

AMENDED  
RIVERSIDE PLACE SUBDIVISION  
ARCHITECTURAL STANDARDS

SECTION I  
PURPOSE

The Board of Directors ("Board") of the Riverside Place Owners' Association ("Association") has developed a set of Architectural Standards ("Standards") for the Riverside Place Subdivision in order to:

1. Attain the highest quality of development and construction; and,
2. Insure compatibility and harmony with the land, and with the purpose and intent of the Amended Declaration of Covenants, Conditions and Restrictions ("Declaration").

These standards for Riverside Place will establish a clarifying pattern to which the whole process of building will be subjected so that development and construction will merge and complement the natural beauty of the land and quality of Riverside Place and the community.

Because there will be different designers, builders, and owners involved, standards are necessary and useful in attaining the desired level of consistency and quality of community appearance.

The intent of the Board and the Architectural Control Committee is to achieve harmony among dwellings, and between each dwelling and its surrounding landscape. Exteriors of buildings are to be subdued and should not attract inordinate attention. Riverside Place is a place where structures complement and harmonize with the land.

The Standards apply primarily to:

1. Assuring compatibility and harmony of exterior colors, materials, and design;
2. Relating proposed improvements to the natural features of the land, and to neighboring structures and other improvements;
3. Conforming the plans and specification to the purpose and general plan and intent of the Declaration.

Compliance with these Standards and approval by the Committee does not constitute compliance with any applicable building codes and regulations of the Town of Frisco, Summit County, the State of Colorado, or the United States of America.

These Standards are in addition to, and augment the Declaration. They are not intended to narrowly restrict choices, but to allow variation within a framework of compatibility with the surroundings. In addition, the application of these Standards is not intended to limit the right and authority of the Committee to exercise reasonable discretion in connection with its review of proposed developments in the Riverside Place Subdivision.

To the extent the completion of construction improvements on a site, including but not necessarily limited to Dwellings, Landscaping, Driveways, and Accessory Structures, does not coincide with the Owner's request to obtain approval from the Committee and from the Town of Frisco for a Certificate of Occupancy, the Committee may require that the Owner provide the Committee with a performance bond or letter of credit as a guarantee that all requirements of the Committee's approval will be met.

SECTION II  
DEFINITIONS

Unless the context otherwise specifies or requires, the following words or phrases when used in this context shall have the following specified meanings:

1. "Builder/Contractor" means a person or entity engaged by an Owner for the purpose of constructing a dwelling on such Owner's lot. The Contractor and Owner may be same person or entity.
2. "Common Area" means all land, improvements, and other properties now or hereafter owned or leased by the Association for the common use and enjoyment of the Owners on a nonexclusive basis.
3. "Committee" means the Board of Directors of the Association until a separate Architectural Review Committee is established pursuant to the Declaration.
4. "Construction Site" shall mean and refer to such portion of Riverside Place (including but not limited to a Site) on which authority is given by the Committee to construct improvements or store materials or equipment.
5. "Declarant" means Peter Meisel, his successors and assigns.

6. "Declaration" means the Declaration of Covenants, Conditions and Restrictions for Riverside Place Subdivision recorded by Declarant.

7. "Duplex" means two individual dwelling units connected by a common party wall, located on a Lot which has been subdivided into two separate lots.

8. "Dwelling" means a residence constructed or proposed to be constructed on a Site in Riverside Place and any improvements constructed in connection therewith.

9. "Riverside Place" Subdivision, a planned subdivision consisting of 16 residential sites, roads, open spaces, recreational and other related facilities.

10. "Governing Agencies and Regulations" means the most recent editions of the following:

Town of Frisco Building Code  
Uniform Building Code  
National Electrical Code  
Uniform Mechanical Code  
Uniform Plumbing Code  
Uniform Fire Code  
Life Safety Code  
State of Colorado Energy Conservation Standards  
Frisco Amendments to the above-mentioned Uniform and National Codes

11. "Improvement" means any changes, alterations or additions to a Site from its condition at the time of purchase from the Declarant.

12. "Owner" means the record owner, whether one or more persons or entities, of the fee simple title to any Site which is part of the Property, but shall not mean or refer to any person or entity who holds such interest merely as security for the performance of a debt or other obligation, including mortgagee or beneficiary under a deed of trust, unless and until such person has acquired fee simple title pursuant to foreclosure or other proceedings.

13. "Property" means that certain real property more particularly described in Exhibit "A" attached hereto and such additions thereto as may hereafter be brought within the terms of the Standards.

14. "Site" means a platted lot or building Site within Riverside Place.

15. "Standards" means these restrictions, review procedures and construction regulations adopted and from time to time, amended by the Board of the Association and enforced by the Committee as set forth in this document.

16. "The Association" means the Riverside Place Owners' Association, a Colorado nonprofit corporation, its successors and assigns.

### SECTION III BASIC BUILDING RESTRICTIONS

#### 1. Location of Dwellings and Setbacks

Location of Dwellings and setback lines will be in accordance with and as indicated on the recorded plat and the Declaration. Distances shall be measured from the nearest project or any part of the improvement, including, but not limited to, porches and decks, to the property line.

Because there are no two Sites exactly alike in Riverside Place, the Committee will review each place for a Dwelling in relation to the specific characteristics of the particular Site and its surroundings. What might be considered appropriate for one Site might be considered inappropriate for another. For this reason, the Declaration, which applies to all Sites, permits flexibility that is essential to the appropriate use of widely varying Site conditions and topography. The basic objective is that the Dwelling be compatible with the particular Site.

The Committee intends to discourage, and has the right to prohibit, the construction of any Dwelling or other structure which would appear excessive in height when viewed from the roads, drives, or other Sites. Dwellings whose masses are generally parallel to the natural terrain of the Site will be encouraged. In all cases, the appearance of Dwellings for the Common Areas, other Sites and roads will be an important factor.

#### 2. Height of Structures

Height restrictions will be in accordance with the measuring standards set forth in the Uniform Building Code as adopted by the Town of Frisco, Colorado.

#### 3. Color

The color of external material will be generally subdued to blend with the colors of the natural landscape.

Generally, muted tones are recommended, although occasionally accent colors used judiciously and with restraint may be permitted.

#### 4. Materials - Exterior Surfaces

Exterior surfaces will generally be of natural materials that blend and are compatible with the natural landscape. Solid body stains, wood, natural stone, or rock, and stucco shall be preferred. Exterior chimneys are required to be finished in stone, stucco, or exterior siding. Painted concrete surfaces are not acceptable. It is recommended that siding come within six (6) inches of finished grade.

#### 5. Decks

Decks shall be an integral part of the design of the Dwelling. Underpinning for decks more than three (3) feet above grade must be designed and built without visible cross-bracing or with a continuous screen wall to conceal structural supports. In addition, all support posts shall be framed and enclosed to match the exterior treatment of the dwelling.

#### 6. Roofs

All roofs shall be of a material, color, and texture approved by the Committee. No maximum or minimum pitch is specified, but approval by the Committee will be based on the visual impact of the roof on the Site or on neighboring Sites, Dwellings, roads, and Common Areas and its suitability for the climatic conditions which prevail in the geographic area.

The overall appearance of the Dwelling will be an important consideration. Only flat glass skylights will be approved on sloped roofs.

#### 7. Building Projections

All projections including, but not limited to, chimney flues, vents, gutters, downspouts, utility boxes, porches, railings, and exterior stairways shall match the color of the surface from which they project, or shall be of an approved color.

#### 8. Site Drainage and Grading

Site drainage and grading will be done with minimum disruption to the Site and shall not drain to adjoining Sites, nor cause a condition that could lead to soil erosion on Common Areas. The Committee will review any proposed road cut or grading and the Site drainage plan for the adequacy of its reclamation provisions. In cases where drainage is required to accommodate building site or

driveway cuts or to mitigate subterranean drainage, the Committee will require plans and specifications prepared by a registered engineer.

#### 9. Paved Areas and Driveway Construction

Private driveways, motor courts, and parking areas must be hard surfaced. Materials used to create special paving patterns are subject to Committee approval.

Finished driveway surfaces shall be a minimum of fifteen (15) feet wide for the entire length of the driveway. Snow storage shall be provided at a minimum of one hundred (100) square feet per paved parking space. If driveway and drainage improvements cannot be completed due to weather conditions in a particular building season, the Owner may be required to provide the Committee with a performance bond or letter of credit prior to issuance of a Certificate of Occupancy as a guarantee that all driveway and drainage requirements will be met during the next building season or as soon as weather permits.

#### 10. Culvert and Drainage Swales

Driveway culverts and swales will be required by the Committee at their discretion and will be installed by the Owner.

#### 11. Garage Doors

Visual impact of garage doors will be minimized by such measures as, but not limited to, siting of the Dwelling, protective overhangs, or projections, special door facing materials or design, and/or landscaping.

#### 12. House Numbers and Signs

Each Dwelling shall have a street number of identifying name which is visible from an adjacent road, which shall be of a uniform design approved by the Committee.

#### 13. Foundations

Foundation walls shall not be exposed and shall be finished with one or more of the following materials: textured stucco, native stone, or wood.

#### 14. Exterior Mechanical Equipment

All exterior equipment shall be either incorporated into the overall form of the Dwelling or be permanently enclosed by a material approved by the Committee other than plant material.

15. Exterior Lighting

Exterior lighting that is subdued will be permitted by the Committee for such purposes as illuminating entrances, decks, driveways, and parking areas, and other purposes approved by the Committee.

16. Landscaping

The concern of the Committee is to preserve the natural appearance of Riverside Place and the maintenance of such appearance. However, a more refined landscaping appearance to a Site is highly encouraged.

In addition, Owners and their representatives or builders are required to:

- a. minimize disruption from grading; specifically, do not exceed building envelopes and do not encroach on wetland boundary.
- b. revegetate, replace topsoil, and restore ground cover to prevent erosion and maintain aesthetics;
- c. use indigenous species of plant materials;
- d. select manmade elements that blend and are compatible with the land;
- e. when possible, use existing or natural drainage paths;
- f. consider and provide for snow storage and runoff;
- g. conserve and protect trees, topsoil, rock formations, and unique landscape features;
- h. prune dead branches on existing trees and remove stumps and slash from the entire Site; and
- i. remove large rocks from the Site which are not incorporated in the approved landscape plan.

The Committee requires complete landscaping plans (including irrigation) and the prior approval of such plans by the Committee before any construction commences on the Site. Owners shall provide the Committee with a performance bond or a letter of credit as a guarantee that all landscaping requirements will be met during the next growing season or as soon as weather permits.

If landscaping cannot be completed due to weather conditions in a particular building season, the Owner may be required to provide the Committee with a performance bond or a letter of credit as a guarantee that all landscaping requirements will be met during the next growing season or as soon as weather permits.

17. Parking

Each Dwelling at Riverside Place shall contain a minimum of one (1) covered parking space. Covered parking shall be defined as a garage enclosure for a minimum of one (1) vehicle, including a garage door for vehicular access. There shall also be a minimum of one (1) exposed parking space for each Dwelling, driveway lengths included.

18. Utilities

All utility lines and connections shall be located underground. All sewer and water lines shall be located at a depth adequate to protect against freezing. All meters, and utility boxes shall be screened from sight and from other Sites, Common Areas, and roads. The installation of water and sewer lines on a Site, including backfill, compaction, topsoil, seeding and netting (if necessary) shall be completed as early as possible in the construction season and in no event later than the first day of November. Any subsequent settling of the backfill shall be regraded and seeded upon notice from the Committee.

19. Trees

No living tree shall be destroyed or removed from any Site until and unless the owner of such Site first obtains the approval therefore from the Committee as herein provided. In the event of any violation of this provision, the Committee may replace any tree which has been improperly removed or destroyed with either a similar tree in type and size or with such other tree as the Committee may deem appropriate.

20. Style and Quality - Design Considerations

There is no mandatory "style" or architecture in Riverside Place. The style of architecture shall be traditional, classic or contemporary design. Energy saving features and considerations are encouraged. Passive solar design considerations are encouraged whenever possible.

Dwellings with an unfinished appearance or rugged cabin finish or design shall not be permitted. "A-frame" type structures or Dwellings on stilts will not be permitted.

Duplexes should be substantially asymmetrical. The duplex should have the appearance of a single unit. Mirror image duplexes are unacceptable.

Attention should be given to window arrangement for consistency as well as interest. Attention should also be given to the detail of handrails, guardrails, deck, roof edges, chimney caps, trim and landscape structures. Accent or feature panel design is discouraged.

#### 21. Additional Construction and/or Exterior Changes

Any changes to the approved plans and specifications before, during, or after the construction of a Dwelling must first be submitted to the Committee for approval.

#### 22. Building Codes

All structures will conform to all applicable Governing Agencies and Regulations. Approval by the Committee does not constitute or imply compliance with such codes and ordinances.

### Section IV ARCHITECTURAL REVIEW PROCEDURES

#### 1. Submission of Plans

Plans and specifications will be submitted to the Committee in accordance with the following submittal and review procedures.

##### A. Predesign Meeting

Prior to preparing preliminary plans for a proposed Dwelling, it is mandatory that the Owner and his architect review the Declaration, as well as the Town of Frisco Development Code and meet with a Committee member to discuss proposed design, and to explore and resolve any questions regarding building in Riverside Place. This informal review is to offer guidance prior to initiating preliminary design.

##### B. Preliminary Submittal and Review

Each Owner shall retain a licensed architect and registered engineer and coordinate the plans and specifications for construction of the improvements and landscaping. "Off-the-Shelf" or stock plans are not acceptable design solutions for improvements on Riverside Place Sites. Two (2) sets of preliminary plans, including all of the exhibits outlined below, are to be submitted to the Committee for its use. The preliminary submittal shall be accompanied by a review fee in an amount set by the Committee from time to time.

(1) All preliminary plans shall include, but need not be limited to:

- a. Site plan (at no less than 1"=30') indicating building location, driveway, and parking plan.
- b. Roof plan and floor plans (at no less than 1/8"=1').
- c. Exterior elevations (all) with both existing and proposed grade lines at same scale as floor plans.
- d. Indication of all exterior materials and colors.
- e. A perspective (sketch) of the structure sufficient to illustrate general design characteristics, or a study model of the structure.
- f. Preliminary landscaping and irrigation plan.
- g. A conceptual design drawing using 8-1/2" X 11" format, which should include design ideas, a general description of materials and elevations.

(2) Any accessory improvements contemplated on the Site must be shown on the preliminary submittal.

#### C. Final Submittal and Review

After preliminary approval is obtained from the Committee, two (2) sets of the following documents are to be submitted to the Committee for final approval.

(1) Final plans shall include:

- a. An approximate time schedule indicating starting and completion dates of the Dwelling, utility hook-up and completion of landscaping work.
- b. Site plan (at no less than 1"=30') showing building location, driveway, parking, utility connections and grading plan, including existing and proposed typography. The site plan or survey should reflect finish floor elevations, new and existing contours and existing vegetation and trees.
- c. Roof plan and floor plans (at no less than 1/8"=1').
- d. Samples of all exterior materials and colors, and window and glass specifications.
- e. Exterior elevations with both existing and proposed grades shown.

f. Wall section, and details of fireplace and exterior stairs and decks.

g. Complete landscaping plan including areas to be irrigated. The landscaping plan must show new plants, irrigation and areas for reseeding.

h. Cross sections of structure indicating existing and proposed grade line on the site.

i. A full set of plans and specifications for all improvements.

(2) In addition to the above, lot corners and the boundary lines of the Site, exterior building corners of the proposed structure and the location of the driveway shall be prominently marked.

(3) Final approval by the Committee shall be issued in writing. However, at least three (3) days prior to commencement of construction the Owner shall notify the Committee so that it can make visual inspection of the Site to insure that the final building layout and staking is in accordance with the final plan approved by the Committee.

Engineering certification of foundations and the securing of a building permit is the responsibility of the Owner and/or Builder. Construction documents (working drawings and specifications) are to be in accordance with the design approved in the final submittal.

Construction shall not commence until all of the above requirements are satisfied, including issuance of the Committee's final written approval of the plans and specification for the proposed Dwelling and landscaping. Construction shall be completed within twelve months after the commencement of construction.

Additional construction on a Dwelling or landscaping and/or changes after completion of an approved structure must be submitted to the Committee for approval prior to initiating such changes and/or additions.

## 2. Procedures

The vote of a majority of the members of the Committee shall be required for any approval or act set forth herein, except as otherwise specifically provided.

## 3. Resubmittal of Plans and Appeal

In the event of any disapproval by the Committee of either a preliminary or a final submission, the resubmissions of plans and specifications will follow the same procedure as an original submittal. If plans and specifications are disapproved upon resubmittal, an owner shall have the right to appeal to the membership of the Association at the next regularly scheduled meeting or at a special meeting called specifically to hear the appeal, where two-thirds (2/3) vote will be necessary to reverse the decision of the Committee.

## 4. Work in Progress

The Committee may inspect all work in progress and give notice of noncompliance. Absence of such inspection and notification during the construction period does not constitute either approval of the Committee with work in progress or compliance with these Standards.

## 5. Right of Waiver

The Committee has the right to waive or vary any of the procedures or standards set forth herein only when circumstances such as topography, location of the property lines, location of trees and bushes and other physical matters requires it, and then only upon such terms and conditions as the Committee may approve by two-thirds (2/3) vote.

## 6. Nonliability of the Committee and Declarant

Neither the Committee nor the Declarant or their respective successors or assigns shall be liable in damages to anyone submitting plans to them for approval, or to any Owner 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 and specifications. Every Owner or other person who submits plans to the Committee for approval agrees by submission of such plans and specifications, that he will not bring any action or suit against the Committee or Declarant to recover damages.

Approval by the Committee or Declarant shall not be deemed to constitute compliance with the requirements of any local building codes and it shall be the responsibility of the Owner or person submitting the plans to the Committee to comply therewith.

## 7. Enforcement

These Standards may be enforced by the Committee as provided in the Declaration.

8. Grading, Dimensions and Elevations and Other Information Submitted by an Owner

Any Owner submitting plans for preliminary or final approval to the Committee shall be responsible for the verification and accuracy of all Site dimensions, grade elevations and the location of the key features of the natural terrain. Each Owner shall certify to the accuracy thereof before the Committee will undertake its review.

SECTION V  
CONSTRUCTION REGULATIONS

In order to insure a safe, neat and orderly construction site, the Committee has established certain construction and safety regulations for the benefit of all Owners and residents. The Committee reserves the right to disapprove an Owner's choice of landscape or construction contractor.

It is of the utmost importance that anyone conducting construction activities in Riverside Place exert care in preventing conditions that are unsafe or that could constitute fire, erosion, wind or other hazards. The Committee will not tolerate any activity that, in its opinion, constitutes such hazards.

1. Preconstruction Conference

Prior to commencing construction, the builder/contractor will meet with a member of the Committee to review procedures and coordinate his activities in Riverside Place.

2. Occupational Safety and Health (OSHA) Act Compliance

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

3. Construction Trailers, Portable Field Offices, Etc.

Any Owner or Contractor who desires to bring a construction trailer, field office or the like to Riverside Place shall first apply for and obtain a written approval from the Committee. The Committee will work closely with the owner or contractor to determine the best possible location. Such temporary structures shall be located only where approved by the Committee, shall not be used as a residence and shall be removed upon completion of construction.

4. Storage of Materials and Equipment

Owners and Contractors are permitted to store construction materials and equipment on the approved construction Site during the construction period. Materials and equipment shall be neatly stacked, properly covered and secured. Storage of material or construction equipment outside the approved construction Site (Owners or builder's Site) will be done only with the approval of the Committee.

Any storage of materials or equipment shall be the Owner's or Contractor's responsibility.

Owners and Contractors will not disturb, damage or trespass on other Sites or the Common Area. Should any such damage occur it will be restored or repaired at the Owner's expense.

5. Debris and Trash Removal

Owners and Contractors shall clean up all trash and debris on the construction Site at the end of each day. Trash and debris shall be removed from each construction Site at least once a week by every Friday to a dumping site located outside of Riverside Place. Lightweight material, packaging, and other items shall be covered or weighted down to prevent wind blowing such materials off the construction Site. Owners and Contractors are prohibited from dumping or burying trash anywhere on Riverside Place.

During the construction period, each construction Site shall be kept neat and shall be properly policed to prevent it from becoming a public eyesore, or affecting other Sites and the Common Area.

Dirt, mud, or debris resulting from activity on each construction Site shall be promptly removed from public or private roads, Common Areas and driveways or other portions of Riverside Place.

6. Sanitary Facilities

Each Owner and Contractor shall be responsible for providing adequate sanitary facilities for his construction workers. Portable toilets or similar temporary toilet facilities shall be located only in areas approved by the Committee.

7. Parking Areas

Construction crews will not park on, or otherwise use other Sites or the Common Area. Private and construction vehicles and machinery will be parked in areas designated by the Committee or on the Site where the construction is occurring.

8. Conservation of Landscaping Materials

Owners and contractors are apprised of the fact that the Sites and Common Areas contain valuable native plants and other natural landscaping materials that shall be salvaged before and during construction, such as:

- A. Topsoil;
- B. Rock (lichen rock and regular); and,
- C. Shrubs and trees.

All trees removed for construction shall be promptly removed or treated to prevent beetle infestation. Any fallen, dead, beetle or mistletoe infected trees shall be removed from the Site and from Riverside Place.

Materials that cannot be removed should be marked by flagging as salvageable and protected by flagging, fencing, or barriers.

9. Excavation Materials

Excess excavation material will be hauled off the project or placed in areas designated by the Committee.

10. Blasting

If any blasting is to occur, the Committee shall be informed far enough in advance to allow it to make such investigation as it deems appropriate to confirm that all appropriate measures, including protective action, approvals by the Town of Frisco, and the Governing Agencies have been received and taken prior to blasting.

11. Restoration or Repair of Other Property Damaged

Damage and scarring to other property, including, but not limited to, Common Areas, roads, driveways and/or other improvements will not be permitted. If any such damage occurs, it will be repaired and/or restored promptly at the expense of the person or entity causing the same.

Upon completion of construction, each Owner and Contractor shall clean his construction Site and repair all property which was damaged, including but not limited to restoring grades, planting grass, and trees approved by the Committee, and repair of street, driveways, pathways, drains, culverts, ditches, signs, lighting and fencing.

12. Miscellaneous and General Practices

The following practices are prohibited in Riverside Place:

A. Changing oil on any vehicle or equipment other than at a location designated for that purpose by the Committee.

B. Allowing concrete suppliers and contractors to clean their equipment other than at locations designated for that purpose by the Committee.

C. Removing any rocks, plant material, topsoil, or similar items from any property of others within Riverside Place, including construction sites.

D. Carrying any type of firearms on property.

E. Using disposal methods or units other than those approved by the Committee.

F. Careless disposition of cigarettes and other flammable materials.

13. A. Builders, Contractors and Subcontractors (except for owners) are prohibited from bringing pets, particularly dogs, onto the Property.

B. Contractors shall be prohibited from playing loud music on the Site and may be restricted from construction work during certain hours of the day.

C. In the event of any violation of this Section V, Paragraph 13, the Committee shall have the right to contact authorities to impound the pets, or to refuse to permit such Contractor or Subcontractor to continue to work on Riverside Place Property, or to take such other action permitted by law of the Declaration.

14. All Owners will be responsible for the conduct and behavior of their representatives, builders, Contractors and Subcontractors.

15. At least a ten (10) pound ABC-rated dry chemical fire extinguisher shall be present and available in a conspicuous place on the construction Site at all times.



In the event any one or more of the provisions contained in these Architectural Standards shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provisions of these Architectural Standards, but these Architectural Standards shall be construed as if such invalid, illegal, or unenforceable provision had never been contained herein.

ADOPTED this 26th day of June, 1992.

RIVERSIDE PLACE OWNERS' ASSOCIATION

By [Signature]  
President/Director

By [Signature]  
Secretary/Director

[Signature]  
Director