

CUB CREEK RANCH

DESIGN REVIEW GUIDELINES

Effective July 1, 2008
Revised January 2025

**Please send all questions, applications and submittals directly to:
hoareserveccr@gmail.com**

I. OVERVIEW

Cub Creek Ranch, LLC, a Colorado limited liability company, its successors, assigns, managers, agents and designees (collectively, the “Declarant” or “Developer”) has designed Cub Creek Ranch (also hereinafter referred to as, the “Community”), located in Jefferson County (“County”), Colorado as a private, luxury residential planned community.

In order to maintain the integrity of the Developer’s vision for the Community, the Architectural Review Committee, (hereinafter referred to as the “ARC”), as defined in the Declaration of Covenants, Conditions and Restrictions (the CC&Rs’), recorded July 13, 2006 under the Reception Number 2006085296 in the office of the Clerk and Recorder for Jefferson County, Colorado, will review all designs, plans and construction of all homes, improvements and landscaping within the Community. In furtherance of this review and the creation of a uniform standard for ARC review and approval, the Design Review Guidelines (“Design Guidelines”) have been created to provide property owners, architects, homebuilders and contractors with a set of parameters for the preparation of drawings and specifications.

II. ARCHITECTURAL REVIEW COMMITTEE

The ARC is created under and granted the authority to approve or disapprove individual building and landscaping plans for the construction of a personal residence or other improvements on platted Lots within the Community (“Lot” or “Construction Site”) pursuant to the Declaration of Covenants, Conditions, and Restrictions of the Cub Creek Ranch and all exhibits thereto (CC&Rs’), as amended from time to time.

NOTWITHSTANDING ANYTHING HEREIN TO THE CONTRARY, ANY PROPOSED IMPROVEMENTS, ALTERATIONS, OR ADDITIONS TO ANY HOME OR LANDSCAPE PLAN, WHETHER PRIOR TO OR FOLLOWING ARC APPROVAL, WHETHER MAJOR OR MINOR IN SCOPE, MUST BE SUBMITTED TO THE ARC FOR APPROVAL AS PROVIDED HEREIN TO ENSURE ONGOING COMPATIBILITY WITH THESE GUIDELINES.

The ARC is composed of a minimum of three members, at least one (1) of which shall be an owner, appointed in accordance with the CC&Rs; provided, however during the Declarant control period, as defined in the CC&Rs, the number of members shall be determined by the Executive Board of Cub Creek Ranch Homeowners Association (HOA) and such members need not to be owners. The ARC shall meet as is necessary, but no less frequently than every sixty (60) days, to review ARC design applications, as described in Article III below. The operation, management and proceedings of the ARC shall be conducted in accordance with the CC&Rs and governing documents of the ARC.

The primary purpose of the ARC is to promote and ensure that all improvements to the Community are aesthetically compatible with other improvements, natural amenities and common areas within the Community. In reviewing each ARC design application for conformance with the Design Guidelines the ARC may also consider, in its sole discretion, the quality of workmanship and design of improvements, harmony of external design with existing structures, location of improvements in relation to surrounding structures, topography, finish grade elevation, special characteristics of the Lot, among other considerations. Decisions may be based solely on subjective aesthetic considerations.

In furtherance of the ARC's purpose, the ARC has adopted the Design Guidelines to assist it in its review of ARC design applications, however the Design Guidelines are not the exclusive basis for ARC decisions and compliance with the Design Guidelines, in whole or in part does not guarantee approval of any ARC design application. The ARC shall have sole authority to amend the Design Guidelines from time to time, provided, such amendments shall be prospective only, unless otherwise required by applicable laws, codes or regulations. There shall be no limitation on the scope of amendments to the Design Guidelines except that no amendment shall require the modification or removal of any structure previously approved and upon which construction has commenced. Notwithstanding any provisions of these Design Guidelines to the contrary, the ARC reserves the right to approve or disprove any ARC design application based upon its sole and absolute direction. The Design Guidelines are binding upon each Owner, defined below, and each Lot, including, without limitation, any construction activities located thereon.

FINAL APPROVAL OF AN ARC DESIGN APPLICATION BY THE ARC PURSUANT TO THESE GUIDELINES IS REQUIRED PRIOR TO EITHER THE APPLICATION FOR OR ISSUANCE OF A BUILDING PERMIT BY THE COUNTY OR THE COMMENCEMENT OF ANY CLEARING, GRADING, CONSTRUCTION OR LANDSCAPING WITHIN THE COMMUNITY.

THE OWNER SUBMITTING AN ARC DESIGN APPLICATION SHALL BE SOLELY LIABLE FOR AND SHALL OBTAIN ALL NECESSARY PERMITS, APPROVALS AND INSPECTIONS REQUIRED BY STATE, COUNTY OR OTHER LOCAL GOVERNMENTAL AUTHORITY OR POLITICAL SUBDIVISION. OWNER AND BUILDER SHALL ENSURE THAT ALL IMPROVEMENTS COMPLY WITH ANY APPLICABLE CODES, RULES, REGULATIONS, ORDINANCES AND LAWS. IN NO EVENT SHALL THE DEVELOPER, CUB CREEK RANCH HOMEOWNER'S ASSOCIATION ("HOA") OR ARC BE LIABLE FOR ANY INJURY, DAMAGES OR LOSS RESULTING FROM THE METHODS OR QUALITY OF CONSTRUCTION OF ANY HOME OR COMPLIANCE OF SUCH CONSTRUCTION OR HOME WITH ANY APPLICABLE CODES, RULES, REGULATIONS, ORDINANCES AND LAWS OF ANY GOVERNMENTAL AUTHORITY.

III. DESIGN AND CONSTRUCTION REVIEW PROCESS

A. ARC Design Application

Each Owner of a Lot in the Community or such Owner's contractor or builder approved by the ARC as provided herein (hereinafter referred to as "Approved Builder" or "Builder"), on behalf of an Owner, shall submit an ARC design application, **Exhibit "A"** attached hereto as set forth herein ("ARC design application"), to the ARC requesting review of plans and specifications for any construction, remodeling or alteration to any Lot or improvement located within the Community. "Improvement" shall include without limitation: any building, water well, septic tank, outbuilding, swimming pool, address sign, garage, carport, road, driveway, parking area, fence, wall, stairs, deck, landscaping, hedge, windbreak, plants, trees, and

shrubs, grass, rocks, pole, tank, solar equipment and exterior air conditioning or similar facility, structure or fixture.

For purposes of the Design Guidelines and the construction of improvements within the Community, the Builder shall be considered the Owner's agent for all purposes. As such, Owner shall be responsible for Builder's compliance with these Design Guidelines and shall be liable for any damages, costs or charges resulting from Builder's failure to so comply with respect to Owner's home or Lot. In order to be properly and timely reviewed by the ARC, each ARC design application shall provide all required information, plans, and specifications as set forth herein. Questions concerning the interpretation of the application process or any matter set forth in the Design Guidelines should be detailed in writing and submitted to the ARC **Exhibit "B"** attached hereto lists the current ARC contact information.

B. Approved Builders

The initial building and landscape construction of a home on any Lot within the Community shall be performed by a contractor who is an approved builder, provided Owner shall not be required to use an approved builder for construction of minor improvements subsequent to receipt of a certificate of occupancy for the home.

An approved builder shall be selected by the ARC upon submittal of the following information to the ARC:

1. Builder's name, business address, telephone number and project manager contact information;
2. Copies of any applicable licenses or financial information as reasonably requested by the ARC,
3. Descriptions and references related to at least two (2) similar residential projects completed within the previous two (2) years;
4. Builder's written consent to adhere to the obligations and requirements as set forth in the CC&Rs, these Design Guidelines or any federal, state and local laws, regulations, ordinances rules or codes; and
5. Builder's application fee.

Upon an Owner's request the ARC shall make available to Owner the current list of Approved Builders operating within the Community. Please have your requested builder submit the information detailed in **Exhibit "C"** attached hereto.

Upon Builder's failure to comply with the CC&Rs, these Design Guidelines or any federal, state and local laws, regulations, ordinances, rules or codes, the ARC in its sole discretion, upon written notice, may terminate the Builder's right to be an Approved Builder, including the Builder's right to represent to any person that the Builder is an Approved Builder; provided, however, that in the event of such termination the Builder shall be permitted to complete construction of any homes which are not substantially complete.

C. Pre-Design Meeting

Prior to the submittal of Preliminary plans, as defined below, to the ARC, the Owner and Owner's representatives shall meet with the ARC, or designated representatives thereof, for the purpose of

discussing the conceptual or proposed plans for the construction of improvements on Owner's Lot and the application of these Design Guidelines to the design and construction process.

D. Design Review

1. Preliminary Plan Review

Builder shall submit preliminary or conceptual drawings and other information and (collectively, the "**Preliminary Plans**") to the ARC for review ("**Preliminary Plan Review**"). Preliminary plan review is provided for the benefit of the Owners in order that they may receive preliminary approval of architecture, site, and landscape plans prior to preparing and submitting detailed plans and specifications.

Preliminary Plan submittals for any new construction shall include, at a minimum, **two (2) printed sets** of the following:

- (a) **ARC application form and application fee, Exhibit "A"** attached hereto.

PROJECT SITE PLAN, showing all the following information regarding the lot, at an appropriate scale of not less than 1" = 20', on a 24" x 36" printed format or on 30" x 42" if required to fit plans.

The project site plan shall include:

- all existing & proposed contour lines with a two (2') foot contour lines including appropriate spot elevations as required
- property boundary
- all easements, including utility & access easements, *if needed contact hoareserveccr@gmail.com*
- show and note all "no build area" lines
- show zoned setbacks as follows: 20' rear; 20' side; 25' front
- existing site features
- building footprint
- decks & outdoor deck stairs
- patios
- ancillary structures
- walks
- drive with existing & proposed two (2') foot contour lines including spot elevations & drive apron elevations
- building finish floor elevations
- garage top of slab elevation
- well location
- STA (Septic Treatment Area) field location with a replacement STA location identified on site plan
- drainage detail
- elevations for all proposed retaining walls including both top of wall and bottom of wall elevations
- retaining walls preliminary design sections and materials (rock, boulders, sizing)

(Note: NO manufactured concrete block walls shall be allowed)

- (b) **Mountain Porus Landscape Design (MPLD):** As required by the Cub Creek Ranch Filing 2 Phase III drainage study on file with the Jefferson County Planning & Zoning division, (if needed contact hoareserveccr@gmail.com) Per the updated (12/17/1/9) Design & Technical Criteria Storm Drainage from Jefferson County MPLD's may be used only for single family residential developments in the mountains. Please see <https://www.jeffco.us/2629/Storm-Drainage-Design-Technical-Criteria> for detailed information.

All MPLD's are required to be shown on the site plan.

- (c) **Please note:** All sewage disposal systems shall comply with **Plat note 23:** *"Each residence individual sewage disposal system shall incorporate a secondary treatment system with nitrogen reduction capabilities."*
- (d) **Please note: Plat note 24:** *"The septic fields for lots 10, 11 and 12 shall be located outside of Herzman Mesa/Marshdale drainage area and drain to the East."*
- (e) **Architectural Elevations and Floor Plans** printed at an appropriate scale (NOT less than 1/4" = 1'). The plans shall include four (4) elevations (including existing & proposed grade line), floor plans and roof plan.
- (f) **Indication of exterior material and colors.**
- (g) **Any ancillary improvements contemplated on the Lot.**
- (h) **Any drawings, materials or samples requested by the ARC.**
- (i) **Staking as requested at the option of the ARC.**

The ARC shall complete its Preliminary Plan Review within thirty (30) business days after submittal of complete Preliminary Plans. The ARC shall indicate its approval, disapproval or recommendation as to the Preliminary Plans. The ARC's approval of Preliminary Plans shall not constitute Final Plan Approval (as defined below) or permit Owner's commencement of construction.

2. Final Plan Review

Final plans should include any ARC recommended changes to the Preliminary plans.

If all recommended changes to the Preliminary Plans are not included on the Final Plans, the ARC will reject the Final Plans. The Final Plans shall be certified by an Architect and Engineer, as is necessary, and include a minimum of **two (2) printed sets** of the following:

- a) **PROJECT SITE PLAN, showing all the following information regarding the lot, at an appropriate scale of not less than 1" = 20', on a 24" x 36" printed format, or on 30" x 42" if required to fit plans.**

The project site plan shall include:

- all existing & proposed contour lines with a two (2') foot contour lines including appropriate spot elevations as required
- property boundary
- all easements, including utility & access easements, *if needed contact hoareserveccr@gmail.com*
- show & note all "no build area" lines
- show zoned setbacks as follows: 20' rear; 20' side; 25' front
- existing site features
- building footprint
- decks & outdoor deck stairs
- patios
- ancillary structures
- walks
- drive with existing & proposed two (2') foot contour lines including spot elevations & drive apron elevations
- building finish floor elevations
- garage top of slab elevation
- well location
- STA (Septic Treatment Area) field location with a replacement STA location identified on site plan
- drainage detail
- elevations for all proposed retaining walls including both top of wall and bottom of wall elevations
- retaining walls shall include final design sections engineering & materials (rock, boulders, sizing).

(Note: NO manufactured concrete block walls shall be allowed)

- (b) **Mountain Porus Landscape Design (MPLD):** As required by the Cub Creek Ranch Filing 2 Phase III drainage study on file with the Jefferson County Planning & Zoning division, (*if needed contact hoareserveccr@gmail.com*) Per the updated (12/17/19) Design & Technical Criteria Storm Drainage from Jefferson County MPLD's may be used only for single family residential developments in the mountains. Please see <https://www.jeffco.us/2629/Storm-Drainage-Design-Technical-Criteria> for detailed information.

All MPLD's are required to be shown on the site plan.

- (c) **Please note:** All sewage disposal systems shall comply with **Plat note 23:** "Each residence individual sewage disposal system shall incorporate a secondary treatment system with nitrogen reduction capabilities."
- (d) **Please note: Plat note 24:** The septic fields for lots 10, 11 and 12 shall be located outside of Herzman Mesa/Marshdale drainage area and drain to the East.

- (e) **Architectural Elevations and Floor Plans** printed at an appropriate scale (NOT less than 1/4" = 1'). The plans shall include four (4) elevations (including existing & proposed grade line), floor plans and roof plan.
- (f) **Grading, Erosion & Sediment Control (GESC) Plan (if required by the Jefferson County Planning & Zoning Division).**
- (a) **Re-Vegetation Plan (if required by the Jefferson County Planning & Zoning Division).**

The following items may be submitted at a later date **with ARC approval provided NO INSTALLATION prior to final approval:**

- (a) **Exterior material and colors board including a sample (6" x 6" minimum sample size) of all exterior materials and colors.** In addition, a typed letter shall be provided including the owner's name, Lot number, manufacturer's names, color names, color numbers, finishes, mixtures, etc. for all exterior material. Please submit a physical materials/color board in the approximate sizing as shown on **Exhibit "D"** attached hereto.
- (b) **A complete landscape plan, showing the disturbed area at a scale of not less than 1" = 20', together with a site plan on a printed 24" x 36" format or on 30" x 42" if required to fit plans.**

The landscape plan shall include:

- areas to be irrigated, including grass shrubs, trees, etc.
 - native grass seed mixtures to be used if other than the Cub Creek Ranch Approved Native Grass Seed Mixture, **Exhibit "E"** attached hereto
 - plant material location
 - plant material names
 - additional decking
 - additional patios
 - additional walks
 - stepping stone paths
 - boulder massing
 - lighting
 - signage
 - retaining wall locations with any proposed or modified grading
 - retaining wall details
 - any other landscape components
- (b) Any drawings, materials or samples requested by the ARC.
 - (c) Staking as requested by the ARC.

Within thirty (30) days of submittal of the Final Plans to the ARC, the ARC will review the Final Plans, if such plans are determined by the ARC to be complete, and will notify Builder of the ARC's (i) Final Plan Approval, (ii) denial with recommended changes, or (iii) Final Plan Approval subject to conditions. If Final

Plan Approval is granted subject to conditions, Owner shall satisfy the conditions prior to submission of a building permit application to the county.

Within ninety (90) days of Final Plan Approval, Owner shall submit a complete building permit application to the county. Within ninety (90) days of the county's issuance of the building permit for the construction of an improvement, Owner shall commence construction in accordance with such permit. If construction does not commence within the above-mentioned time period, the approval of the ARC shall be deemed withdrawn and it shall be necessary for the Owner to resubmit the ARC design application in accordance with these Design Guidelines, as in effect at the time of such resubmittal.

Any material deviation from or modification of the Approved Final Plans, whether voluntary or as required by a governmental entity, shall be submitted to the ARC for additional review and approval. The ARC reserves the right to periodically inspect the construction site from time to time in order to determine whether construction of the improvements is in compliance with the Design Guidelines and the Approved Final Plans. In the event the ARC determines that construction or the improvements is not in compliance with the Design Guidelines and Approved Final Plans, Owner may be required by the ARC to bring such construction or the improvements into compliance or to submit a new ARC design application, including without limitation the payment of any applicable fees and submittal of plans identifying modifications to the Approved Final Plans, for the review and approval or disapproval of the ARC. Failure to cause such compliance or obtain the ARC's additional approval of the modifications shall be considered a violation of the Design Guidelines and subject the Owner to any enforcement actions or remedies available to the ARC under the CC&Rs and Design Guidelines.

3. Final ARC Inspection

Upon substantial completion of construction, the ARC may perform a final inspection of the improvement and Lot to check for general conformance with the Approved Final Plans, Design Guidelines and Approved Landscape Plans. The ARC shall perform a final inspection and notify Owner of any material deviations from the Approved Final Plans, Design Guidelines within twenty (20) business days of the ARC's receipt of a written inspection request from the Owner.

ARC final inspection of the improvement and Lot is a condition precedent to the Owner's request or application for the county's completion of a final inspection and issuance of a certificate of occupancy for a residence or other improvement. Owner shall correct any failure to comply with the Approved Final Plans, Approved Landscape Plans, or Design Guidelines within thirty (30) days of Owner's receipt of written notice of such deviation. In the event Owner shall fail to make such corrections as directed by the ARC within such time period, the ARC shall be entitled to pursue any available remedies, including removal of any nonconforming improvements or conditions.

Builder or Owner shall provide to the ARC a copy of the certificate of occupancy for the residence within two (2) days of Builder's receipt thereof from the county.

E. Construction Site Rules and Regulations

Builder and Owner shall each be responsible for their compliance, and the compliance of their employees, subcontractors, suppliers, affiliates, related parties and any other persons or parties hired or paid by Builder in connection with the construction or alteration of an improvement within the Community, with the following rules and regulation pertaining to the Construction Site and the Community (“**Construction Site Rules and Regulations**”). The ARC may modify these Construction Site Rules and Regulations from time to time, in the ARC’s sole discretions, upon two (2) days prior written notice to the Builder. For purposes of these Construction Site Rules and Regulations, Owner shall be responsible for the acts, omissions, and violations of Builder, and the payment of any resulting ARC costs, as defined in **Exhibit “F”** Penalty/Fine Schedule, attached hereto.

1. Builder shall cooperate with the ARC with respect to any privacy program initiated or maintained by the ARC with respect to the Community, including without limitation the provision of identification information of any employee, subcontractor or supplier of Builder.
2. Builder shall meet or exceed all applicable OSHA standards. Builder shall maintain the Construction Site in a safe, neat and orderly manner, clean of debris and waste materials upon the completion of any workday. Stockpiles of any unused material shall be maintained at all times in a neat and orderly manner. Hardhats and proper safety gear shall be work at all times by any person on the Construction Site.
3. Builder shall locate any dumpsters solely within the boundaries of the Construction Site, unless Builder receives prior written permission from the Owner of an adjacent Lot to use the adjacent Lot for an additional location and provides such written permission to the ARC. Builder shall not permit any trash or debris to be located outside of any dumpster. Builder shall not use any dumpster of any other builders within the Community.
4. Builder shall not burn or permit the burning of any materials within the Community.
5. Builder shall prohibit and make commercially reasonable efforts to prevent the consumption of alcohol, illegal drugs, or other intoxicants on the Construction Site.
6. Builder shall not violate or permit the violation of the CC&Rs or Design Guidelines.
7. Builder shall permit any work (including without limitation any deliveries, setup or cleanup) by any construction personnel, subcontractors or suppliers within or adjacent to the Construction Site only during the hours of 7:00 am to 6:00 pm (Monday through Friday) and 9:00 am to 4:00 pm (Saturday). No work shall be performed at any other times, including Sundays or Holidays, unless Builder obtains prior written authorization from the ARC.
8. Builder, its employees, subcontractors and suppliers shall not be permitted at any time to bring any children or animals to the Construction Site.
9. Builder, its employees, subcontractors and suppliers shall not engage in any non-construction activities at the Construction Site or within the Community.
10. Builder shall maintain at all times any permit signs required by any County planning, zoning or building department, in a neat and orderly manner.

11. Builder shall not damage and shall take reasonable measures to avoid any damage to improvements within the Community, including without limitation any streets, sidewalks, gutters or other Developer improvements.
12. Vehicle parking by Builder, any construction personnel, subcontractors or suppliers shall minimize disturbance to the Site, adjacent properties and roadways within the Community.
13. Builder shall use only those concrete washout areas as designated on each Lot or within the Community and shall utilize such facilities or areas solely in compliance with County standards regarding such use.
14. Builder shall install, erect and maintain only such signage as is expressly approved by the ARC, or is permitted by the ARC within the Community pursuant to signage regulations regarding size, type and location, as may be established by the ARC from time to time.

F. Violation of Design Guidelines

In the event of any violation in the Design Guidelines, including without limitation specific violations of the Construction Site Rules and Regulations, the following procedures shall occur:

1. The ARC shall provide a written notice (“**Violation Notice**”) to Builder/Lot Owner, which notice may be by electronic mail to such e-mail address provided by Builder to the ARC, describing: (a) the violation, (b) the location of the violation, (c) the party responsible for the violation, if other than or in addition to Builder/Lot Owner, (d) the required corrective action, (e) the deadline for completion of such corrective action, or (f) the amount of penalty/fine required to be paid by Builder/Lot Owner to the ARC for certain Builder/Lot Owner violations as set forth on the Penalty/Fine Schedule, attached hereto as **Exhibit “F”** attached hereto, as amended by the ARC from time to time in its sole discretion.

2. In the event Builder/Lot Owner fails to perform any required corrective action or pay any penalty in accordance with the Violation Notice, the ARC may take any of the following actions: (a) issue a second Violation Notice as described above; or (b) enter any Lot, perform the required corrective action as set forth in the Violation Notice and issue to Builder/Lot Owner an invoice for the damages, costs and expenses incurred by the ARC (“**ARC Costs**”) as a result of Builder/Lot Owner’s violation and failure to perform the required corrective action; or (c) issue and post, in a conspicuous manner, a Stop Work Order (“**Stop Work Order**”) at the Construction Site, prohibiting Builder/Lot Owner from conducting any further construction activity at the Construction Site, until Builder/Lot Owner has provided evidence of compliance with any Violation Notice to the ARC and received the ARC’s written confirmation of such compliance. Builder or Owner shall immediately pay any invoice for ARC Costs upon receipt of such invoice.

For purposes of these Design Guidelines, ARC Costs shall equal one hundred twenty-five percent (125%) of any cost or expenses required to be paid or incurred, whether direct or indirect, by the ARC, as a result of Builder/Lot Owner’s violation of the Design Guidelines or Construction Site Rules and Regulations; provided, however, in no event shall such ARC Costs be in an amount less than \$250.00. For purposes of the Design Guidelines, the ARC’s delivery of a notice or Stop Work Order to Builder/Lot Owner’s representative at the Construction Site or posting of the notice or Stop Work Order at the Construction Site permit sign shall constitute proper delivery of such notice or Stop Work Order. Notwithstanding any

provisions of this Section F to the contrary, the ARC's schedule, notice or imposition of any penalties, or any determination regarding the validity thereof, shall in no event constitute a release or waiver of the ARC's right to collect ARC Costs pursuant to this Section F.

3. There are certain items that require immediate action such as:

- a. Burning of any material within the Community Boundaries.
- b. Use of alcohol, illegal drugs or other intoxicants on Construction Site.
- c. Installing improvements on any Lot without submission and approval by the ARC.

Any such action items will receive an immediate cease and desist to the violating party including a **Stop Work Order** as indicated above in item #2 c.

G. Appeal

An Owner or Builder may request a hearing before a majority of the HOA Board of Directors ("HOA Board"), upon occurrence of the following: (i) ARC denial of an ARC Design Application, (ii) Final Plan Approval is subject to conditions disputed by Builder or Owner, (iii) the ARC's unresolved dispute between or among the ARC, Builder and Owner. The HOA Board shall schedule such hearing within fifteen (15) days of the request for hearing.

At the hearing, Owner or Builder may present its claims, testimony and other evidence regarding the dispute and request a specific resolution of the dispute. The ARC shall then be entitled to present testimony or other evidence in defense against such claims. Either upon the conclusion of the hearing or within five (5) days thereof, in the sole discretion of the HOA Board, the HOA Board shall render a decision on such matters and direct the required actions of the parties. The HOA Board may request additional information from any party prior to rendering any decision. The decision of the HOA Board shall be made in the HOA Board's sole discretion and consideration of any information provided to the HOA Board by the parties or independently obtained by the HOA Board. The decision of the HOA Board shall be final.

IV. SITE IMPROVEMENT STANDARDS

The following Site Improvement Standards are provided as general guidelines for the design, construction and use of improvements on an Owner's Lot; provided, however, such standards are not exhaustive and shall in no manner limit the authority of the ARC or HOA to promulgate and enforce additional site improvement standards affecting the Community.

A. Architectural Theme

These Design Guidelines do not mandate a particular architectural theme, but instead require quality architecture, site planning and landscape planning. The architectural theme shall consider design elements such as massing, fenestration, architectural detailing, material changes, decking, patios, grading, landscaping, etc.

B. Site Placement

All Improvements constructed, installed or made to or within a Lot shall be located within the Building Envelope of each Lot as identified on the Plat (the "Building Envelope"). Improvements that may occur on a Lot outside of the Building Envelope shall be limited to (a) uses described in the easements created, reserved, granted in or pursuant to this Declaration or the Plat, (b) activities by the Association related to Association operations or that are otherwise permitted under this Declaration, (c) activities by the Declarant that are otherwise permitted under this Declaration, (d) roads and private driveways as approved by the Committee, and (e) fences, water wells, septic tanks and leach fields, and landscaping approved by the Committee.

All site planning and architectural design shall keep cut and fill to a minimum. The proposed grading shall not exceed a maximum slope of 3:1, except when blending back into existing grades (unless otherwise approved by the ARC). All proposed grading should be smooth, rolling, and blend naturally into existing topography, drainages, and adjacent Lots. Boulder, rock or other ARC approved retaining walls must be utilized in areas that will not grade out with a maximum slope of 3:1, and shall be used to preserve existing evergreen trees in proposed cut and/or fill areas, as required by the ARC. Foundation wall exposure may not be greater than eight inches (8") in any area.

C. Building Size

The maximum square footage of any residence shall be in accordance with applicable county land use and zoning regulations. The minimum square footage of any residence shall be three thousand (3,000) total square feet, two thousand (2,000) of which shall be on the main floor, excluding the garage area.

D. Building Heights

The maximum height of any improvement shall be in accordance with applicable zoning regulations.

E. Exterior Materials

Exterior finish materials shall be of highest quality, as determined by the ARC in its sole discretion. All materials proposed for exterior use shall be approved by the ARC prior to installation.

All exterior body materials shall be natural wood, log, stucco, and natural stone, or as approved by the ARC. The ARC will encourage the use of more than one (1) type of exterior body material on all homes. All exterior colors shall be subdued natural earth tones with a limited amount of brighter accent colors. Roof materials shall be tile, heavy textured composite shingle, metal, or other roofing material, as approved by the ARC, please refer to **Exhibit "G"** attached hereto for further roofing requirements in CCR. Bright, shiny or reflective roofing material is discouraged.

F. Lighting

All exterior lighting shall be consistent with the character established in the Community and limited to the minimum necessary for safety, identification, and decoration. Lighting will be designed in such a manner to prevent or minimize the spill of light onto adjacent properties. Special site conditions may be considered by the ARC.

G. Exterior Mechanical Equipment

All exterior mechanical equipment including, without limitation, transformers, vents, air conditioning compressors, water well pumps, meters and condenser units, shall be concealed from view by walls of the same material and color as the home or by other method as approved by the ARC. Both placement and screening of exterior mechanical equipment shall be approved by the ARC.

Above ground electrical transformers and other equipment including, without limitation, exterior utility panels, disconnects, conduits and meters, may be permitted if properly screened and approved by the ARC. All such utility equipment shall be located together for a minimum effect and visual screening from neighboring views.

H. Easements

No permanent structures shall be placed within the boundaries of any easement.

I. Drainage, Grading

The Site Plan submitted to the ARC shall provide for proper site, surface drainage to prevent surface water interference with adjacent Lots and natural surface water flows. Paved area shall be designed to allow surface water to drain naturally and not allow water to collect or stand.

J. Driveways

Parking spaces, garages, curb cuts and driveways shall be planned and executed in an attractive and functional manner and as approved by the ARC, considering the location of existing trees, topography, streetscape and compatibility with surrounding improvements. All finished driveways shall be hard surface material such as asphalt, concrete or pavers as approved by the ARC.

K. Fences and Walls

Fences and walls shall be approved by the ARC prior to installation.

L. Temporary Improvements

No temporary building or structure shall be permitted on any Lot except that temporary storage structures, construction trailers, barricades, and related structures may be permitted during the construction of a permanent improvement, and provided that the ARC shall have approved the design, appearance, and location of the same. All such temporary improvements shall be placed solely within the boundaries of the Lot and shall be removed no later than seven (7) days after the date of completion of the subject improvement unless otherwise approved in writing by the ARC.

M. Accessory Structures

No more than one (1) detached single-family residential dwelling shall be erected on a Lot. The ARC may approve accessory structures that are permitted by the county that are detached from a home so long as they are not erected prior to construction of the residence and are not intended to be held for lease. The location, design, construction and use of any accessory structures shall minimize the impacts of such location and use on adjoining Lots.

Accessory structures must be located within the Lot's Building Envelope and, if possible, match the architectural details of the residence. Roofs and exterior walls must match the residence in both design and color.

N. Utility Connections

No lines, wires or other devices for communications purposes, including telephone, television, data and radio signals, or for transmission of electric current or energy shall be constructed or placed on any Lot unless the same shall be in or by conduits or cables constructed, placed and maintained underground or concealed in, under or on buildings, or other approved improvements. In addition, all gas, water, sewer, oil and other pipes for gas or liquid transmission shall also be placed underground or within or under buildings.

O. Antennas, Solar Devices or Satellite Dishes

No antenna, satellite dish or other device for the transmission or reception of television or radio signals shall be erected, used or maintained where visible from an adjacent Lot or other property. The ARC must approve all locations; provided, however, any such approval or denial shall be in accordance with applicable local, state or federal law. All solar equipment must be integrated into the architectural theme of the Lot.

P. Water Wells

The Owner of a Lot shall be permitted to drill and operate one household use water well on the Lot, subject to the terms and conditions of the applicable augmentation plan, the Plat, the CC&Rs and the Well Construction Requirements, **Exhibit "H"** attached hereto. The Owner shall be responsible for obtaining all state and local permits and approvals for any well, and the payment of all costs associated with the drilling, development, operation, repair, maintenance and replacement of any well. Developer makes no representation or warranty that water is available for any particular Lot or, if available, the depth, location, quality or quantity of water that may be available. The ARC also needs for our files a signed copy of CCR's General Well and Septic System Construction Requirements Form, Cub Creek Ranch, Adjustment 3, **Exhibit "I"** attached hereto. Owner understands and agrees that the water well shall not be used for irrigation of more than 1,000 square feet, per **Exhibit "J"** attached hereto.

Q. Septic Systems

Each residence shall be served by an individual sewage disposal system. Owners will be responsible for the design of their individual systems with due regard for specific soil conditions, percolation rates and the like. All systems shall meet the minimum requirements of the County and shall (a) be subject to prior approval of the ARC, (b) be located entirely within a Lot, (c) blend into the natural landscape and not be located or constructed above graded except where approved by the ARC, and (d) not be located, designed or operated so as to encroach upon or otherwise affect any domestic water distribution systems, wells, ditches, natural drainage courses, or any sewer disposal systems on other Lots.

R. Propane Tanks

So long as natural gas service is reasonably available to any Lot, the placement of propane tanks on such Lot is prohibited.

S. Trees

Owners may not cut or alter live trees, bushes or natural vegetation except with the approval of the ARC, except as otherwise permitted by applicable law. Owners shall be required to maintain or remove all trees, bushes and natural vegetation on the Owner's Lot in compliance with all Colorado State Forest Service plans as further regulated by the HOA's rules and regulations. Owner shall be responsible to remove all dead and diseased trees from the Owner's Lot as may be requested by the ARC.

T. Property Addresses

Address signs are required to match existing address signs installed in Cub Creek Ranch. Please see **Exhibit "K"**.

SUBMITTAL INFORMATION FORM

Revised August 31, 2017

CCR Lot Number _____
Lot Address _____
Owner's Name _____
Address _____
City, State, Zip Code _____
Phone _____
E-Mail _____

Type of Application (please select and submit corresponding fee on next page)

_____ Preliminary Plan Review
_____ Final Plan Review
_____ Landscape Plan, Ancillary Improvements, Changes and/or a Request Review
_____ Well & ISDS Location Plan Submittal (prepared by a PLS) for ARC File

BUILDER:

Name & Company Name _____
Address _____
City, State, Zip Code _____
Phone _____
E-Mail _____
Project Manager Name _____
Phone _____
E-mail _____

ARCHITECT:

Name & Company Name _____
Address _____
City, State, Zip Code _____
Phone _____
E-Mail _____

CIVIL ENGINEER OR OTHER PROFESSIONAL:

Name & Company Name _____
Address _____
City, State, Zip Code _____
Phone _____
E-Mail _____

LANDSCAPE ARCHITECT OR OTHER PROFESSIONAL:

Name & Company Name _____
Address _____
City, State, Zip Code _____
Phone _____
E-Mail _____

See the CCR Design Review Guidelines for required submittal documentation

**CUB CREEK RANCH (CCR) ARCHITECTURAL REVIEW COMMITTEE (ARC)
SUBMITTAL CHECKLIST FORM**
Revised August 31, 2017

New Builder Application

_____ ARC Application Form & ARC Application Fee
_____ Submittal documentation as detailed in the CCR Design Review Guidelines

Preliminary Architecture & Site Plan Review

_____ ARC Application Form & ARC Application Fee
_____ Preliminary Site Plan including Well & ISDS Locations **(2 sets printed)**
_____ Preliminary Architectural Elevations, Floor Plans, and any Preliminary Sections
(2 sets printed)
_____ Indication of Exterior Materials and Colors
_____ Any additional drawings, materials or samples (if requested by the ARC)
_____ Any additional drawings and/or plans for Ancillary Improvements contemplated on the lot
_____ Staking (if requested by the ARC)
_____ Additional information to communicate the design intention

Final Architecture & Site Plan Review

_____ Final Site Plan including Well & ISDS Locations plus GESC Plans
(2 sets printed) 1'=20 scale min.
_____ Landscape Plan or Re-Vegetation Plan **(2 sets printed)** 1'=20 scale min.
_____ Final Architectural Drawings **(2 sets printed)** ¼"=1' scale
_____ Exterior Materials and Colors Board plus a letter size sheet (8 ½"x11") indicating all Exterior
Material, Colors and Manufacturer
_____ Any additional drawings, materials or samples (if requested by the ARC)
_____ Any additional drawings and/or plans for Ancillary Improvements contemplated on the lot
_____ Staking (if requested by the ARC)
_____ General Well & Septic Systems Construction Form for CCR Amendment 3
_____ Additional information to communicate the design intention

Modifications OR Changes to Original Submittal

_____ ARC Application Form and ARC Application Fee
_____ Landscape Plan, Architectural or Site Changes and/or any Ancillary Improvement Plans

Upon Installation of Well and Septic Fee

_____ ARC Application Form and ARC Application Fee
_____ Provide the ARC a copy of the stamped Improvement Location Certificate (ILC) by a
Professional Land Surveyor (PLS) indicating property lines, easements, building envelope,
home location, drive location and well & ISDS location

The Cub Creek Ranch (CCR) ARC Application Fees (Payable to Cub Creek Ranch HOA) are as follows:

\$750.00	Architecture and Site Plan Submittal (this fee is for one preliminary & one final submittal)
\$400.00	Architecture and Site Plan Submittal (per additional submittal if 1 st submittal is not approved)
\$350.00	New Builder Application Form (per each submittal)
\$100.00	Modifications OR Changes to Original Submittal (per each submittal)

Exhibit "B"

Architectural Review Committee Contact Information

Cub Creek Ranch, ARC
6242 Little Cub Creek Road
Evergreen, CO 80439
horeserveccr@gmail.com

Exhibit "C"

THE RESERVE AT
CUB CREEK
· R · A · N · C · H ·

In order to become an approved builder in Cub Creek Ranch, please refer to our Design Review Guidelines below along with our application.

B. Approved Builders

The initial building and landscape construction of a home on any Lot within the Community shall be performed by a contractor who is an approved builder, provided Owner shall not be required to use an approved builder for construction of minor improvements subsequent to receipt of a certificate of occupancy for the home.

An approved builder shall be selected by the ARC upon submittal of the following information to the ARC:

1. Builder's name, business address, telephone number and project manager contact information;
2. Copies of any applicable licenses or financial information as reasonably requested by the ARC,
3. Descriptions and references related to at least two (2) similar residential projects completed within the previous two (2) years;
4. Builder's written consent to adhere to the obligations and requirements as set forth in the CC&Rs, these Design Guidelines or any federal, state and local laws, regulations, ordinances rules or codes; and
5. Builder's application fee.

Upon an Owner's request the ARC shall make available to Owner the current list of Approved Builders operating within the Community. Please have your requested builder submit the information detailed in **Exhibit "C"** attached hereto.

Upon Builder's failure to comply with the CC&Rs, these Design Guidelines or any federal, state and local laws, regulations, ordinances, rules or codes, the ARC in its sole discretion, upon written notice, may terminate the Builder's right to be an Approved Builder, including the Builder's right to represent to any person that the Builder is an Approved Builder; provided, however, that in the event of such termination the Builder shall be permitted to complete construction of any homes which are not substantially complete.

**CUB CREEK RANCH (CCR) ARCHITECTURAL REVIEW COMMITTEE (ARC)
APPROVED BUILDER'S LIST APPLICATION FORM
Effective June 1, 2013
Updated October 1, 2019**

BUILDER INFORMATION:

Name & Company Name _____

Address _____

City, State, Zip Code _____

Phone & Fax _____

E-Mail _____

If Project Superintendent (Project Manager), then

Superintendent's Name _____

Company Name _____

Address _____

City, State, Zip Code _____

Phone & Fax _____

E-Mail _____

Please Include the Approved Builder's List Application Form, Application Fee (in the amount of \$350.00 and made payable to The Reserve at Cub Creek Ranch, HOA), & submittal documentation as described in the Cub Creek Ranch (CCR) Design Review Guidelines for an Approved Builder Submittal.

Exhibit "D"

Exterior material and colors board including a sample (6" x 6" minimum sample size) of all exterior materials and colors. In addition, a typed letter shall be provided including the owner's name, Lot number, manufacturer's names, color names, color numbers, finishes, mixtures, etc. for all exterior material.

Approximate size of board is 15" x 18".

Samples indicate where materials and colors will be installed on the house.



Exhibit "E"



Care Free Mixture

Known for surviving under extreme conditions, fine fescues can be found thriving in infertile, dry soils, deep shade and where turf is neglected, tortured and forgotten. Perfect for areas where water and fertilizer conservation is important. Solution for difficult to manage areas. Excellent for establishing and stabilizing naturalized areas for wildlife cover, wildlife beds, erosion buffers.



Characteristics:

Medium to dark green color & fine textured
 Low growing and dense
 Heat and cold tolerant

Light/Soil Requirements:

Full sun to deep shade
 Thrives in nearly all soil types

Seeding Rate:

Seed @ 4-6 lbs per 1,000 sq ft
 Overseed @ 2-3 lbs per 1,000 sq ft

Establishment Rate:

Germinates in 10-14 days under ideal conditions
 Fully establishes in one growing season

Formulation of 4 Elite Fine Fescues

- 35% Chewings Fescue
- 30% Creeping Red Fescue
- 25% Hard Fescue
- 10% Blue Fescue

Available only in:
 3# Laminated Poly
 (10-3# = 30# Case)
 5# Laminated Poly
 (10-5# = 50# Case)
 25# Poly Woven
 50# Poly Woven

Formulations & varieties are subject to change without notice!

Arkansas Valley Seed, Inc.
 4300 Monaco Street, Denver, CO 80216
 303-320-7500
 877- 907-3337
 www.avseeds.com

Exhibit "F"

Penalty/Fine Schedule

Violation	1st Offense	2nd Offense	3rd Offense
Failure to submit and receive ARC approval prior to improvements on any Lot, the ARC shall issue an immediate stop work order and may at their discretion issue a fine as follows:	\$500	\$1,500	\$3,000
Failure to provide identification information for any employee, subcontractor or supplier:	\$50	\$100	\$200*
Using adjacent Lot without prior written permission of Adjacent Lot Owner for any reason:	\$500	\$1,000	\$2,000*
Failing to maintain a safe, neat and orderly site, clean of debris:	\$250	\$350	\$500*
Failure to promptly empty dumpsters when full:	\$250	\$350	\$500*
Permitting of any trash or debris outside of dumpster:	\$250	\$350	\$500*
Burning of any material within the Community:	\$1,000	\$1,500	\$2,000*
Use of alcohol, illegal drugs or other intoxicants on Construction Site:	\$500	\$1,000	\$1,500*
Performing work any time other than 7:00 am to 6:00 pm (Monday-Friday); 9:00 am to 4:00 pm (Saturday) or on any Sunday or Holiday without prior ARC permission:	\$250	\$350	\$500*
Allowing employees, subcontractors or suppliers to bring any children or animals to Construction Site:	\$150	\$250	\$350*

Violation	1st Offense	2nd Offense	3rd Offense
Permitting or allowing the playing of music or other non-construction sounds which are audible on properties adjacent to the Construction Site:	\$150	\$250	\$350*
Engaging in any non-construction activity at the Construction Site or within the Community:	\$150	\$250	\$350
Failure to maintain at all times any permit signs required by governing municipality, with the proper identification of the builder and the address:	\$150	\$250	\$350*
Conducting any business, occupation, or profession on a Lot, or within a Home, except for the construction of improvements by Builder and any sales activities by Developer:	\$250	\$350	\$500
Conducting installation of any materials, colors or landscaping without prior ARC approval:	\$250	\$500	\$1,000
Failure to complete the improvement within eighteen (18) Months from the date construction is commenced. Per the Declaration of Covenants, Conditions and Restrictions for Cub Creek Ranch, Article III. Architectural Review Committee item 3.7 Construction After Approval. "Following approval by the ARC, Improvements, other than those constructed by Declarant, on any Lot shall be made forthwith by a licensed contractor and completed within eighteen (18) months from the date construction is commenced, unless a variance shall be obtained from the ARC to allow for a longer period of construction upon proof of good faith diligence in attempting to complete in a timely manner:	\$750 after 18 months	\$1,000 additional 90 days	\$1,500 additional 90 days

* Denotes 3rd offense and each offense thereafter. All fines may be levied after notice and an opportunity for a hearing. This process is in lieu of the process and fines set forth in the Association's policy regarding covenant enforcement.

Exhibit "G"

CUB CREEK RANCH ARCHITECTURAL REVIEW COMMITTEE (ARC) Asphalt/Composition Style Roofing & ARC Materials/Colors Submittal Effective November 10, 2015

The Cub Creek Ranch Architectural Review Committee (ARC) will consider an extra thick, three-dimensional (or textured) in appearance asphalt/composition style shingle roofing that is appropriately fire rated. The following shingles are examples of the extra thick, three-dimensional (or textured) in appearance roofing look:

Owens Corning
Woodcrest Shingles – Rugged, Rustic Beauty
www.owenscorning.com/roofing
(800) 438-7465 Owens Corning Contact Number

Owens Corning
Woodmoor Shingles – the Beauty of Wood Shakes without the Wear
www.owenscorning.com/roofing
(800) 438-7465 Owens Corning Contact Number

CertainTeed Saint-Gobain
Presidential Series
www.certainteed.com/products/roofing
(800) 233-8990 Building Professional Numbers
(800) 782-8777 Consumer Calls Number

Please submit your roofing material selection with your ARC Final Materials & Colors Submittal. The ARC requires a written list (8½" x 11") of all exterior materials (including the manufacturer's name, the manufacturer's product/color number & the manufacturer's specific product/color name) with a full size sample board. Larger sample sizes are required & encouraged. Electronic photos of exterior materials & colors may be provided in addition to the sample board, but not in lieu of the full size sample requirement.

The ARC will require that ALL roof venting & penetrations be painted to match the roof color. Chimney Caps (to screen venting & as allowed by code) will be required as well. Finally, please note that all exterior rock must be real rock & NO manufactured siding board will be allowed (in any elevation).

Cub Creek Ranch, Architectural Review Committee (ARC)
hoareserveccr@gmail.com

Exhibit "H"

Well Requirements

General

All well construction activities must comply with State of Colorado Water Well Construction Rules (2CCR 402-2), in particular, Section 10.4.6 Wells Constructed into Unconfined Bedrock Aquifers (Type II Aquifers). In addition, requirements as set forth below shall be adhered to for all wells.

Tremie Pipe

A One-inch, flush joint, threaded PVC pipe shall be installed in conjunction with the pump installation. The lower five feet shall be slotted or drilled with 1/8-inch holes, and a cap installed on the bottom. This pipe shall extend from the top of the pump to the access on the sanitary well cap. Attachment to the pump discharge pipe shall be with nylon ties, or quality electricians' tape. Pipe clamps will not be allowed. The purpose of this pipe is to enable measurement of water levels in the well on a quarterly basis without the potential for interference from the pump cable or discharge pipe.

Surface Protection

Upon completion of the well installation, a three-foot diameter, sloping concrete pad shall be constructed around the well. This pad shall be a minimum of four inches thick at the outer edge contact with the ground surface. The purpose of this pad is to minimize the potential for surface water runoff from entering the well by flow down the side of the casing.

Sample/Test Faucet

A brass faucet with a standard hose thread shall be installed on the interior piping prior to connection with the pressure tank. This faucet shall be so positioned as to be accessible for obtaining water samples from the well before the water enters the distribution system of the house. This faucet shall also be used for the connection of a hose to the exterior to allow for subsequent testing of well yield prior to passing through the pressure tank.

Drilling Logs

Upon completion of the drilling of well, the well driller shall submit copies of all drilling logs and reports to the ARC at the same time of submittal to the State Engineers office. The well driller shall also certify to the ARC that the additional features for water level measurement and sampling, as required by this Exhibit C have in fact been installed and that the well has been drilled at the location shown on the well permit.

Construction Notification

The well driller shall provide forty-eight (48) hours notice to the dispatcher of the Jefferson County Sheriff's Office and Emergency Services (Fire) District prior to commencement of drilling operations to prevent diesel exhaust from being mistaken for a fire.

Well Application Permit

The well driller shall supply a completed DRAFT of the well permit application to the ARC for approval prior to submission to the office of the State Engineer. The submittal shall include a statement as how the location from section lines was determined.

The well permit application shall be submitted to the office of the State Engineer AFTER a site plan has been approved, which shows the specific location for the well.

Relocation of Well

The office of the State Engineer has regulations, which allow a variation of the location of a well from that shown on the well permit.

NO variation in the location of the well from that shown on the well permit shall be allowed without approval of ARC PRIOR to the drilling of the well. A request for variation after the drilling of the well shall NOT be accepted.

Installation of a well, at an unapproved location, shall be cause, at the sole discretion of the District, for the well to be abandoned and re-drilled at the approved location at the well driller's expense.

Prior to issuance of a County building permit for any residence, Owner shall provide to the County and the ARC, evidence that the water well has been grouted and cased in accordance with the Colorado Division of Water Resources, office of the State Engineer, Water Well Construction Rules.

Exhibit "I"

**GENERAL WELL AND SEPTIC SYSTEM
CONSTRUCTION REQUIREMENTS FORM
CUB CREEK RANCH, Adjustment 3**

The undersigned certifies and agrees to comply with the following provisions concerning the well and septic systems to be constructed on Lot _____, Cub Creek Ranch, Adjustment 3, County of Jefferson, State of Colorado ("Property"):

1. All matters concerning the well and septic systems to be constructed on the Property shall comply with the terms and conditions of the Plan of Augmentation for the Property recorded April 4, 1985, at Reception No. 85031054, the Declaration of Covenants, Conditions, and Restrictions for Cub Creek Ranch recorded July 13, 2006, at Reception No. 2006085296, together with any additional rules and regulations required by Jefferson County, the State of Colorado, or the Homeowners Association.

2. Water well and septic locations shall be included with all site plan submittals. No water well or septic system shall be constructed on the Property until receipt of written approval from the Architectural Review Committee of Cub Creek Ranch Homeowners Association, ("ARC"). The water well and septic system shall not be constructed in any location other than that approved by the ARC. Following installation of the water well and septic system, an improvement location certificate verifying the location of such well and septic system shall be submitted to the ARC. In the event the location of the installed water well or septic system has been constructed in a location other than that approved by the ARC, such system shall be relocated to the location approved by the ARC at the undersigned's soles expense.

3. The undersigned acknowledge that though the office of the State Engineer has regulations which allow a variation of a well from that shown on the well permit, no variation of the water well from that approved by the ARC shall be permitted. Any request for variation after the drilling of the well shall not be accepted. As noted above, installation of the well at an unapproved location shall be cause at the sole discretion of the ARC, for the well to be abandoned and re-drilled at the approved location at the undersigned's sole expense.

The undersigned have received, read, and understand the conditions of this Agreement and will comply with all conditions.

Owner of Lot: _____

General Contractor: _____

Printed Name

Printed Name

Signature Date

Signature Date

Exhibit "J"

**Irrigation Restrictions under Cub Creek Ranch (CCR)
Water Augmentation Plan**

MEMORANDUM

All lots within Cub Creek Ranch (CCR) are limited to 1,000 S.F. of well-irrigated lawn. You may reduce your irrigated lawn & replace it with drip irrigated landscape at a ratio of one (1) irrigated lawn equals three (3) drip irrigated landscape. For example, if you have 800 S.F. of Irrigated Lawn you may have up to 600 S.F. of Drip Irrigated Landscape.

Prior to any Landscape Construction please submit a Landscape Plan with Irrigation Calculations to the Cub Creek Ranch Architectural Review Committee (ARC) for review and approval.

The Drip Irrigated Landscape (or area) for each plant (shrub, tree, etc.) shall be calculated as follows:

Area = Pi (Radius) squared.

The plants irrigated diameter for this calculation must be 2.5 times the root balls diameter. For example, if a tree had a root ball diameter of two feet (2'), then $2.5 \times 2'$ (root ball diameter) = 5' (5' diameter with a 2.5' radius), then $3.14159 \text{ (Pi)} \times (2.5 \times 2.5)$ (radius squared) = 19.63 S.F. (Drip Irrigated Landscape).

You may install landscaping beyond the 1,000 S.F. well irrigated lawn limit with an underground water storage tank & imported water (NOT filled with your well water).

If you have any questions, please don't hesitate to contact us.

Sincerely,

Cub Creek Ranch
Architectural Review Committee (ARC)
hoareserveccr@gmail.com

Exhibit "K"

**CUB CREEK RANCH (CCR) ARCHITECTURAL REVIEW COMMITTEE (ARC)
Individual Lot Address Sign Memorandum
Effective July 1, 2013**

All lots within Cub Creek Ranch (CCR) are required to have the same Individual Lot Address Sign.



This address sign will be available for purchase from The Reserve at Cub Creek Ranch, HOA. Please contact hoareserveccr@gmail.com when you are nearing the end of your project.