



**TODD CREEK RIVERSIDE HOMEOWNERS ASSOCIATION
REGULATIONS and DESIGN STANDARDS**

TODD CREEK RIVERSIDE

REGULATIONS and DESIGN STANDARDS

Lots 1 through 27 -- All Blocks 1 through 9

BARTLEY SUBDIVISION

REVISED
May 18, 2018

**DESIGN REVIEW COMMITTEE
191 UNIVERSITY BLVD. #358
DENVER, CO 80206**



**TODD CREEK RIVERSIDE HOMEOWNERS ASSOCIATION
REGULATIONS and DESIGN STANDARDS**

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I. INTRODUCTION

1.1 Intent

The intent of the design criteria in this document is to promote design elements in order to provide architectural harmony and to encourage a quality community and environment, all while permitting a wide range of goals and outlooks.

The community of Todd Creek Riverside is a planned unit development of single family homes. The objectives, requirements, standards and procedures contained in these regulations are all intended to establish and maintain a *unified and harmonious* community image for Todd Creek Riverside. These regulations and design standards (the “Design Standards” or “Standards”) provide direction for homeowners and builders in the planning, design and construction of all improvements, including building and landscape improvements.

1.2 Authority

These Amended Regulations and Design Standards ("Regulations and Design Standards") have been prepared and adopted by the Board of Directors ("Board") of the Todd Creek Riverside Homeowners Association, Inc. ("Association"). These Regulations and Design Standards amend, restate and supersede in their entirety the rules and regulations of the Association that were previously in effect prior to the date hereof as set forth below. The Board has the right, at any time and from time to time, to repeal, delete from, add to, or otherwise amend, these Regulations and Design Standards. The foregoing authority is provided for and granted to the Board pursuant to Section 2. 7 of the recorded Declaration of Covenants, Conditions and Restrictions of Todd Creek Riverside, as amended and supplemented ("Declaration"). Capitalized terms which are used herein and which are not otherwise defined herein shall have the meanings given to them in the Declaration.

These Amended Regulations and Design Standards are enforceable as provided in the Declaration, as well as in the Policies and Procedures of the Association.

The authority for these Regulations and Design Standards is the Declaration of Covenants, Conditions and Restrictions of Todd Creek Riverside, recorded on July 3, 2012, reception number 2012000047701 of the real property records of Adams County, Colorado, as supplemented and amended (the “Declaration”). The Declaration establishes the Design Review Committee (“Design Review Committee” or “DRC”) and grants authority to the Design Review Committee to adopt guidelines, standards, policies and rules relating to the exterior design, materials and procedures necessary for the approval or disapproval of proposed improvements to the exterior of property. The Design Review Committee assumes



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no responsibility for structural, mechanical, electrical or other construction elements.

The Design Review Committee reserves the right, at any time, to revise these Design Guidelines, subject to Board approval after the Design Review Committee is appointed by the Board of Directors of Todd Creek Riverside Homeowners Association, Inc. (“Association”).

These guidelines do not supersede any Adams County Ordinance Rule, Regulation, or design specification. For more information, please contact the Adams County department below.

Adams County Department of Community & Economic Development
4430 S Adams County Pkwy. 1st Floor, Suite W2000
Brighton, CO 80601
Ph: 720-523-6800
Fx: 720-523-6998

1.3 Violations and Non-conformance Enforcement

Any non-conformance to the standards set forth in this document may result in penalty. All violations will be assessed and dealt with in accordance with the “Resolution of the Todd Creek Riverside Homeowners Association, Inc. Regarding Policies and Procedures for Covenant Enforcement.”

II. DESIGN REVIEW PROCESS

2.1 Architect and Builder Qualifications

Architects and builders must submit evidence of experience satisfying the requirements of the Design Review Committee, subject to Board approval after the Design Review Committee is appointed by the Board of Directors of the Association.

The Design Review Committee reserves the right to not approve architects or builders who do not meet the requirements or performance standards as evidenced by their submittals or by work performance unacceptable to the DRC, subject to Board approval after the Design Review Committee is appointed by the Board of Directors of the Association.

2.2 General Requirements

Prior to preparing plans, each builder must confirm that such plans will meet the minimum square footage requirements for the construction of the residence. As set forth in the recorded Final Development Plan of the Todd Creek Village Bartley Property (“FDP”), the minimum floor area is 1,800 square feet and the maximum



floor area is 12.5% of the lot on which such residence is location. A minimum three (3) car garage (front-loaded, side load, diagonal load or split) is required (excluding tandems).

2.3 Preliminary Plan Submittal

The Preliminary Site Plan must include proposed site plan, floor plans and elevations. The applicant may submit preliminary 24" x 36" architectural plans and site plans at 1/4" scale and should include the following:

Lot, block, filing, street address, owner/builder, architect and date prepared listed on each sheet.

A survey of existing conditions 15' beyond the property lines prepared by a licensed, registered surveyor, to include streets, utilities, rights of way, easements, property lines, setbacks, drainage ways and topography with two (2) foot contour intervals.

A plan of all proposed improvements, building locations, parking, driveways, existing and proposed grading with two (2) foot contour intervals with significant spot elevations. All requirements of the FDP and of Adams County, Colorado, must be complied with, including minimum square footages, maximum floor area, minimum setbacks, and maximum building heights.

The applicant shall submit two (2) sets of plans to the Design Review Committee. One set shall remain on file in the DRC office and the other set shall be returned to the applicant with comments and recommendations. The comments will also include written correspondence from the Design Review Committee and shall become a part of the Design Review Committee records.

The DRC will respond to the applicant in writing, within seven (7) business days from the date of the committee review. Once the preliminary plan is approved, the applicant may then submit Final Plans.

With regard to any builder who intends to build multiple homes within the Community, the DRC shall have the right (but not the obligation) to generally approve one or more preliminary architectural plans for a single family home which may be used for more than one home within the Community (each, a "Master Plan"). The DRC may further approve alternative exterior materials and/or colors that may be used with each Master Plan. With regard to each Lot upon which a Builder intends to construct a home in accordance with an approved Master Plan, the Builder may bypass the Preliminary Plan Submittal procedures required by this Section 2.3 and proceed directly with the Final Plan Submittal procedures of Section 2.4 below. In such event, Sections 2.4 and 2.5 and all other provisions of these Standards (other than Section 2.3) shall apply to such Final Plan Submittal including, without limitation, the DRC shall have the right to disapprove of any



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Final Plans submitted by the Builder on the basis that the same do not comply with the Site Development Standards set forth in Article III hereof or on the basis that the Lot as to which such submittal relates is located too closely to another home that has been constructed (or has been approved by the DRC for construction) in accordance with the same Master Plan. Notwithstanding anything contained herein to the contrary, the DRC shall have the right to withdraw its approval of any Master Plan at any time after the first anniversary of the date on which such Master Plan was first approved by the DRC.

2.4 Final Plan Submittal

The Final Plan submittal shall be on 24" x 36", dated sheets and shall include the following items:

Lot, block, filing, and street address with owner, builder and architect names listed on each sheet.

Adjustments to site staking and survey if necessary.

The Final Site Plan will include all site improvements, utility connections, easements, set-backs, grading, and retaining walls at 1' contour intervals, patios, walls and all paved areas on a 1" = 10' scale.

All existing elevations at a scale of ¼" = 1' to include existing and proposed grade lines, tops of foundation elevation, finish floor elevations, top of slab, decks, and setbacks, building envelopes, roof extensions, chimneys, detailed floor and roof plans.

A 2' x 2' color board must be submitted with adequate samples of all exterior materials firmly attached. The upper right-hand corner of the color board shall include the owner/builder name, lot, block, and filing, home street address, and front elevation identifying use of the colors, fascia, and accent and door colors. A cut sheet identifying exterior lighting and fixture placement must also be attached.

Two complete sets of the Final Plan shall be submitted to the Design Review Committee for review. The DRC will review the plans and staking, and then provide written comments on the plans. The plans along with a letter will be returned to the applicant within seven (7) business days of review.

2.5 Review Fees

A review fee of \$300.00 made payable to Todd Creek Riverside Homeowners Association, is required with the first submittal of the preliminary plan unless otherwise determined by the Design Review Committee.

2.6 Revisions and Additional Field Changes



All changes to exterior elevations, materials, colors and lighting shall be submitted, in advance, to the DRC for approval. It is the responsibility of the builder to contact the Design Review Committee to determine if additional drawings, and/or review meetings will be required. Failure to do so may result in stop work orders, fines, injunctive relief or all of the above.

2.7 Other Conditions

Approval of plans by the Design Review Committee shall not be deemed to constitute compliance with the requirements of any local zoning, safety, health or fire codes. It shall be the responsibility of the owner/ builder or duly authorized representative submitting plans to assure such compliance. Nor shall approval waive any requirements on the part of the owner/builder or his representative to comply with setbacks, height restrictions or other requirements unless such waiver or variance is specifically requested at the time of submittal and provided the waiver or variance may properly be granted by the Design Review Committee and local jurisdictions where applicable.

2.8 Liability

Neither the Association, nor the Design Review Committee nor their respective directors, officers, agents, employees or their assigns shall be liable in damages to anyone submitting plans to them for approval, or to any owner/builder by reason of mistake in judgment, negligence, or nonfeasance arising out of, or in connection with, the approval or disapproval or failure to approve any plans or specifications. Every owner/builder or other person who submits plans to the DRC for approval agrees, by submission of such plans and specifications, they will not bring action or suit against the Association, DRC or their respective directors, officers, agents, employees or their individual members to recover damages.

III. SITE DEVELOPMENT STANDARDS

3.1 Site Planning

The Design Review Committee will seek plans maintaining the existing land features and minimize disturbance of historical drainage patterns. The applicant must give consideration to visual effect created by the house location, existing slopes and natural vegetation, driveways and minimizing obstruction of views.

3.2 Site Considerations

Location of the main buildings should consider:

1. Prescribed building site as defined by the building setbacks.
2. Natural and proposed final grade contours.

3. Street grades.
4. Presence of vegetation, trees, shrubs and rock outcroppings.
5. Existing and final views.
6. Privacy of subject and surrounding home sites, including building improvements on adjoining home sites.
7. Access driveways and off-street parking.
8. Elimination of housing sitting resulting in buildings appearing excessive in height, obstructing views, open space, roads and other lots will be important criteria.
9. Architectural design resulting in masses generally parallel to natural terrain, if building masses are perpendicular to natural contours; design the building to fit the natural terrain through use of stepped foundation elevations for a multi-level design following the general slope of the site.
10. House design adapting to the land minimizing grading of natural drainage. Any and all grading should retain the natural flow of the original ground form. Rigidly cut slopes are to be avoided.
11. An ability to perform grading for the house in small increments rather than overly large level pads. Multi-level homes designed to follow the natural slopes will decrease the necessity of extensive grading. Cut or fill slopes onto adjoining lots, roads, drives or open space are not allowed.
12. Utility locations and existing connections.
13. Setbacks.
14. Soils Test (Owner/builder is responsible for having a soils test, soils engineering report prepared by a registered professional engineer, and other necessary inspections completed to assure adequate design for construction of residences and installation of landscaping).

3.3 Drainage

Each Owner shall maintain the grading on his Lot (including grading around the foundation of the building constructed thereon) at the slope and pitch fixed by the final grading thereof, including landscaping and maintenance of the slopes, so as to maintain the established drainage. For purposes of this Section, "established drainage" is defined as the drainage that exists at the time final grading by the Declarant or the Builder of a dwelling unit on a Lot is completed, and such Lot is conveyed to an Owner who is not Declarant or a Builder.

Any change in established drainage by an Owner is discouraged. However, if an Owner desires to change the established drainage on his Lot, it shall be the sole responsibility of such Owner to provide adequate alternative drainage for both the Owner's Lot and all other property that may be affected by such change. To ensure that adequate alternative drainage is provided, the Owner desiring to change the established drainage on his Lot must submit to the Design Review Committee, for their review and approval, plans and specifications for alternative drainage which have been prepared and certified by a qualified, licensed professional. Any damages incurred by another Owner, the Association or any



other Person, due to a change in the established drainage of a Lot, shall be the sole liability of the Person who changed such established drainage.

No approval of a proposed Improvement shall in any way imply that the Design Review Committee, or Declarant, has reviewed or approved any change in the established drainage of a Lot. Neither the Association, nor the Design Review Committee, nor the Declarant, shall be liable for any damages incurred by any Owner or other Person due to a change in the established drainage.

3.4 Erosion Control

During and subsequent to all site construction, applicable Best Management Practices (BMP) for controlling erosion within the site to ensure protection of adjacent properties from erosion shall be mandatory and conform to local governmental requirements. BMPs include, but are not limited to, the use of sedimentation basins, filtration materials such as straw bales or permeable geotextiles, and slope stabilization fabrics.

3.5 Tree Protection

Every effort shall be made to preserve and protect existing trees and shrubs. Any tree proposed to be removed must be approved by the DRC. Any tree approved for removal must be replaced with a similar tree and must be maintained. During the construction of any improvement, the owner and/or builder shall take all reasonable and appropriate protective measures to prevent damage to any tree or shrub, including erecting construction fencing around trees in close proximity to the improvements. If damage to a tree nevertheless occurs, the tree shall be replaced as described above.

3.6 Driveways

All driveways shall be constructed of paved asphalt or concrete with a concrete apron at the garage door. Paving shall be continuous from the building to the paved portion of the County road.

3.7 Retaining walls

Retaining walls should be as low as possible and integrated into the entire landscape plan. The use of terracing is required in order to maintain a maximum height of 4' wherever possible. Color of walls should complement the natural surroundings and those of the building structure or stone. Flagstone, moss rock, brick, granite, natural stone, concrete resting blocks, or compatible stucco are encouraged.

IV. ARCHITECTURAL STANDARDS

4.1 Massing, proportion and scale

The Design Review Committee will carefully review massing proportions and overall scale of the building in relationship to the site. Attention to architectural detail will reduce building scale, increase individuality and diversity. Large, unbroken planes are not considered in keeping with the desired scale of the development. Therefore, wings, courtyards, stepped walls, covered entries; integrated decks with well-designed and proportioned railings are encouraged to develop balanced massing. This will avoid a “three-story look” that will be reviewed with disfavor by the DRC. Upper levels shall be smaller than the building footprint in order to reduce overall building scale. The DRC will also be reviewing the location, type, and size of door and window openings for their effect on proportions and continuity. All elevations of the home will be given equal importance and must maintain the continuity of the building massing and detailing.

4.2 Architectural Detail

Architectural detailing can make a substantial contribution to the individuality of a residence and to the sense of quality in the community. Thoughtful and consistent detailing, from the smallest to the largest component, lends integrity to each design.

4.3 Exterior Materials

All materials and finishes should be harmonious with the surrounding environment. Quality materials such as natural or manufactured stone, stucco, natural stone and natural wood are required. If siding products are used, cement product is required. Metal siding products are not allowed. Concrete foundation walls shall not be exposed and shall be faced or finished to blend with the general architectural design of the building.

Modular paneling such as 4'-0" x 8'-0" plywood panels with or without batten is not acceptable, but may be allowed if approved by the DRC Prior to Final Submittal. Materials shall not end abruptly at exterior corners. No minimum percentage of a particular material is required; however, the essential requirement is that the material selection and its detailing successfully contribute to the creation of the desired architectural style. Stone and wainscot or stucco walls are encouraged and shall return to inside corners.

4.4 Roofing

Roofing materials should be considered with respect to harmony of color and texture with other materials on the home and adjacent properties.

4.5 Garages

Wherever possible garage buildings should be oriented so that access is indirect and views of garage door openings are minimized by side loading wherever

possible. The garage should be designed to complement the architecture and detailed in a manner similar to the residence. **A minimum of two (2) garage doors is required. A minimum three (3) car garage is required (excluding tandems).**

4.6 Decks

Decks located at the main level of a walk-out shall be integrated into the architecture of the home though the use of stone, stucco or 6"x6" timber or built up columns and detailed railings. Attention shall be given to stair along the side of the home. Covered decks shall be encouraged where the roof form is consistent, and blends with the home. Attention shall be given to stairwell construction as it connects from the deck to grade. A stair shall be constructed of similar materials to the deck and its handrail. All vertical surfaces, including rails, fascia and stair jacks shall be integrated in the overall exterior scheme.

4.7 Out-Buildings or Accessory Buildings

Out-buildings or accessory buildings such as detached garages, storage buildings, sheds, and barns are permitted in Todd Creek Riverside so long as they are of good construction and are kept in good repair. Design plans must be approved by the DRC prior to construction and shall be reviewed and approved on a case by case basis.

Accessory buildings shall use the same materials and be architecturally compatible with the main dwelling and located on the Lot as to have minimum visual impact on views from the street or other Lots as illustrated in figure 4.1.

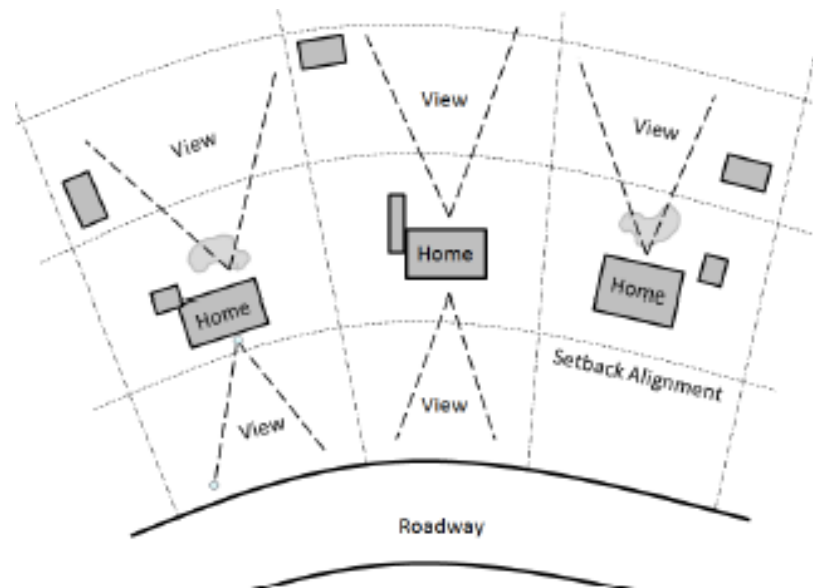


Figure 4.1 – View Impacts



Design – Accessory buildings should match and be compatible with the existing dwelling in every way:

- A building permit must be obtained from Adams County for each accessory building larger than 120 square feet and sheds larger than 200 square feet. It is encouraged to check with Adams County regarding permitting requirements for all building types.
- Design, including all trim, roof lines, windows (which should be on all four sides).
- Color, to include matching trim, etc.
- Materials, to include stucco, stone, roof tiles, etc., as appear on the dwelling/ outbuildings must exhibit a pleasing appearance.

Maximum Square Footage. The total combined square footages of all accessory buildings will be based on Lot size described as follows:

- Lots greater than or equal to two (2) acres are allowed a maximum of 1800 square feet total.
- Lots less than two (2) acres are allowed a maximum of 1500 square feet total.

4.8 Changes and Additions

All changes and/or additions, including color change to the exterior of any home that was not a part of the initial approved plan, must be submitted and receive new DRC approval.

4.9 Minimum Floor Area

Per the approved FDP of Todd Creek Riverside, the minimum floor area of each residence is 1,800 square feet.

V. **LANDSCAPE STANDARDS**

5.1 Landscape Design Review Process

All landscaping must be submitted to and approved by the DRC prior to the installation of such landscaping. The objective of landscaping is to preserve the natural appearance of the community. Landscaping materials must be installed so as not to define property lines. Contouring or landscape effects are subject to the same limitations imposed on the site design. All re-contoured slopes must be properly re-vegetated. Planting of indigenous shrubs and trees is encouraged. Landscaping of the drainage ditch is strongly discouraged so as to maintain adequate water conveyance. Natural grasses are encouraged for use as ditch wall erosion protection. Landscaping requiring substantial irrigation is discouraged.

5.1.1 Plan Submittal

Homeowners shall submit an initial landscape plan. The plans should be prepared on the plot plan, drawn neatly. Footprints of all proposed site improvements including decks, porches, driveways, walkways, fences and all required construction retaining walls, etc. must be included on the drawing and labeled. A map legend indicating the landscape treatment to be applied must be included. It is at the discretion of the DRC to return a landscape plan if it is not legible or does not provide adequate detail.

5.2 Landscape Design Checklist

5.2.1 Minimum Requirements

The Owner of a Lot should not plant flower beds (especially annuals), vegetable gardens or other landscaping, which requires regular watering, within five (5) feet of the foundation of the dwelling unit or any slab on the Lot. If evergreen shrubbery is located within five (5) feet of any foundation wall or slab, watering of such shrubbery shall only be by "controlled hand-watering," to avoid excessive watering. Further, piping and heads for sprinkler systems should not be installed within five (5) feet of foundation walls or slabs.

All landscaping must conform to Design Requirements of Adams County. Low water consumption and deer resistant vegetation is recommended. In addition, applicants for architectural approval should consider the plants listed on the attached recommended plant material list.

- Ditch:** The ditches and culverts are design to convey stormwater. Landscaping material in the ditches reduces the flow capacity of the ditch, which can lead to early road failure. Trees, bushes, and shrubs are not permitted in the ditch. Decorative rock, cobbles, and angular rock (Rip-Rap) are highly discouraged by the DRC and Adams County. Adams County does perform maintenance on the ditch to re-shape and restore their capacity. If this maintenance is conducted at a location with landscape materials present, that material will be removed. A permit and “Encroachment Agreement” with Adams County is required to install landscaping within the ditch and Right-of-Way (ROW).
- Trees:** A minimum of three (3) trees in front yard and three (3) trees in back yard shall be planted. At least two trees must be taller than 8 feet and an appropriate assortment of species.
- Shrubs:** Low shrubbery and bedding should be utilized to provide visual balance.
- Stone:** Generic landscaping rock is acceptable.

Xeriscaping: A xeriscape landscape plan shall be developed to assure a successful, low water and low maintenance landscape.

Sod: If not xeriscaping, a minimum of 800 sf. in front is recommended.

Completion: Front yard landscaping must be completed within one (1) year after a Certificate of Occupancy is issued on the residence or closing of the purchase of such residence from the builder.
Back yard landscaping must be completed within two (2) years after a Certificate of Occupancy is issued on the residence or closing of the purchase of such residence from the builder.

5.2.2 Fencing and Enclosures

The design objective of fencing is to create a sense of residential community. All perimeter fencing (defined in Figure 5.1) constructed in Todd Creek Riverside shall be of the approved white vinyl three rail fencing type only (Figure 5.2). Adding wire mesh to fence is acceptable. All fencing must be submitted for DRC approval prior to installation.

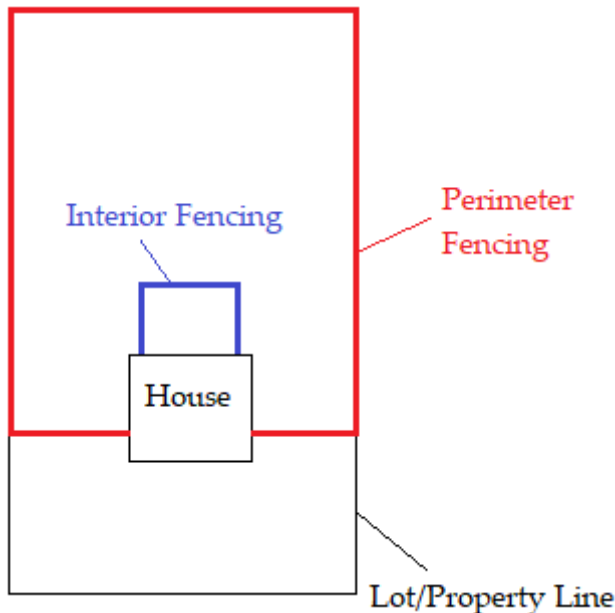


Figure 5.1

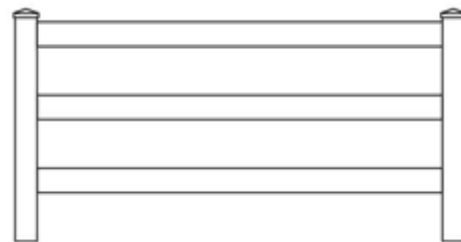


Figure 5.2

5.2.2.1 Privacy and Enclosure Fencing

Privacy and enclosure fencing will be considered interior fencing (illustrated in Figure 5.1) and will not be permitted as perimeter fence, except in areas when enclosure fencing shares a boundary. All applications will be addressed on a case by case basis to preserve visual appeal. All fencing and enclosures used for screening of outdoor use areas such as swimming pools, sports courts, children's enclosures, dog runs, etc., require the prior approval of the DRC, and shall be complimentary in design to the main structure.

5.2.2.2 Fence Location

Perimeter fencing shall intersect with the main structure no less than 5 feet from the front corners of the structure. No fence is allowed to protrude beyond the front face of the main structure. Fence locations and types must be indicated on the landscape plan, including gate sizes and placement. Fencing must be submitted and approved by the DRC prior to installation.

5.2.3 Trailer and RV Storage

Trailers and recreational vehicles must be stored in a designated location within the perimeter fencing. This area must be of suitable size to hold all trailers and RVs. Only one location is permitted per lot and must be surfaced with concrete, paved asphalt, recycled concrete, recycled asphalt, or an aggregate base course. Loose gravel or rock will not be permitted for designated storage. Privacy fence is not required but may be used if it fully encloses the designated storage area. This must be an element of the landscape design and submitted to the DRC for approval.

5.2.4 Culverts and Secondary Access

Private drive access to local, collector or arterial roadways that have no curb and/or gutter improvements must be submitted to the DRC for approval, permitted by Adams County, and shall be constructed to meet the following requirements:

- Drive shall extend from ROW line to edge of existing driving surface and shall be constructed to meet minimum roadway pavement design.
- Driveway width shall be a maximum of 20 feet unless otherwise approved by Adams County.
- A properly sized culvert pipe shall be installed at the established roadside ditch flowline beneath the private drive access
- Two access /driveways are allowed on the local street fronted by the property. A third is allowed for each local street adjacent to the property.
- Figure 5.3 illustrates the basic requirements for the culvert.

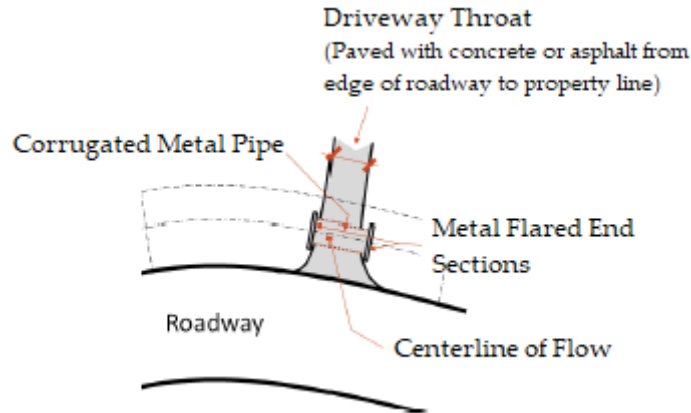


Figure 5.3

Adams County addresses unpermitted access in Chapter 8 of the Development Standards & Regulations, titled “Access Design and Traffic Requirements” which states in 8-01-10:

Unpermitted Access

“Any access, driveway, or curb-cut which is constructed within the Public ROW without a construction or right-of way permit being issued by the County shall be subject to a “Stop Work” order and shall be removed immediately. Failure to remove the unpermitted access may result in the removal of said access by the County (the cost for removal shall be charged to the property owner from which the access originates). Failure to obey the “Stop Work” order may result in the prosecution of violators.”

5.2.5 Grading

The design objectives for grading are intended to create smooth slope transitions between grade changes, integrate buildings onto the site and to encourage the use of landform as a landscape design element thereby eliminating the use of retaining walls.

5.2.6 Prohibited Landscaping

No artificial trees, plants or turf shall be used as a landscape material. No noxious weeds, as defined by the Colorado Department of Agriculture, will be permitted in any area of the Lot.

5.3 Landscape Revisions

The Design Review Committee must approve any modifications or revisions to a previously approved landscape plan.



VI. OTHER SITE IMPROVEMENTS

6.1 Swimming Pools

Swimming pools, spas, hot tubs, Jacuzzis, etc., shall be located within the perimeter fencing and is subject to approval by the Design Review Committee.

6.2 Dog Runs, Dog Houses, and Fencing

Owner's with outdoor pets are encouraged to install an "invisible electric pet fence" on their property. This is in addition to and not in lieu of, other pet enclosures installed by Owner.

Dog houses, shelters and runs shall be completely screened from the view of adjacent public or private property streets, and shall be built with materials compatible with the house and approved by the DRC.

6.3 Weed Control

No weeds that exceed twelve (12) inches in height are permitted on any Lot. Notwithstanding the foregoing, any weeds classified as noxious by the State of Colorado or Adams County must be completely abated in accordance with the requirements of the State of Colorado or Adams County, as applicable. Note that any disturbed soil area may permit weeds to establish themselves. Therefore, reseeding disturbed soil areas with native grasses or other appropriate ground cover in a timely manner is required and subject to DRC approval.

6.4 Lighting

The design objective is to provide functional lighting in an aesthetically pleasing and visually unobtrusive manner. Down lighting (lighting fixtures that are constructed to cast the light towards the ground) is recommended for all exterior applications. All automatically operated exterior lights, including security lights activated by sound or motion sensors, must be down lights. Fixtures used for illumination of walks, driveways, address signage and general landscape purposes, shall be compatible with the architecture of the structure(s). In all cases, exterior lights are subject to approval of the Design Review Committee and should be of a design compatible with the structure.

6.5 Flags and Signage

The design objective is to create a graphic style and image contributing to the character of the community at Todd Creek Riverside. No flag or sign shall be permitted on any Lot with the exception of those listed below. The Design Review Committee reserves the right to remove any sign which is not approved by the DRC.

Residential Address Sign:



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These shall be constructed of natural materials such as wood, masonry or other materials compatible with the architecture of the home. Such signs shall not exceed a total face area of sixteen (16) square foot, unless otherwise approved by the Design Review Committee.

For Sale Sign:

May be installed upon a Lot provided that no more than one sign is erected and does not exceed a total face area of nine (9) square feet unless otherwise approved by the Design Review Committee.

All for sale signs must be removed within seven (7) days after sale completed.

Signs Required for Legal Proceedings:

All signs required by Adams County for legal proceedings shall conform and adhere to County standards. DRC approval is not required.

Political Signs:

In accordance with the Colorado Common Interest Ownership Act (“CCIOA”), a political sign is defined as a sign that carries a message intended to influence the outcome of an election including supporting or opposing an election candidate, the recall of a public official, or the passage of a ballot issue. The display of a political sign on an Owner’s property is permitted in a window of the Home or within the boundaries of the Lot provided that:

- No political signs may be displayed earlier than forty-five (45) days prior to the election day and shall be removed no later than ten (10) days following the election
- Such signs comply with all local political sign ordinances If the locality has no political sign ordinances, then one political sign per political office or ballot issue that is contested in a pending election is permitted at a maximum size of thirty-six (36) inches by forty-eight (48) inches.
- No political signs shall be placed in or on any Common Areas, within public rights-of-way and thoroughfares, trees, public utility improvements, lighting poles or fixtures, traffic signs or traffic control devices.

Flags:

The display of the American flag on an Owner’s property is permitted provided that:

- The flag is displayed in a manner consistent with applicable laws (e.g., the Federal Flag Code P.L. 94-344; 90 stat. 810; 4 U.S.C SECS 4 to

SECS10, as the same may be amended and/or replaced from time to time)

- Flagpoles shall not exceed twenty (20) feet in height with a flag no larger than three (3) feet by five (5) feet in size.
- The display of a service flag bearing a star denoting the service of the Owner or occupant of the Home or of a member of the Owner's or occupant's immediate family in the active or reserve military service during a time of war or armed conflict is permitted provided that the service flag is located on the inside of a window or door of the residence, and the size does not exceed nine (9) inches by sixteen (16) inches.

Sports team flags must follow the guidelines above and will be allowed only during that team's season. Holiday flags will be allowed not more than thirty (30) days prior to the holiday, and must be removed within fifteen (15) days after the holiday.

Flags shall, at all times, be flown in a neat and attractive condition.

6.6 Trash Receptacles

All trash, refuse, rubbish, garbage and other waste shall be kept in closed containers, such as garbage cans (with lids) or waterproof boxes. Storage of such containers may be kept within the garage or outside behind the perimeter fence. Receptacles may not be kept outside and in plain view from the street. The storage area shall be kept neat, clean and weed free. Garbage containers shall not be placed in front of a lot for collection for longer than 24 hours. All receptacles used for storage of solid waste shall be screened from off-site views, using materials and form complementary to the main structure.

6.7 Antennae and Satellite Dishes

DRC approval shall not be required for any satellite dishes which are used for television service, are of standard size and dimensions, and are being furnished by any national satellite TV service provider (e.g., DISH Network and DirecTV).

All other satellite dishes, antennae and other exterior communication devices (and any related equipment or components) are subject to approval by the Design Review Committee.

6.8 Basketball Backboards

Standard size basketball backboards may be erected upon the roof or gable end of a garage structure utilizing a clear Plexiglas backboard. Free-standing and anchored pole mounted backboards are permitted but are subject to DRC approval.



6.9 Children's Play Equipment

Size, material and location of play equipment must be specifically approved by the Design Review Committee. Play equipment should be made of natural materials and colors. No plastic structured play equipment will be approved.

6.10 Exterior Art

The Design Review Committee must approve all yard sculpture and exterior yard art.

6.11 Holiday Decorations

All holiday decorations must be removed no later than thirty (30) days after the holiday.

6.12 Animals

Animals are permitted to be kept in the Community to the extent and as permitted by law.

- The leash laws and all other governmental and quasi-governmental laws and regulations must at all times be complied with.
- Animals shall, for the most part, be retained on the Lot, or in the residence, of the owner of such animals. To the limited extent that animals are not on the Lot of the owner of such animals, for example when taking a dog for a walk, the animals shall be on a leash (in the case of dogs) or under the control of such owner, and such owner shall immediately clean up after such animals.
- The keeping of animals is a privilege, and such privilege is coupled with the responsibility to pay for all damages caused by such animals and all costs incurred as a result of such animals.

6.12.1 Horses

No more than two (2) horses may be kept on any Lot, to the extent and as permitted by law.

- If one or more horses are kept on a Lot, adequate containment of the horses must be provided for on such Lot by, for example, a barn, paddock, coral, and/or fencing. If erected, corrals and paddocks must be located adjacent to the barn. Any horse containment measures, as well as all other horse facilities, shall comply with the Design Standards and,

prior to construction, erection or use, shall be submitted to and approved by the Design Review Committee.

- No manure shall be stored in a location or manner such that it is visible or creates a nuisance to occupants of adjacent Lots. Owners of Lots with horse(s) must provide to the Design Review Committee a plan for storing and removing of horse waste. Each such Owner shall remove the manure on his/her Lot, as well as refuse from the barn, paddock, and corrals, at least two (2) times per month. However, such Owner may be required to remove any or all such materials more frequently if, for example, the accumulation is creating a nuisance or annoyance, including but not limited to gathering of flies, odors on neighboring properties or unsightly conditions. Owners must detain all animal waste material on their respective Lots and prevent runoff of such waste outside the boundaries of their respective Lots.
- The keeping of horses is a privilege, and such privilege is coupled with the responsibility to pay for all damages caused by such horses and all costs incurred as a result of such horses.

6.12.2 Goats

No more than two (2) goats may be kept on any Lot, to the extent and as permitted by law.

- If one or more goats are kept on a Lot, adequate containment of the goats must be provided for on such Lot by, for example, a barn, paddock, coral, and/or fencing. If erected, corrals and paddocks must be located adjacent to the barn. Any goat containment measures, as well as all other goat facilities, shall comply with the Design Standards and, prior to construction, erection or use, shall be submitted to and approved by the Design Review Committee.
- No manure shall be stored in a location or manner such that it is visible or creates a nuisance to occupants of adjacent Lots. Owners of Lots with goat(s) must provide to the Design Review Committee a plan for storing and removing of goat waste. Each such Owner shall remove the manure on his/her Lot, as well as refuse from the barn, paddock, and corrals, at least two (2) times per month. However, such Owner may be required to remove any or all such materials more frequently if, for example, the accumulation is creating a nuisance or annoyance, including but not limited to gathering of flies, odors on neighboring properties or unsightly conditions. Owners must detain all animal waste

material on their respective Lots and prevent runoff of such waste outside the boundaries of their respective Lots.

- The keeping of goats is a privilege, and such privilege is coupled with the responsibility to pay for all damages caused by such goats and all costs incurred as a result of such goats.

6.12.2 Chickens

Owners may house and raise chickens on their respective Lots in accordance with and to the extent permitted by the zoning regulations established by Adams County, Colorado and other applicable laws.

- If one or more chickens are kept on a Lot, adequate containment of the chickens must be provided for on such Lot by, for example, a coop and/or fencing. Any chicken containment measures, as well as all other facilities, shall comply with the Design Standards and, prior to construction, erection or use, shall be submitted to and approved by the Design Review Committee.
- Each such Owner of a Lot upon which chickens are kept shall remove the animal waste on his/her Lot, as well as refuse from the coop and/or other facilities, at least two (2) times per month. However, such Owner may be required to remove any or all such materials more frequently if, for example, the accumulation is creating a nuisance or annoyance, including but not limited to gathering of flies, odors on neighboring properties or unsightly conditions. Owners must detain all animal waste material on their respective Lots and prevent runoff of such waste outside the boundaries of their respective Lots.
- The keeping of chickens is a privilege, and such privilege is coupled with the responsibility to pay for all damages caused by such chickens and all costs incurred as a result of such chickens.

VII. OUTDOOR STORAGE

7.1 Location

No person shall be permitted to store any items or materials in a public right-of-way.

7.2 Waste and Junk



The accumulation of junk, trash, garbage, stale or odorous matter, including improperly maintained compost or manure piles that emit odor or similar materials that constitute a threat to the health or safety of any person, or that contribute to blight and property degradation, is prohibited.

7.3 Storage Restrictions

The outdoor storage or accumulation of the following items on private property, other than in a fully enclosed structure, is prohibited:

- Attractive nuisances generally considered dangerous to children, including abandoned, broken or neglected vehicles, equipment, machinery, refrigerators and freezers, hazardous pools or excavations related to construction sites.
- Tools, equipment, inventory and other supplies utilized in the operation of a business or more than one (1) vehicle used in operation of a business, whether such business is a home occupation being conducted in accordance with the zoning regulations of Adams County or is conducted off-site.
- Tools, equipment and other supplies utilized in construction or landscaping. However, homeowners who have a current, valid building permit are allowed to neatly store small quantities of required supplies during construction or remodeling.
- The parking or storage of any unlicensed or inoperable vehicle or any other articles of personal property for longer than a period of ten (10) days, except as otherwise provided in Section 7.4 below.
- The parking or storage of more than five (5) vehicles.
- The parking or storage of commercial or industrial vehicles, except that one (1) vehicle used in the operation of a business by an owner and/or occupant of the property is permitted: (a) in accordance with Adams County Code applicable to home occupations; or (b) to allow for an occupant of a residence who is provided a business vehicle for personal use. A “Commercial Vehicle” is any vehicle that: is used to transport cargo or passengers for profit or hire, or otherwise to further the purposes of a business or commercial enterprise; and may (but is not required to) contain signage, advertising, or written information on the vehicle or extending from the vehicle.
- The parking or storage of any vehicle with a gross weight greater than thirty-six thousand (36,000) pounds, recreational vehicles excluded.

7.4 Recreational Vehicles



TODD CREEK RIVERSIDE HOMEOWNERS ASSOCIATION REGULATIONS and DESIGN STANDARDS

Any recreational vehicle, boat or trailer may be parked or stored outside of a garage only within a designated area approved by the DRC and constructed in accordance with section 5.2.3. The plans and materials used for all such screening and additional landscaping must be approved by the DRC, and the DRC may require that such screening consist of materials and finishes taken from the building palette itself. A maximum of two (2) of any such items may be parked or stored upon a lot at any one time (e.g., one recreational vehicle and one boat, two recreational vehicles, two boats, one recreational vehicle and one trailer, etc.). Provided, however, that so long as a boat is stored upon a trailer, the boat and the trailer upon which it is stored shall be considered a single “item” for purposes of this section.

7.5 Vehicle Parking

Except as otherwise permitted in Section 7.4 above (as to recreational vehicles), Owners/occupants are requested to park their vehicles in their garages, and if the number of vehicles exceeds the space in the garage, then additional vehicles should be parked in the driveway of the home. Vehicle are permitted behind the perimeter fencing but must be in a designated location in accordance with Adams County zoning regulations. The designated area must follow the requirements of Section 5.2.3.

VIII. CONSTRUCTION PERIOD REGULATIONS

8.1 OSHA Regulations

All applicable OSHA regulations and guidelines will be strictly observed at all times.

8.2 Construction Hours

Construction hours shall be between the hours of 7:00 a.m. and 7:00 p.m., Monday through Friday and 8:00 a.m. and 6:00 p.m. on Saturday, Sunday and Holidays.

8.3 Construction Limits

8.3.1. Excavation

Excess excavation materials shall be removed from the property and shall not be placed in common areas, roads or other lots (except as approved on a site-specific basis by the Design Review Committee). Excavation, except for utility trenching, shall be on the Homeowner’s site only. Contractors are prohibited from spreading excess debris or material over the remainder of the home site or any other lot without approval.

8.3.2 Vehicles and Parking

All vehicles will be parked so as not to inhibit traffic or damage surrounding natural landscape. Vehicles shall not be left on community roads overnight.

8.3.3 Pets

Contractors, subcontractors and employees are prohibited from bringing dogs and other pets to the construction site.

8.3.4 Radios and music

In consideration of the neighborhood character and potential adjoining residences, use of radios and/or portable stereos will be strictly prohibited.

8.3.5 Blasting

If any blasting is to occur, the contractor shall be responsible for informing all residents in the proximity of the blasting area.

8.3.6 Construction Trailers and Sheds

Prior to construction, the owner/builder and contractor must submit plans for the size, configuration, design and location of all construction shelters and obtain the Design Review Committee's approval of those plans. All temporary structures shall be removed upon completion of construction. All temporary structures must be maintained and kept in a clean and professional appearance. Maximum duration per approval shall be 12 months.

8.3.7 Concrete Truck Washout Location

Must be located on the construction site and maintained in an orderly fashion. All excess concrete washout shall be removed from the site no later than twelve (12) months from the start of construction.

8.3.8 Debris and Trash Removal

Regular cleanup of the construction site is mandatory. All trash and debris shall be stored in a fenced trash disposal area and shall be removed from the construction site on a biweekly basis. All soil and debris flowing into the streets or open spaces from the construction home site shall be cleaned immediately. Trash containers shall be covered and no larger than 160 sf. and not exceed a height of 6 feet.

8.3.9 Material Storage

Must be located on the construction site and maintained in an orderly fashion.

8.3.10 Security

Security of construction site and materials shall be the homeowner's responsibility and is highly recommended.

8.3.11 Prohibited Uses of Site

The following activities and/or items are prohibited during the construction period:

- Changing oil of vehicles and equipment without proper receptacles and removal procedures.
- The parking, storage, use and/or cleaning of any concrete equipment, and the dumping of concrete, on any land other than the Lot that is under construction. All concrete equipment and construction materials related to concrete should be removed from the home site prior to the completion of the home.
- Removing any rocks trees, plants or topsoil from any portion of the property other than the homeowner's home site.
- Careless treatment of trees or no-build areas.
- Use of spring, surface or irrigation water for any purpose.
- Signs, other than approved construction or real estate signs.
- Careless use of cigarettes or flammable items.
- Firearms.
- Open fires.
- Home site dumping of trash or EPA controlled substances.
- Careless or reckless driving.
- Driving across open space or areas not designated for construction.



RECOMMENDED PLANT MATERIAL LIST

The following plants are included in this plant list because of their adaptability to extreme climate and soil, hardy and vigorous natures, special design values, form foliage and or flower characteristics. This plant list is not intended to be all-inclusive. However, the Design Review Committee will encourage their use.

DECIDUOUS TREES

Large

Ash, Autumn Purple
Green Ash
Buckeye, Ohio
Catalpa, Common
Cottonwood, Common
Cottonwood, Angustifolia
Oak, English
Oak, Red
White Birch

Hackberry
Honeylocust
Horse Chestnut
Linden, American
Linden, Greenspire
Linden, Littleleaf
Linden, Redmond
Maple Norway

EVERGREEN TREES

Large

Austrian Pine
Ponderosa Pine
Scotch Pine
Douglas fir
White Fir
Blue spruce
Norway Spruce

Small

Arbor-vitae
Juniper, Upright
Pine, Bristlecone
Pine, Limber
Pine, Pinon

ORNAMENTAL

Alder
Aspen
Cherries, Ornamental
Crabapples

Golden Rain Tree
Hawthorn
Lilac, Japanese

MINIMUM SIZE REQUIREMENTS FOR TREES AND SHRUBS

<u>Plant Type</u>	<u>Maturity Height Size at Planting</u>	
Ornamental	less than 20'	1" to 1-1/2" cal.
Large Deciduous	Over 20'	2" to 2-1/2" cal.
Evergreens (sm.)	Less than 20'	5' tall
Evergreens (lg.)	Over 20'	6' tall
Low shrubs	1' to 3'	5 gal. container
Upright Shrubs	3' to 10'	5 gal. container

Efficient Irrigation: When used, well-planned system by digging in a minimum of three (3) cubic yards of organic matter per one thousand (1,000) square feet to be planted.

Mulches: Mulch planting beds are an ideal replacement for turf areas.

Trees and Shrubs: Trees and shrubs must have a one hundred percent (100%) survival rate after one (1) year and a ninety percent (90%) survival rate thereafter.



**TODD CREEK RIVERSIDE HOMEOWNERS ASSOCIATION
REGULATIONS and DESIGN STANDARDS**

TODD CREEK RIVERSIDE HOMEOWNERS ASSOCIATION, INC.
DESIGN REVIEW COMMITTEE - Design and Improvement Request Form

Name: _____

Address: _____

Legal Address: Lot _____ **Block** _____

Home Phone: _____ **Work Phone:** _____

The following type of improvement/design/change is hereby requested (Check one):

- | | | | |
|--|--|---------------------------------------|---|
| <input type="checkbox"/> Landscaping* | <input type="checkbox"/> Deck/Patio/Slab | <input type="checkbox"/> Roofing | <input type="checkbox"/> Room Addition |
| <input type="checkbox"/> Painting | <input type="checkbox"/> Drive/Walk Addition | <input type="checkbox"/> Fencing | <input type="checkbox"/> Patio Cover/ Arbor |
| <input type="checkbox"/> Air Conditioner | <input type="checkbox"/> Garage | <input type="checkbox"/> Other: _____ | |

Note: if more than one type of improvement is requested, describe all using additional sheet as necessary.

HOMEOWNER MUST PROVIDE: a) An Improvement Survey – Site Plan showing location and size of proposed improvements and location of existing home/improvements, legal address and lot number; b) Elevations and details of construction; c) Finish colors and materials; d) Side and rear setbacks, grade and drainage changes. All drawings need to be at a scale that is readable: 1/4" = 1'. (Site plans are generally 1" = 10')

**Landscaping submittals also require Improvement Survey – Site Plan showing improvements, plant species, plant size and materials to be used along with description of colors. Any grade changes, retaining walls, walkways, etc.*

Please refer to design guidelines, declaration of covenants or any other applicable governing documents regarding submittal requirements.

Proposed Completion Date: _____

I/We understand that approval of the Design Review Committee is required in advance to proceed. I/We also understand that the DRC approval does not constitute approval of the local City/County building departments and that a Building Permit may be required. I/We agree to complete all proposed improvements promptly after receiving DRC approval. Completion of improvements is required by the proposed date shown above. Any delay in such completion will be reported to the DRC immediately. I/We have read these instructions and shall comply accordingly.

HOMEOWNER Signature _____ Date: _____

If you have not received written notice confirming receipt of this application within seven days following submission, please contact Mary Gibbons at 720-515-3649 or at mary@teleos-services.com

DRC ACTION: **Approved** **Approved as Noted** **Denied**

Because: _____

DRC Member Signature _____ Date _____

FOR INTERNAL USE:

Form Received on _____ Returned on _____



**TODD CREEK RIVERSIDE HOMEOWNERS ASSOCIATION
REGULATIONS and DESIGN STANDARDS**

I, the undersigned, do hereby certify:

That I am the duly elected and acting secretary of TODD CREEK RIVERSIDE HOMEOWNERS ASSOCIATION, INC., a Colorado non-profit corporation, and

That the foregoing Amended Rules and Regulations constitute the Rules and Regulations of said Association as duly adopted by the Board of Directors of said Association as of the date set forth below.

IN WITNESS WHEREOF, I have hereunto subscribed my name this _____ day of _____, 2018.

Secretary