter of said lands for the purpose of constructing, maintaining, operating, sewer, gas, and similar lines, pipes, wires, ditches and conduits, however, the undersigned hereby reserve to themselves, their successors and assigns, the right to vacate the easement along any interior side lot lines if two or more adjoining lots are sold and used as a single dwelling site.

(b) Created a 10 foot roadway easement along all streets for snow removal and a 15 foot trail easement for walking, bridal trails, snowshoeing, ski touring, and other quiet recreational use-as shown on the plat marked "Roadway Easements" and "Trail Easements." Snowmobiles, trail bikes and other noise making recreational machines are prohibited from these easements.

Section 15. **Maintenance of Roadway Easements and Trail Easements.** Each Owner shall be responsible for the maintenance of said Easements located between lot lines and other lot lines and streets adjoining Owner's property.

Section 16. **Wells and Plumbing.** All plumbing fixtures, dishwashers, toilets or sewage disposal systems shall be connected to a septic tank system constructed by the Owner and approved by the Association and any state, county or municipal authority having jurisdiction. Septic tank systems and locations must be registered professional engineer design. Said engineer's design plans must be submitted to the Architectural Control Committee for approval and issuance of permit prior to commencing construction. All systems are to be of the closed type; no waste water is to be discharged into water supplies. Any such system as installed shall be

subject to inspection and final approval by approving authority before backfilling. Every new leech field must comply with county regulations but must be at least 100 feet from any adjacent existing well and each new well must be at least 100 feet from any adjacent existing leech field. The Board of Directors of the Association may establish rules and regulations regarding the proper maintenance for on-site sewage disposal systems.

If public sewage facilities become available, each residence shall be connected to the public system within one year after the service becomes available. No outside toilet shall be placed on any residential building site except a temporary self contained unit during period of construction of residence.

Section 17. **Fences.** No fence, wall, hedge, or mass planting shall be permitted to extend unto any trail easement shown on the plat of the subdivision, except upon approval of the Architectural Control Committee.

Section 18. **Nuisance.** No owner of any residential building site shall suffer or permit any noxious, dangerous or offensive activity to be conducted, carried on or practiced at any place on such site.

Section 19. **Service Yards and Trash.** All residential building sites must be kept in clean and orderly condition. All equipment, service yards, clothes lines, and storage piles, except neat appearing woodpiles, shall be kept screened by adequate planting or fencing so as to conceal them from the view of adjoining properties and public roads.

Unless otherwise controlled by law, burning of any refuse shall be at such hours of the day as shall be established by the Architectural Control Committee. Each residence shall have covered sanitary containers for refuse.

No trash or other refuse may be thrown or dumped on any property subject to this Declaration. All rubbish and trash shall be removed to an approved dump area and shall not be allowed to accumulate on said land, provided, however, that the Architectural Control Committee may approve burning of wood and waste in certain cases, provided that such burning is carried out under full time observation and with water available for full control of the burning.

Section 20. **Mining or Drilling Operations.** No mining operations of any kind and no drilling or quarrying shall be permitted upon or in any residential building site or the Common Area, nor shall tunnels, mineral excavations, shafts, or wells, except for water wells, be permitted upon or in any residential building site or the Common Area.

Section 21. **Automobiles.** No junk automobiles or automobiles not ordinarily in operating condition may be parked or stored on the Common Area or on any residential building site, except in an enclosed garage. If this provision is violated, the Architectural Control Committee shall have the right to remove any such automobile at the expense of the Owner of the residential building site or, if the automobile is on Common Area, at the expense of the owner of the automobile.

Section 22. **Animals and Poultry.** No animals, livestock, or poultry of any kind shall be raised, breed or kept on any residential building site, except that dogs, cats or like household pets (not exceeding four animals more than four months of age at any one time) may be kept provided that they are not kept, bred or maintained for any commercial purpose.

Section 23. **Illumination.** Any light used to illuminate signs, parking areas or for any other purposes shall be so arranged as to reflect the light away from residential properties. All exterior light fixtures shall be subject to the provision contained herein requiring approval by the Architectural Control Committee.

Section 24. **Discharge of Firearms.** No firearms, fireworks, explosives, arrows, air rifles, BB guns, or similar devices, shall be discharged on any property subject to this Declaration, except in the course of law enforcement, unless permission is granted by the Architectural Control Committee.

Section 25. **Towers and Antennas.** Any tower or antenna for radio or television shall be attached to the residence. No such tower or radio or television antenna higher than three feet above the highest roof line on the residence shall be erected on any residential building site except by prior written approval by the Architectural Control Committee; nothing contained herein shall prohibit the Association or a licensee from constructing one or more community TV antennas to be made available to all Owners on a subscription basis.

Satellite antennas may be erected with permission of the Architectural Control Committee and must be a color that harmonizes with the surroundings and must be placed on the lot to be screened from sight from the street and any neighboring property owners as much as possible.

Section 26. **Tanks.** No elevated tanks of any kind shall be erected, placed, or permitted upon any residential building site. Any tanks to be used in connection with any residence, including tanks for the storage of gas, oil, or water must be below ground, or, if above ground, shall be located and screened in a manner approved by the Architectural Control Committee.

Section 27. **Signs.** Except as approved by the Architectural Control Committee, no advertising or signs of any type shall be erected, placed, permitted or maintained on any residential building site in Sunset Ridge other than:

1. A name and address sign for each residential building site which shall have an area of not more than two square feet.
2. For sale or for rent signs, which shall have an area of not more than four square feet, on a temporary basis.

Section 28. **Removal of Debris from Fire or Other Casualty.** In the event that a residence or other structure is destroyed wholly or partially by fire or any other casualty, said improvement shall be properly rebuilt or repaired to conform to this Declaration, or all that remains of the improvement including the foundations and all debris shall be removed within six months.

Section 29. **Trees.** Natural beauty shall be preserved wherever possible. When plans for construction or a residence are submitted, the site plan shall show the area in which trees are to be removed for construction of the buildings, parking area and driveway; and such removal shall be subject to approval by the Architectural Control Committee. Thereafter, the Owner may remove dead and diseased trees and trees damaged by natural causes; but Owner shall not remove other trees without the approval of the Architectural Control Committee. Nothing in this paragraph shall preclude any utility company from removing trees from utility easements or trimming trees in utility easements when necessary for the installation and maintenance of utility services.

Section 30. **Types of Living Quarters Prohibited.** No temporary structure, basement, tent, garage, trailer or mobile home shall be used on any residential building site at any time as a residence, either temporary or permanent, except as may be necessary during construction and authorized by the Architectural Control Committee.

Section 31. **No Re-subdivision.** Said land shall not be re-subdivided into small tracts or lots nor conveyed or encumbered in any size less than the full dimensions as shown on the official plat, recorded in the records of the Grand County Clerk and Recorder; provided that conveyances or dedications of easement for utilities or roads may be made for less than all of one tract, and further provided that the foregoing notwithstanding Tract E, Filing No.2 may be re-subdivided into not more than 5 residential building sites fo not less than one acre each.