

**General Covenant Enforcement And Architectural Review Guidelines
For The Countryside At Frederick Homeowners Association.**
(Member Copy-Keep For Your Records)

Written Approval of Plans Required: No improvements (other than initial improvements) shall be constructed, erected, placed, applied or installed upon any lot unless plans and specifications therefore shall have been first submitted to and approved in writing by the Architectural Review Committee. Said plans and specifications shall show exterior design, height, materials, color, and location of the improvements, and type of fencing, walls, windbreaks and grading plan, as well as such other materials and information that may be required by the Architectural Review Committee. **(Article VIII Section 8.1)**

For the purposes of facilitating timely handling of ACC/Design Review requests from members to the Association. **The following guidelines are being produced to offer members a list of improvements that can be installed without prior approval.** The member must still document the improvement on the proper form and submit it to the Association for filing with the property documents. In the event that a homeowner, installs an improvement that fails to meet minimum standards, or does not fall with in guidelines, this document does not serve as prior approval, or a right to install the improvement. The purpose is to only provide members with some basic guidelines. **The Governing documents are to serve as the guideline for every improvement allowed in the subdivision. The member is to review these guidelines prior to any installation. Under the New Home Sales Agreement no oral statements or promises made by the Builder or its agents can be considered binding unless documented in the contractual agreement between builder and buyer.**

Fencing:

The member may install fencing that is consistent with the existing fencing in the community. The style and materials must match in quality and height and style as existing fence product. (Example: Six foot tall, dog eared #1 cedar, four inch wide boards, consistent in color to existing fencing.) The homeowner must apply for permit from the municipality prior to installation. The homeowner must follow all restrictions with regards to Set Backs, and Drainage through swales and property.

Garden Series: The homeowner may install picket fencing of the same height, style and material as the fencing installed by the builder. This fencing may extend from the leading edge of the property at the street, from the existing fence to the wing fence at the leading edge of the home. From the wing fence to the rear of the home, the homeowner may install privacy fencing/picket fencing of the same material (Vinyl), for the length of the home. However, from the home wing fence area to the rear of the property, the installation may not continue with privacy to the sidewalk. The homeowner has the option to utilize the same fencing as in the front of the home. This portion of fencing must be consistent with the perimeter fencing that was installed by the builder at the street.

Trash Receptacle Enclosures: In the event that a member decides to not store trash receptacles in the garage of the residence, the receptacle must be stored properly concealed from view. Specific guidelines for this installation are as follows: **(For the garden Series only)** the enclosure is to be placed directly adjacent to the rear of the garage of the residence, to be installed on a 4 x 6 foot concrete pad with 48 inch vinyl(white) privacy fencing to surround the container on three sides, the installation must include a gate to complete the enclosure. The other option for trash receptacle enclosure is to store the trash receptacles behind a properly installed and approved privacy fence adjacent to the home. **At no time may trash receptacles be stored in view per city code and covenant, with the exception of collection day.**

Trees and Shrubs:

Members must have a utility location completed by the local service providers to avoid cutting of phone, electrical and cable lines that were buried underground on their property.

Trees:

The homeowner must plan for the following: **Height at full maturity**, to avoid potential liability on the homeowner, or subsequent homeowner if the tree were to fall in the future, avoid pines and spruces that grow to an extreme height or width. The homeowner must take into account the amount of debris that is produced by the tree on a seasonal basis. Especially **avoid trees that produce seeds** that can end up in neighborhood yards. Weeping willow and cottonwood trees that produce large amounts of debris and seed may not be planted. Furthermore, **research the tree to see the need for water**. Some trees require large amounts of water to survive. The willow tree for example will root to extreme distances to find water, even into the adjacent property, which may cause other issues.

Location of the tree or shrub must avoid contact of the tree with the home, either by branches or roots. Especially avoid planting of trees and shrubs adjacent to your foundation, to avoid damage to the foundation. **You may not install trees and shrubs that will grow over the sidewalk and street areas. The entire plant must be within your property at all times, and this includes root systems. Be aware that if a tree or shrub has an extensive root system, roots may cause issues by growing into adjacent property (i.e. with sprinkler systems etc.).**

Shrubs and plant material:

The Association guidelines do not specifically address these plants. However, the Association will enforce covenant from the position of reasonableness. When addressing plant issues the concerns will be issues with appearance (all seasons), height at maturity, attraction of pests and animals, and issues with proximity to common areas, and frontage.

Some examples of concern: Cactus plants and other plants with thorns being planted adjacent to common areas. Vines and plants that produce vines that can overgrow fencing and landscaped areas. All plant material cannot grow onto fencing or into adjacent property. Vines and climbing plants must be limited to structures other than the fence, and are subject to architectural review. The covenants state that improvements may not be located as to be adjacent to any fence that is maintained by the Association.

Note: All Trees, Grass Shrubs that fail to thrive must be removed and replaced immediately. If a tree is installed on your property by the developer for purposes of uniformity of the aesthetic appearance of the community, you may not remove the tree from your property without Board Approval. In the event that a tree fails to thrive, it must be replaced.

Concrete Installations:

The main issue for installations of concrete surrounding your property is drainage of water from the foundation of your home, and the fine grading of the lot area. The installation must not interfere with easements established by the City.

All pathways, patio areas, driveway expansions, pet areas and all other concrete work are subject to architectural review. At no time is work of this type to be completed without prior approval. Most municipalities do not require permit for concrete installations.

At no time may you create areas of concrete that expand beyond the guidelines for landscaping in the community. The guideline for landscaped areas is a minimum of 50% of your lawn area is to be for sod/grass or other landscaping materials. The Association expressly prohibits the use of rock or concrete to cover entire area of landscaping. The only area of your home that may be completed in this manner is the areas on the side of your home, where landscaping is less likely to be considered. You must follow Association guidelines for installation of pet areas, and their visibility from the street and adjacent property.

Concrete Installations Continued:

In all applications the Association discourages installation of additional areas for parking of vehicles. Maintenance of a preponderance of landscaping is of primary value to the Association. **In the event that you desire to install additional parking areas for vehicles and recreational equipment, you must request specific approval for this installation.** In the front of homes, the Association prefers to maintain driveway areas as installed. If you require additional parking, you must keep in mind that any vehicle that is parked on an adjacent driveway area must be utilized, and/or moved every three days (72 hours) you may not create storage for vehicles and equipment that is inoperable. Recreational vehicles, boats, trailers, and fifth wheels, may be stored behind fence areas for as long as they are not visible from the street, and/or first floor of any adjacent property.

Sheds and structures for storage:

The covenants have specific guidelines for these structures. All storage facilities must be pre-approved by the architectural Review committee before installation. All storage facilities must match the home in style, material and color, and be placed on a level concrete pad. Please review your covenants for specific guidelines for height, size and rules for placement. At no time may a metal storage shed be considered. All sheds must have a composite roof to match the residence. All measurements for building height are from the pad to the tallest point of the shed, and may not exceed guidelines stated in the covenants. At no time will an improvement be allowed to be installed over a city easement.

Shed installations are subject to architectural review and may be considered undesirable in some applications. The Association reserves the right to produce specific rules in these instances. The Association will take into consideration the specific improvement and its conformity with the existing surroundings.

Decks, Arbors, Lattice and other Wood Structures:

All decks and other wood structures are to be approved by the Architectural Review Committee prior to installation. Members must take into consideration, size, and height and stain colors when submitting your request. At no time will a member be allowed to install a solid roof area over a deck. The guideline for decking is an arbor style cover that in all applications may not detract from the style of the homes in the community. The Association would prefer all deck covers to match the color of the trim of the home. You must have approval for installation of rails, lattices and other items to the deck because of their visibility to adjacent property.

Retaining walls and other structures: Garden areas may not change the fine grade of your property, and at no time may cause water to remain adjacent to your foundation. All are to be approved for location and impact on the drainage of the property.

Potted plants and window boxes:

As in all improvements, any item that changes the appearance of your property is subject to standards for reasonableness. Allowing plants to overgrow your front areas or deck areas is not considered desirable. Maintaining of multiple pots and plants in areas that are visible from the street must be done in such a manner as to be attractive by reasonable standard.

Landscaping:

The covenants specifically address landscape installation and must be understood by the member prior to beginning installation. The following is some basic guidelines to assist you in your planning.

You have 90 days from the date of your closing to complete your landscaping on your property. This includes the front and rear of your home. If your home closes between September 30th and March 1st then you have until shortly after May 31st in a given year to complete your landscaping. In the event that your home closes in this time frame you must maintain your property at all times and keep the lot free from weeds and debris at all times until your yard is installed properly. The recommendation of the Association is to install river rock around your residence to the builder's guideline, to retain topsoil and fine grade of your lot. Additional applications of straw, and weed barrier may be of assistance. However, must be installed and maintained to covenant standard.

Xeriscape Installations:

The Association has made accommodation for the installation of "xeriscaped" Landscape plans. The guidelines of the community require 50% sod installed in the lawn areas, with the exception of other approved landscape materials.

The Association desires to have a uniform appeal to the community. All areas of landscaping are to be a minimum of 50% plant material. All applications of this improvement will need to be specifically designed and installed as to enhance the community, and harmonize with the existing surroundings, residences and structures.

The Association expressly prohibits the use of rock or concrete to cover and entire area of landscaping. The guideline for landscaped areas is a minimum of 50% of

your lawn area for sod/grass or other landscaping materials. River rock alone does not constitute a landscaped area.

The above listed information is considered a resolution of the Board of Directors to detail the guidelines for Design Review/Architectural Review standards for the Association listed above. This document will be established as rule for the above listed Association as of the date listed below. Please consult the Governing Documents of the Association to reference all items listed above.

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***Board Representative
Countryside At Frederick HOA***

_____/ /2004
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