

DESIGN GUIDELINES

FOR THE

STAPLETON ROWHOME ASSOCIATION

Page 1 of 9

Stapleton Rowhome Association Design Guidelines adopted on 4.13.05, revisions as of 5/11/05 to include technical revision and addition of approved security door and revision as of 8.10.06 to include addition of window well cover guideline by the Board

DESIGN GUIDELINES FOR THE STAPLETON ROWHOME ASSOCIATION

Adopted on 4.13.05, revised on 5.11.05 and 8.10.06 by the Board

STATEMENT OF PURPOSE

The mission of the Stapleton Rowhome Association ("the Association") is to promote the long term value of the neighborhood and the harmony and social interaction between the residents for the greater good of the neighborhood. To enable the Association to succeed in its mission, there are guidelines, rules and regulations of the Association which must be followed by all residents in the neighborhood. The Design Review Process is a very important component of the Association's mission and is a service provided by the Association. These guidelines are adopted pursuant to the authority granted to the Board of Directors of the Association ("the Board") and its Design Review Committee ("DRC") in the Charter for the Association ("the Charter"). These guidelines are intended to set forth the specific design guidelines governing the DRC's review and approval of plans and specifications for improvements to be placed, erected, or installed within the Neighborhood and the procedures to be followed by the DRC.

ACTIVITIES REQUIRING DRC APPROVAL

No improvements shall take place, except in compliance with these guidelines and approval of the DRC as required as provided herein. Such improvements may include, but are not limited to: the reconstruction, remodeling, addition to, penetration, alteration, destruction, erection of the exterior of any Home or other structure and the construction or material alteration of any of the grading, excavation, filling or similar disturbance of the surface of the land, including removal of trees; and any change or alteration of any previously approved improvement. These Guidelines shall not apply to the activities of the Founder, or to improvements to the Common Elements by or on behalf of the Association. DRC approval does not replace the need to obtain the required approvals or permits from the City or the Stapleton Master Community Association Residential, Renovation and Remodeling Design Review Committee (RRRDRC).

SUBMITTAL REQUIREMENTS FOR IMPROVEMENTS

Before work is commenced on any activity requiring DRC approval, the person seeking approval for such work ("the Applicant") shall submit the original and one copy of an application, containing at least the following information:

- A. The completed Design Review Request Form
- B. A plan depicting the location of the proposed improvement with set backs.
- C. A brief narrative description of the proposed improvement.
- D. Plans at a scale of $\frac{1}{4}$ inch = 1 foot, at least one cross-section to indicate heights, width, etc.
- E. If the improvement is a change in the color, type or style of exterior treatment of any existing improvement, a sample of the material proposed and other information that the DRC requests in order to be able to visualize the proposed changes.
- F. Any processing fee that may be established by the Board. Currently, no such processing fee is charged.

One copy of the application and submitted materials will be kept by the DRC and the other set will be returned to the Applicant when approval is granted. No improvements should be performed until the Applicant has received written approval from the DRC.

GUIDELINES

EXTERIOR OF THE BUILDING

As depicted in the Charter, the exterior of the rowhome buildings to include but not limited to the roof, siding, brick, color, windows, window frames, light fixtures, are architectural components of the neighborhood that create a unifying element. Accordingly, no homeowner may alter or change the originally installed materials, location or color without the written consent of the DRC. No prior approval is necessary to repaint the exterior of existing Rowhomes using the most recently approved color scheme or to rebuild or restore any damaged structures in a manner consistent with the plans and specifications most recently approved for such structures. Generally, no approval is required for work done to the interior of a Rowhome; however, modifications to the interior of porches, patios, and any other portions of a structure visible from outside of the structure do require prior written approval from the DRC. Per the Charter, any changes to the architectural style of the rowhome buildings may also need to be approved by the RRRDRC and if in the front of the rowhome by the Community Planning Department of the City and County of Denver.

BUILDING OR FENCE ATTACHMENT

To ensure that all warranties are upheld and the long-life expectancy of the buildings and fencing are not jeopardized the following guidelines exist for the attachment to the rowhome building or fences. The fencing and siding on the rowhome buildings are non-structural, therefore, they should not be used to hold substantial weight. Weight bearing items (10 lbs or more) may not be attached to the building or fence. Non weight bearing items (10 lbs or less) may be allowed to be attached to the building or fence provided the attachment does not penetrate the building or fence. All material on the exterior of the building or fencing shall be none offensive in nature and well maintained to include cleaning. Improvements that are weigh bearing (10 lbs or more) or penetrate the building or fence, including but not limited to awnings, trellis and flags must be approved by the DRC. Free Standing elements are recommended. *Exception to this guideline include installation of satellite dishes 1 meter or less (see the Satellite Dish Guideline included).

SATELLITE DISHES AND ANTENNA

An antenna designed to receive direct broadcast satellite services, including direct-to-the home satellite services, that is one meter or less in diameter; or an antenna designed to receive video programming services via multipoint distribution services, including multi-channel multipoint distribution services, instructional television fixed services, including multipoint distribution services, that is one meter or less in diameter or diagonal measurement; or an antenna that is designed to receive television broadcast signals permitted on home there is no prior DRC approval necessary as long as the antenna, satellite dishes and cables from such must be contained within the structure or other wise screened from public view or placed in the location that are not exposed to public view to the extent feasible and so long as such placement does not substantially degrade the reception of the signal and are not placed on roof tops due to maintenance issues that may be caused by penetration of the roof. If it is necessary for the cables to be in public view then the cables need to be painted the same color as the home. Satellite dishes or an antenna larger then one meter in diameter must be approved by the DRC prior to installation.

ALL SEASON and SECURITY DOORS

External all seasons doors or security doors may be installed that match the trim of the individual home, including the hardware and meet the approved styles attached as Exhibit "A ". If the hardware is not available in the trim color then white will be acceptable. Prior DRC approval is not necessary if the guidelines above are met.

WINDOW WELL COVERS

No prior DRC approval is necessary to install a window well cover that lies flat on top of the window well. Window well covers that are raised (bubbled) are not permitted in the neighborhood.

ADDITIONS (decks, patios, greenhouses, awnings, sheds, etc.)

DRC approval is required for any additions to include but not limited to storage sheds, greenhouse, awnings, or other structures, and need to adhere to the following guidelines. Per the Charter, any additions to the rowhome buildings, porches, awnings or other building element must also be approved by the RRRDRC and if in the front of the rowhome, by the Community Planning Department of the City and County of Denver.

1. Shall match or be compatible with materials and colors used in construction of the other structures.
2. Must be constructed entirely within allowable building setbacks as established by the Final Development Plan.
3. Must be attached to the Owner's Home by decks or walls.

PLAY STRUCTURE

Play structures are allowed in individual fenced back yards but need to adhere to the following guidelines.

1. Shall match or be compatible with materials and colors used in construction of the other structures.
2. Must be constructed entirely within allowable building setbacks as established by the Final Development Plan.
3. Wooden structures shall be stained to match the deck of the houses or the fence.
4. Metal structures shall be painted to match the house.
5. Large accessories, such as slides or awnings, shall be of neutral colors or darker tones.

TRAMPOLINE GUIDELINES

Trampolines are prohibited within the Stapleton Rowhome Neighborhood due to the close proximity to your neighbor.

FENCES

The Rowhome fencing is maintained by the Association. Accordingly, any alteration, improvement, addition or deconstruction must be approved by the DRC.

HOT TUB GUIDELINES

Individual Fenced Backyards. It is important that all hot tubs will not negatively affect the physical aesthetics and the improvement will not adversely affect grading or drainage. Hot Tubs are allowed within individual fenced back yards but need to adhere to the following guidelines and be approved by the DRC:

1. Width – will be based on the size of the courtyard
2. Should drought or water restrictions be enforced by the City of Denver, the Owner will need to follow all such restrictions in regards to the running of their hot tub.
3. All hot tubs shall be limited to thirty (30) inches above existing grade.

4. The use of landscaping or a screening trellis must be used to minimize the visual connection from adjacent residences.

Decks. The decks of the rowhomes are design to hold a maximum live load of 60 lbs per sq ft. Hot tubs are prohibited on decks due to they exceed the allowed live load and aesthetic issues.

WATER FEATURE (Ponds, Fountains, etc.) GUIDELINES

It is important that all water features will not negatively affect the physical aesthetics and the improvement will not adversely affect grading or drainage. Water features are allowed within the rowhome fenced, backyards but need to adhere to the following guidelines and be approved by the DRC:

1. Water features must use recycled water.
2. Height – cannot be higher than the existing fence-including any spouting water.
3. Width – will be based on the size of the courtyard – water feature cannot expand beyond 3% of the total lot square footage.
4. Should drought or water restrictions be enforced by the City of Denver, the Owner will need to follow all such restrictions in regards to the running of their water feature.
5. Underground water features will not exceed 3 feet in depth.
6. All water features must be located at a minimum of five feet from the foundation of the existing residence.

BASKETBALL HOOPS

Per the initial rule sand regulations of the Association, basket ball hoops are not permitted within the Stapleton Rowhome Neighborhood due to safety issues and City Ordinances. Rowhome Owners are encouraged to use City parks.

AIR CONDITIONERS

As depicted in the Charter, all air conditioners must be professionally installed in the location of the pre-wiring for such unit provided by the Founder as part of the Homes' original construction. Prior DRC approval is not required, if the air conditioner is installed in the location of the pre-wire. All exterior air conditioning units must be screened from the view of sidewalks and streets in order to maintain an aesthetic streetscape. Window air conditioners are prohibited due to aesthetic of the Neighborhood.

COMMON AREA LANDSCAPE

Per the Charter, the landscape surrounding the buildings is a unifying element of the Stapleton Rowhome Neighborhood. Accordingly no one shall alter, add or change the common area surrounding the building without prior written, consent of the DRC.

DESIGN REVIEW COMMITTEE PROCEDURES

1. The Association's Board of Directors appoints the Design Review Committee – which can consist of a minimum of three members.
2. The Design Review Committee will serve a term of three years each, except the initial Design Review Committee which will serve the terms of one year, two years and three years.
3. The Design Review Committee will appoint a chairperson.
4. The Design Review Committee will attend an initial training with the Board of Directors.
5. The Design Review Committee will meet on a monthly basis, or on an as needed basis to not exceed once a month with at least two members present.
6. The Association's Manager will receive the application and review for completeness. If the application is not complete, the Association's Manager will forward the application back to the homeowner noting the missing information. Once the application is complete the Association's Manager will forward the application to the Design Review Committee.
7. The Design Review Committee Chairperson will be responsible for receiving all new applications from the Association's Manager, scheduling the monthly meetings, forwarding a response back to the Association's Manager and communicating with the Board of Directors on an as needed basis.
8. The Design Review Committee will review the application and either 1) approve the application and stipulates a completion date, 2) approve it with stipulations and a completion date, or 3) rejects it with specific reasons for rejection and with suggestions that would lead to acceptance. *All decisions need to be in writing.
9. The Design Review Committee may grant variances as long as a full explanation of the situation and why they chose to grant a variance is explained in writing to the homeowner and the Board of Directors.
10. A majority vote of the Design Review Committee constitutes action by the Design Review Committee. In the event of a tie vote, the request shall be treated as having been denied.
11. The Design Review Committee shall have the right to disapprove any application which is not suitable or desired for aesthetic or other reasons.
12. The Association's Manager will maintain a record of submittals with date received and a record of actions taken with date responded.

13. Immediately after receipt of the decision, the Association's Manager will forward the response back to the homeowner.
14. If the Design Review Committee can not make decision within 30 days of receipt of the complete application the homeowner will be informed of the delay.
15. If approved, the homeowner can complete approved changes.
16. If denied or if the homeowner doesn't accept stipulations, the homeowner may appeal to the Board of Directors by resubmitting the application to the Association's Manager within 10 days after the decision of the Design Review Committee. The Board of Directors shall hear the appeal with reasonable promptness after reasonable notice of such hearing to the applicant. The decision of the Board of Directors shall be final and binding.
17. The Design Review Committee will meet on an annual basis to evaluate process, review submittal forms, review guidelines and other organizational components of the Design Review process and submit any changes in process, forms, etc to the Board of Directors prior to implementation for review and approval.

GENERAL STANDARD

The DRC shall approve plans and specifications submitted for its approval only if it deems that: (1) the proposed improvement will not be detrimental to the appearance of the Neighborhood as a whole; (2) the improvement complies with the Design and Guidelines and all other Governing Documents; (3) the appearance of such improvement will be in harmony with the surrounding Neighborhood; (4) such improvement will not detract from the beauty and attractiveness of the Neighborhood; and (5) the improvement will be consistent with the Community Wide Standard, as defined in the Charter.

CONDITIONAL APPROVAL

The DRC may condition its approval upon any or all of the following: (1) the Applicant furnishing the Association with a Security Deposit as described in the Charter; (2) such changes in the proposal as the DRC considers appropriate; and (3) completion of the proposed work by a date certain.

No approval, whether expressly granted or deemed granted pursuant to the foregoing, shall be inconsistent with the Association Design Guidelines unless a variance has been granted in writing by the DRC. All approvals or disapprovals shall be in writing and maintained by the DRC. Actions by DRC shall require the vote of a majority of the members of DRC.

NO WAIVER

Approval of proposals, plans and specifications, or drawings for any work done or proposed, or in connection with any other matter requiring approval, shall not be deemed to constitute a waiver of the right to withhold approval as to any similar

proposals, plans, and specifications, drawings, or other matters subsequently or additionally submitted for approval.

INSPECTIONS

The DRC may make periodic inspections of the Homes in order to ensure compliance with these Design Guidelines and any existing DRC approvals.

VARIANCES

The DRC may, in its sole and absolute discretion, grant variances to or adjustments of these Design Guidelines in order to overcome practical difficulties, prevent unnecessary hardship and to accommodate innovation with new trades or new products. Such variances may only be granted, however, when unique circumstances dictate and no variance shall (1) be effective unless in writing; (2) be materially detrimental or injurious to other property or improvements within the Neighborhood; or (3) stop the DRC from denying a variance in other circumstances. For purposes of this paragraph, the inability to obtain approval of any governmental agency, the issuance of any permit, or the terms of any financing shall not be considered a hardship warranting a variance.

AMENDMENTS

These Guidelines may be amended from time to time by the Board. Any amendments to these Guidelines shall apply to construction and modifications commenced after the date of such amendment, only, and shall not apply to require modifications to or removal of improvements previously approved once the approved construction or modification has commenced.

Fullview

Exhibit "A"

All Season Door



Energy Efficiency

- Low-maintenance aluminum over solid wood core.
- Quad Seal system on bottom, sides and top — including water-diverting rain cap.

Beauty

- Color-matched* push-button hardware.
 - Color-matched sweep enhances home's beauty.
 - Color-matched* closer.
- * Black for Bronze

Convenience

- Window and insect screen snap in/out. No tools required!
- Reversible hinge lets you match left- or right-side entry door handle. Opens 180° when

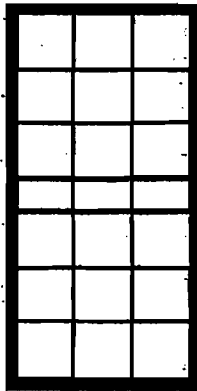
Security

- Easy-to-use night latch.
- Tempered glass provides extra safety.

Durability

- Innovative window system provides outstanding protection against water infiltration.
- One closer.

Security Door Exhibit "A"





Fullview

Exhibit "A"

All Season Door



Energy Efficiency

- Low-maintenance aluminum over solid wood core.
- Quad Seal system on bottom, sides and top — including water-diverting rain cap.

Beauty

- Color-matched* push-button hardware.
- Color-matched sweep enhances home's beauty.
- Color-matched* closer.

* Black for Bronze

Convenience

- Window and insect screen snap in/out. No tools required!
- Reversible hinge lets you match left- or right-side entry door handle. Opens 180° when

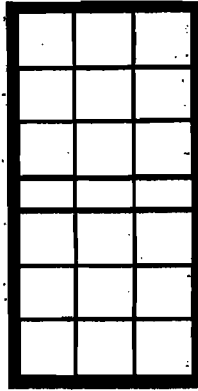
Security

- Easy-to-use night latch.
- Tempered glass provides extra safety.

Durability

- Innovative window system provides outstanding protection against water infiltration.
- One closer.

Security Door Exhibit "A"



Additional Use Restrictions
to the initial use restrictions
Adopted by the Board on 5.11.05

The Association's mission is to promote the long term value of the Neighborhood and harmony between the residents for the greater good of the Neighborhood. To enable the Association to succeed in its mission, all residents of the Neighborhood must follow these Rules and Regulations in addition to the initial Use Restriction of the Association included.

The purpose of these Rules and Regulations is not to anticipate all acceptable or unacceptable behavior in advance and eliminate all improvements or activities that fall outside of "the norm." In fact, it is expressly intended that the Board have discretion to approve or disapprove items, or to enforce or not enforce technical violations of the Governing Documents, based upon aesthetic or other considerations consistent with the established guidelines. The exercise of discretion in approving or enforcement shall not be construed as a waiver of approval or enforcement rights, nor shall it preclude the Board from taking enforcement action in any appropriate circumstances.

The following shall apply to all property subject to this Charter until such time as they are modified pursuant to the Charter.

Landscaping.

(a) Individual Landscaping –Each individual homeowner is responsible for completing individual landscaping within one year of the initial closing to establish proper drainage and a pleasing aesthetics throughout the Neighborhood. Homeowners need to control weeds and drainage on their lots.

(b) Grading. No Owner may install improvements or alter grading to adversely affect drainage on any Lot. Each Owner shall maintain all gutters, downspouts and extensions within such Owner's Lot to insure that the gutters and downspouts remain in the down position and are free and clear of all obstructions and debris and that the water flow from such gutters and downspouts is directed away from the foundation and/or slabs on any improvement. No Owner may alter, obstruct or obliterate any drainage swales, pans, easements, or channels located or installed on any Lot or Common Areas

(c) Landscaping in the Foundation Back-Fill Zone

Per the Charter, avoiding proper drainage away from your home is essential to minimize potential swelling of expansive soils that may exist on the Property. Unless otherwise approved by the Board, the five foot area surrounding the foundation of any structure may not be landscaped with live plant material that requires watering, unless a drip line system is installed following the guidelines as followed:

1. A 10 milliliter (minimum thickness) EDPM membrane must be installed at a minimum of six to eight inches below top of grade and covers that portion of the Backfill Zone where plants are installed
2. The EDPM must be sealed to the foundation of the home structure and have negative slope away from the foundation; and

3. If a drip line system installed, all connections for the drip line must be made out of the Backfill Zone.

Each homeowner is responsible for maintaining the proper grading of the Backfill Zone on his or her home.

Parking. The primary parking space for Owners and their family shall be within their individual enclosed garage. On street parking shall be for guest and supplemental parking only. Alley parking is prohibited. The use of a garage for storage shall not justify parking outside of the garage.

Trash and Recycling Receptacles/Bins. All trash and recycling receptacles/bins shall be taken out no sooner than 12 hours prior to appointed pick-up schedule and returned to garage for storage no later than 12 hours after removal to ensure that unsightly, but necessary items such as trash and recycling receptacles are in public view as minimal amount of time as possible for the overall aesthetics of the Neighborhood.

Basketball Hoops. Residents of the Neighborhood are encouraged to use basketball hoops located in parks. Basketball hoops are prohibited on alleys within the Neighborhood due to safety issues and prohibited on public streets by City Ordinance.

Pet Doors. Pet doors are permitted in ground level back doors that open to an enclosed fence area. Pet Doors are prohibited in the front of the individual rowhome or above ground level or anywhere on the building besides a door due to aesthetic and maintenance issues.

Window Coverings—Appropriate window coverings, including but not limited to curtain, drapes, blinds, shades or temporary coverings shall be installed within 90 days of the purchase of your Home. Unacceptable window coverings include but not limited to bed sheets, tarps, burlap or any other material not specifically designed to act as a window covering.

Deck, Patio or Balcony All decks, patios or balconies must have appropriate outdoor furniture. Unacceptable furniture include but not limited to coaches, sofas or any other material not specifically designed to act as outdoor furniture. Decks, Patios or Balconies need to be kept in a neat, orderly appearance and can not be used for storage. Hanging or potted plants are permitted within the deck, patio or balcony as long as they are placed in containers that do not cause water to drain on the siding or into neighboring units.

Holiday Decoration and Political Signs. Holiday decorations and political signs are permitted but may not be placed any earlier than 45 days before the holiday or event and needs to be taken down 45 days after the holiday or event. Holiday decoration and political signs can not be placed in common area surrounding the building unless prior written approval is received from the DRC.

Temporary Signs. Temporary signs, to include but not limited to garage/yard sale, slow down, for rent, for sale, parties and birth announcement, are permitted as long as they are less than 1 square ft in size , limited to one per face of house and are taken down after the event has occurred and not to exceed 30 days.