

**NEIGHBORHOOD STANDARDS
FOR THE COURTYARDS AND COTTAGES AT MIRAMONT**

1. Introduction. The Board of Directors (“Board”) of the Courtyards and Cottages at Miramont Association, a Colorado non-profit corporation, also known as Courtyards at Miramont P.U.D. Community Association (“Association”), acting pursuant to the powers set forth in the Association’s Bylaws, Articles of Incorporation, the Declaration of Covenants, Conditions and Restrictions for the Courtyards at Miramont (a common interest community) (“Declaration”) and the Colorado Common Interest Ownership Act (“CCIOA”), has enacted the following Neighborhood Standards effective as of the date set forth above. Unless the context indicates otherwise, capitalized words and terms shall have the meanings set forth in the above referenced Association documents. As used in these Standards, the term “Owner” includes a Lot Owner as defined in the Declaration as well as any tenants or other occupants of a Lot. These Neighborhood Standards supersede any previously adopted Neighborhood Standards on the same subject matter. It is the intent of the Association to encourage individual expression and, through an outline of basic criteria, allow and maintain standards that will provide harmony within the Community. Flexibility is built into these Standards to allow for creativity and originality, and the assistance and cooperation of the Owners are essential to maintain a beautiful and distinctive Community. **These Neighborhood Standards do not cover all requirements and restrictions listed in the Covenants and it is strongly suggested that Owners review the Covenants.**

2. Submitting Requests for Making Exterior Additions or Changes. When contemplating any exterior additions or changes, it is the responsibility of each Owner to comply with the Declarations of Covenants by submitting an Exterior Change Request form along with any necessary plans and specifications to the Architectural Control Committee (“ACC”) before the commencement of any work. Forms are available from the Association’s management company, any member of the ACC, or the HOA website. The ACC will respond in writing to each Owner’s request within 45 days after receiving all required documents. ***Approval by the ACC is not a representation that the proposed change complies with applicable zoning ordinances or building codes.*** It is the Owner’s responsibility to obtain the proper permits and the location of existing utility lines and facilities as required by the city. Likewise, receipt of a building permit from the city does not constitute approval from the ACC.

If an owner does not agree with the decision of the ACC they may appeal to the Board of Directors. A written notice of appeal outlining the issue shall be submitted by the Owner to the Board of Directors within 30 days of the ACC’s decision. It shall be considered by the Board of Directors at its next meeting if the written appeal is received at least 14 days before the meeting. If the appeal is received less than 14 days prior to the next scheduled meeting then it will be heard at the following meeting. Board of Directors members who are also members of the ACC shall not vote on the appeal.

Once approved by the ACC additions and changes to home and landscape must commence within three (3) months and shall continue diligently. All approved exterior changes or additions must be completed

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within nine (9) months after start of construction unless an extension is granted by the ACC. [Covenants p. 17-18]

The ACC shall not be liable to any Owner for any loss, cost, expense, or damage, including attorney's fees, suffered by such Owner as a result of any decision made by the ACC unless such action is taken with malice against an Owner. [Covenants p. 18]

No exterior changes and/or additions shall be erected, placed, or altered on any lot until the plans have been approved by the ACC. [Covenants p. 16]

Partial List of Guidelines. Additions or changes requiring ACC approval prior to commencement of the work include:

- 2.1 Exterior Colors and Finishes. Any change in exterior colors or finishes must have prior approval. The ACC will maintain a current approved color palette, colors selected cannot match adjacent homes. If an Owner chooses to repaint the house with the existing colors, ACC approval is not required.
- 2.2 Roofing. The ACC maintains an approved list of roofing materials and colors. Any variance from that list needs ACC approval.
- 2.3 Landscaping, Decks, Patios and Site Changes. When planning for changes to the yard area on any Lot, detailed plans and specifications specifying the location, size and species of plant material, irrigation, materials and other landscape features or improvements (e.g., berms, ponds, arbors, benches, etc.) must be submitted to the ACC prior to beginning work. It is recommended (but not required) that site improvements and landscaping be designed by a professional landscaper, with particular consideration being given to irrigation, drainage, grading and fencing. See the Declaration, especially Article XI – Drainage, for details. Owners shall also comply with all applicable permit and license requirements. See Declaration Article IX, Section 2.
- 2.4 Mechanical Equipment. All air-conditioning, refrigeration, cooling, heating or other mechanical equipment or system located outside a residence or other structure shall be screened from view by fencing or landscaping approved by the ACC. [Covenants p. 20]
- 2.5 Venting. The appearance and location of all new venting shall be approved by the ACC. After November 19, 2013 no additional venting shall be installed on the wall of a residence located on the zero lot line of that residence. Emergency installation of exterior venting is permitted but is subject to post-installation application to the ACC and any modifications required by the ACC will be at the Lot owner's expense.

- 2.6 This section was clarified in the 2nd Amendment of the Declarations on September 29, 2015. Reception #20150066053.** If an owner wishes to use material/plants different from what is called for in the original site landscape plan an application to the ACC is required. There is no guarantee of approval and, if approval is given any increased costs will also be paid by the requesting owner.
- 2.7 Fences. The perimeter of a Lot may be fenced with wrought metal fence in the same style as the existing Community fences. A wood fence painted the same color as the body of the house may be used for small areas on a Lot such as dog runs or enclosed privacy areas. Drawings of acceptable wood fence designs are available from the Association's management company. Prior ACC approval is required for all fences.
- 2.8 Real Estate, Garage Sale and Election Signs. One real estate "For Sale" or "For Rent" sign or one standard-sized election sign is allowed in the front yard of a home without prior approval of the ACC. Temporary open house or garage sale signs may be placed at the entrance to the Community one day prior to the event, and must be removed immediately following the event. Other signage requires prior approval from the ACC.
- 2.9 Solar panels. ACC approval is required prior to any Owner installing solar panels on such Owner's Lot. The Owner must submit an External Change Request (together with appropriate sales brochures and photographs) to the ACC clearly identifying the size, color and desired location of the solar panels. The panels must be placed in an unobtrusive location.
- 2.10 Elevated tanks shall not be erected, placed or permitted to remain on any lot unless they are screened from view by fencing or landscaping in a manner approved by the ACC.

3. Grading, drainage and Irrigation.

- 3.1 Grading and drainage patterns shall be continually maintained by the owner as indicated in the subdivision plans on file with the Planning Office of the City of Fort Collins. A lot owner shall insure water on their lot will not impact neighbor's property and will follow established drainage courses in place for the lot and common areas, this includes maintaining proper gutter and downspout discharge. [Covenants p. 20-21]
- 3.2 Grass and vegetable gardens shall not be planted adjacent to or within three (3) feet of the foundation and slabs of the owner's residence or a neighbor's residence. If evergreen and/or other shrubbery is used within three (3) feet of the foundation walls, they are to be watered by a drip watering system and excessive watering is to be avoided. Piping and heads for sprinkler systems are to be minimized or eliminated within three (3) feet of foundation walls and slabs, including those of a neighbor's residence. [Covenants p. 21]

3.3 Gravel and/or /rock beds are to be installed in a manner so that water will not pond in the gravel area. Moisture barriers are to be installed under any gravel beds. [Covenants p. 21]

4. Aging Landscape Plantings. Because our Lots are small in size, we need to be especially aware that as our landscape plantings and trees mature we need to keep their growth from encroaching on our neighbors.

5. Exterior Garage Lights. The only source of street and alley lighting within the Community is exterior garage lights. Owners shall promptly replace any burned-out light bulbs. Some Owners have found that low wattage compact fluorescent lamps use less electricity and last much longer than regular incandescent bulbs. The Owner is responsible for the maintenance and/or replacement of the light fixtures and also for the light sensor that controls the on/off of the lights. Be aware that you need to keep your front courtyard trees trimmed so that they do not shade your neighbor's light sensor.

6. Streets and Parking.

6.1 The Community streets (5000 Boardwalk Drive and 903 Rule Drive) are maintained by the Association and not by the City of Fort Collins. These streets are narrow, and on-street parking impairs the safe use of the streets. So as to allow safe use of the streets, please ask your guests and workmen to NOT park on the street. All vehicles and any other items shall be parked either off of the streets (in the driveway or garage on a Lot) or in one of the Association's designated common parking areas. Vehicles other than Recreational Units referenced in Section 8 below may be parked in the Association designated common parking areas for up to three (3) days. (See Section 8 for Recreational Unit parking restrictions.) **The exception being the Cottage Neighborhood where owners (renters) are exempt from having to seek permits for their personal vehicle if parked in the Cottage Common Parking Area. The Cottage owners who have no driveway by design each have access to an additional parking space in the Association Designated Common Parking Area thereby giving each owner the ability to have up to three (3) vehicle spots. Owners (renters) that have more than three (3) must yield to the other owners when the defined common area is full and park their excess vehicles along Rule Drive off of the private drive defined as 903 Rule Drive.** The Association, acting through its management company, may consider extensions of this time limit if circumstances warrant an extension. Owners and/or their guests needing to extend this time limit must apply to the management company for an extension, using the extension request form approved by the management company. The management company may grant or deny an extension request in its sole discretion. If the management company grants an extension, the applicant must obtain a parking permit from the management company and display the permit on the dashboard of their vehicle when occupying a common parking area. If the management company denies a request for an extension, the requesting party may appeal that denial to the Association Board by filing a written appeal with the Association within ten days after receiving notice of the denial of the extension request from the management company. The Association Board will consider the appeal at its next regularly scheduled Board meeting. The applicant may appear and present evidence at the Board meeting and the

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Board shall render a decision on the appeal in accordance with whatever appeal procedures may be adopted by the Board.

6.2 No parking is permitted in the alley between the Cottages Lots.

7. Speed Limit. The speed limit as posted on Community streets must be observed by all who use the streets.

8. Recreational Vehicles.

8.1 Streets. Consistent with the provisions of Section 6 above, no recreational vehicles, trailers, motor homes, campers or boats (collectively referred to as “Recreational Units”) may be parked or stored on the streets within the Community. Recreational Units may be loaded or unloaded on the streets within the Community only during daylight hours.

8.2 Common Parking Areas. Recreational Units may be parked in the Association-designated common parking areas for up to two (2) consecutive days. The Association, acting through its management company, may consider extensions of this time limit if circumstances warrant an extension. Owners and/or their guests needing to extend this time limit must apply to the management company for an extension, using the extension request form approved by the management company. The management company may grant or deny an extension request in its sole discretion. If the management company grants an extension, the applicant must obtain a parking permit from the management company and display the permit on their Recreational Unit when occupying a common parking area. If the management company denies a request for an extension, the requesting party may appeal that denial to the Association Board by filing a written appeal with the Association within ten (10) days after receiving notice of the denial of the extension request from the management company. The Association Board will consider the appeal at its next regularly scheduled Board meeting. The applicant may appear and present evidence at the Board meeting and the Board shall render a decision on the appeal in accordance with whatever appeal procedures may be adopted by the Board.

8.3 Lots. As provided in Article X, Section 6 of the Declaration, Recreational Units and other items shall not be stored or permitted to remain on any Lot, except within fully-enclosed garages. The Association will allow a Recreational Unit to be parked in a driveway on a Lot for up to two (2) consecutive days without being considered a violation of Article X, Section 6 of the Declaration, provided that the Recreational Unit fits entirely within the driveway and does not extend into the sidewalk or street areas.

9. Commercial Vehicle Parking

9.1 Common Area Parking. No commercial vehicle as defined by the Board of Directors shall be parked overnight in any of the common parking areas without **PRIOR** approval from the Board of Directors.

9.2 Commercial Vehicle Definition. Any vehicle advertising a business, service or product or any vehicle otherwise defined by Colorado Law.

10. Storage of Construction and Landscaping Materials. Any construction and landscaping materials for a Lot which are not immediately used must be placed either in the driveway or other area on the Lot, or in an Association designated common parking area, and not on the streets. If placed on the driveway or other area on a Lot, or on an Association-designated common parking area, such materials must be removed within 72 hours; provided, however, that such deadline may be extended for up to an additional 72 hours with the prior written approval of the Association acting through its management company. In all cases, appropriate measures shall be taken to prevent such materials from blowing or otherwise being transported onto any other Owner's Lot or the streets.

11. Waterfowl and Wild Animals. The Community Lots and Common Elements are attractive to local and migrating waterfowl and other wild animals. Feeding and/or providing nesting are subject to federal and state laws and permits. Keep these waterfowl and other animals wild and safe by not feeding them or maintaining artificial nests.

12. Home Occupations. Under Article X, Section 8 of the Declaration, no commercial business or trades shall be conducted on any Lot, except home occupations as defined and permitted by the applicable zoning resolution of the governmental entity having jurisdiction over the Community.

13. Pets. In addition to the pet restrictions contained in Article X, Section 9 of the Declaration, each Owner shall (a) clean up all waste deposited by such Owner's pet or pets on the Owner's Lot, any other Lot, and the Common Elements, and (b) insure that the Owner's pet or pets do not generate noise so as to become a nuisance to any other Owner in the Community.

14. General Building Considerations.

14.1 Building height shall not exceed a maximum of 40 feet measured from finished grade as indicated in the city approved grading. [Covenants p. 18]

14.2 Only single family dwellings are allowed. [Covenants p. 18]

14.3 Each residence shall include a garage having space for not less than one (1) nor more than four (4) automobiles. [Covenants p. 18]

15. Common Area. Only the HOA Board can modify, change, add or remove any landscaping material or plant located in or on the common area.

16. Violations. In the event of a violation of any of these Standards, the Association, the ACC or any aggrieved Owner may pursue all remedies provided under the Declaration or law. In addition, the Association may levy fines against the violating Owner in accordance with the Association's Fine Policy.

17. Amendment. These Standards may be amended (by (a) changing or deleting existing provisions or (b) adding new provisions) from time to time in the discretion of the Association Board following notice to the Owners and the opportunity for the Owners to comment on the amendment(s). On an annual basis the

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Board, in conjunction with the ACC, shall review the Standards to determine if any amendments are necessary.