

DESIGN GUIDELINES FOR THE WILDERNEST COMMUNITY

ARTICLE 1 INTRODUCTION

These Design Guidelines have been promulgated and adopted by the Architectural Control Committee of the Wilderdest Community to establish standards, rules and guidelines applicable to the Residence and other improvements to be constructed or installed on Lots within the Wilderdest Community. These Design Guidelines supplement, relate to and implement the Declaration of Covenants, Conditions, Restrictions and Easements for the Wilderdest Community ("Declaration"), and are binding upon all owners who acquire Lots within Wilderdest Community, their architects, consultants, contractors and agents. These Design Guidelines shall be considered to be part of the Bylaws and may only be modified by the Association in accordance with the terms of the Declaration from and after expiration of the Period of Declarant Control. Prior thereto, the Declarant can modify these Design Guidelines as Declarant deems appropriate.

ARTICLE 2 DEFINITIONS

Section 2.1 ARCHITECT. "Architect" shall refer to any person retained by an Owner to assist in the preparation of plans and other documents required in connection with the review and approval process contemplated by these Design Guidelines and the Declaration.

Section 2.2 ARCHITECTURAL CONTROL COMMITTEE. "Architectural Control Committee" means the entity charged with the right and responsibility to review and approve all plans for Improvements to be constructed or installed within the Wilderdest Community. The Architectural Control Committee will be appointed by Horstmar, LLC, a Colorado limited liability, the owner and developer of the Wilderdest Community, until such time as it assigns to the Board of Directors of the Wilderdest Community Association the right to appoint a committee to fulfill such review and approval functions. Thereafter, the Architectural Control Committee shall be the committee appointed by the Board of Directors.

Section 2.3 WILDERNEST COMMUNITY. Wilderdest Community is formed from the approximately 19.05 acres of the Wilderdest Subdivision Filing No. 1, a Replat of Lot 1, Murphy Subdivision Exemption, located in the SW ¼ of Section 18, Township 12 South, Range 68 West of the 6th P.M. in the City of Woodland Park, Teller County, Colorado. "Wilderdest Community" shall mean and refer to the common interest community created by the Declaration.

Section 2.4 WILDERNEST COMMUNITY ASSOCIATION. "Wilderdest Homeowners Association" means the nonprofit corporation formed by filing Articles of Incorporation are filed with the Colorado Secretary of State. It is the homeowners association of the Wilderdest Community.

Section 2.5 CONSTRUCTION SITE. "Construction Site" means the area of a Lot where construction of a Residence as defined in the Declaration has been approved by the Architectural

Control Committee. Ordinarily, only minimal disturbance to existing ground cover, vegetation, and grades will be allowed outside the Construction Site.

Section 2.6 CONTRACTOR. A “Contractor” shall be a person or entity engaged by an Owner for the purpose of constructing a Residence or other Improvements on such Owner’s Lot. The Contractor and the Owner may be the same person or entity.

Section 2.7 DECLARANT. “Declarant” is Horstmar, LLC, a Colorado limited liability company, which is the owner and developer of the Wilderdest Community.

Section 2.8 DECLARATION. “Declaration” means the recorded Declaration of Covenants, Conditions, Restrictions and Easements for the Wilderdest Community, as it may be amended from time to time.

Section 2.9 DESIGN GUIDELINES. “Design Guidelines” means this document, as it may be amended from time to time by the Architectural Control Committee.

Section 2.10 IMPROVEMENTS. “Improvements” shall have the meaning set forth in the Declaration. Without limiting the generality of the definition of Improvements contained in the Declaration, all of the following are Improvements and require review and approval by the Architectural Control Committee:

- (a) New construction of a Residence.
- (b) Any grading and/or disturbance of vegetation.
- (c) Road or driveway construction.
- (d) Drainage improvements or alterations.
- (e) Sidewalk or Walkway construction.
- (f) Utility construction or installation.
- (g) New construction of other structures and site features, such as any decks, whether or not attached to a residence, or any hard covered surface area, patios, fencing, pools, hot tubs, greenhouses, gazebos, retaining walls, landscaping, any type of enclosures (including any fenced area and any dog runs), play/sports equipment, and exterior lighting,
- (h) Additions to or renovations of existing structures (such as room additions, construction of solar facilities, attachment of exterior improvements, siding or roofing material or new windows that alter the exterior appearance.
- (i) Additions, removal or significant, or modifications to the natural

ground cover, including installations or any yards or sod-covered areas to a Lot.

Section 2.11 LANDSCAPING PLAN. A “Landscaping Plan” is a plan depicting existing vegetation, changes in the existing vegetation on a Lot, and any proposed additional vegetation, landscaping, pathways, walls, driveways, lighting or other similar items.

Section 2.12 LOT. “Lot” means a platted lot as shown on a recorded subdivision plat of any portion of the Wilderdest Community, which is also a “Lot” for purposes of the Declaration.

Section 2.13 OWNER. “Owner” means any person or entity who holds record fee simple title to a Lot. If more than one person holds such title, all such persons are referred to collectively as “Owner.”

Section 2.14 RESIDENCE. A “Residence” means a single-family detached house constructed or proposed to be constructed on a Lot within Wilderdest Community.

ARTICLE 3 DESIGN GUIDELINES AND CONSTRUCTION REGULATIONS

Section 3.1 APPLICATION. In the interest of all Owners and Contractors, the following regulations shall be enforced during the construction period. All Contractors and Owners shall abide by these regulations. It is also required that the Contractor be familiar with and abide by the applicable sections of the Declaration, as well as all provisions of the Design Guidelines. The Architectural Control Committee may grant variances to the standards, rules, and guidelines outlined in these Design Guidelines on a case-by-case basis so long as standards and procedures for written variances are set forth in the Rules and Regulations. The Architectural Control Committee may also promulgate construction and design criteria that are more restrictive than those established by applicable City zoning. The following criteria shall apply to all construction in Wilderdest Community.

Section 3.2 SITE PLANNING. Each Construction Site within Wilderdest Community has its own specific qualities and characteristics. The Architectural Control Committee will be looking very critically at site plans to determine whether existing features are respected and sensitively utilized. The Architectural Control Committee is established to help preserve the forested nature of the Wilderdest Community. Plans that minimize disturbance of existing vegetation, rock formations and drainage patterns will be required. Respect for adjacent development is also essential; coordination of elements such as building massing and material compatibility will be helpful in obtaining approval of plans. All construction and development within Wilderdest must comply with applicable zoning of the City of Woodland Park (the “City”).

Section 3.3 SETBACKS. The development plan for Wilderdest Community provides for Conservation Easements described on the Plat and the Declaration. The vegetation in the rear of the Lots and along a strip between each Lot for buffering purposes shall be preserved. Therefore the Architectural Control Committee will require that all improvements on Lots, including Residences, shall allow for the following setbacks:

Front	20 feet
Side	20 feet
Rear	25 feet

When approving plans for a Residence on a Lot, the Architectural Control Committee in its discretion, may impose setbacks that are greater than the setbacks imposed by the City to preserve the trees and vegetation.

Section 3.4 RESIDENCE SIZE OF A RESIDENCE. Square footage will be calculated from the outside walls. The minimum size shall be 3000 net square feet, with credit given for finished square footage in the following amounts:

Main level	100%
Upper level	75%
Lower level	50%

No credit will be given for garage space (even though an attached garage for at least two cars will be required), decks or covered porches. Variances will be considered based on site constraints. Note that main level square footage should not be less than 1750 square feet.

Section 3.5 HOMESTYLES. Architectural standards are established so that Wildernest may benefit from the natural advantages of its location. All buildings must be designed to fit the natural contours of the Lot without excessive grading. In reviewing the plans of a proposed building, careful scrutiny will be given to the massing, proportions and overall scale of the building in relation to the site and neighboring properties. Although not required to be identical, designs and exterior finish/appearance similar to the existing residences within Wildernest Community will be required. Houses shall be situated on the Lot so that garage doors do not face the street whenever feasible.

Section 3.6 HEIGHT. Specific maximum building heights may be established by the development plan for Wildernest Community. In addition to these maximum building heights, it is strongly suggested that the Owner consider the qualities of the site, especially the visual and climatic exposure created by the combination of existing slopes, vegetation and orientation. Lower buildings are generally more appropriate on more exposed sites, while taller buildings can be incorporated into those sites which are less visible and/or more protected. The Architectural Control Committee may impose lower maximum heights than permitted by the City approved development plan in connection with the approval of plans for a Residence. The method of measuring building height is the same as the method established in the City Zoning Code.

Section 3.7 EXTERIOR MATERIALS. The exterior materials used on homes in Wildernest Community will be as follows:

(a) Walls. The facades of all buildings and Residences which face either the internal streets or public streets outside of the Wildernest Community shall be covered with a minimum of 20% stone or false stone covering. Therefore, if the building or Residence is located on a corner Lot, 2 sides shall be so covered, and if on a curve, all visible sides shall be covered with stone or false stone. The exterior appearance and colors for every Residence within

Wilderness Community, shall be approved by the Architectural Control Committee prior to completion of construction. Approval of the Committee will include a determination of whether or not the proposed stone color, stone placement, and amount of stone compliments and fits well with the existing residences within Wilderness Community. No bright, unfinished surfaces shall be allowed. All metallic surfaces, such as roof vents, fireplace flues and gutters shall be coated or painted. No metal or vinyl siding shall be allowed. The exterior walls of a building are obviously an important part of its overall visual impact and should be carefully considered for effect on proportions, continuity and illumination. The connection from the walls to the foundation should be treated so that the transition from one material to the next is smooth.

(b) Exterior Doors. Exterior front doors on homes in Wilderness Community must be wood (stained, not painted). Design may vary, but stain color must be approved by the Architectural Control Committee. Garage doors will be wood, or may be metal or masonite, but will have a wood veneer stained to match the front door. Wood designs for the garage doors must be approved by the Architectural Control Committee.

(c) Windows. Window frames shall be constructed of wood or clad materials.

Section 3.8 ROOFS.

(a) The form of the roof and the materials used on it create a significant part of the visual impact of a building, and will be carefully reviewed by the Architectural Control Committee. Only non-combustible materials shall be allowed, including asphalt shingles or tiles including metal tiles. Gable, hip and shed roofs will generally be acceptable for residential construction, while gambrel, flat, mansard and A-frame roofs are not allowed.

(b) All extensions from the roof, such as chimneys, flues, skylights, etc., should be carefully located and finished to complement other elements of the design. All chimneys must include spark arrestors.

Section 3.9 PATIOS, DECKS AND WALKS.

(a) Outdoor living areas connected to and coordinated with the main residential structure are encouraged. Privacy walls should use materials that are the same as the materials used in the Residence and should be the same color as the particular building to which they are appurtenant.

(b) Walks extending from the outdoor living space to the remainder of the Lot and/or to the other common walks are often desirable. These should be aligned to fit easily with the existing terrain and vegetation and should be built of stable, subdued materials appropriate to the expected use.

Section 3.10 LANDSCAPING.

(a) All planting that occurs on a Lot shall conserve and complement existing landscape. Within six months after completion of a Residence or within any extension period granted by the Architectural Control Committee, all yards and open space shall be landscaped and thereafter maintained in landscape. Landscape should include areas of natural vegetation and should preserve existing trees, scrub oak, surface boulders and rock formations. No existing trees, surface boulders, rock formations or scrub oak shall be removed from any lot unless

required by construction and unless approved by the Architectural Control Committee. One area of sodded landscaped area may be allowed if approved in the landscape plan by the Architectural Control Committee. When transitioning from manicured landscaping to natural areas, the transition area should consist of native grasses and ground covers (found on site) having low water requirements.

(b) The use of non-living ground covers such as bark, gravel and small rocks is not desirable and shall be minimal.

(c) Irrigation systems should efficiently distribute water to those plants which require it and be concealed below the top soil. Temporary and drip or other low water consumption systems will be encouraged.

Section 3.11 RETAINING WALLS. Should any retaining walls be constructed on a Lot, they should be as low as possible (maximum of four feet). If retainage of a slope higher than four feet is necessary, retaining walls should be terraced so that no single wall exceeds a maximum height of four feet to minimize impact. Materials used should complement the natural surroundings and the architecture of the Residence with the use of rock boulders, stone, masonry or other materials, compatible with the exterior of the home and approved by the Architectural Control Committee. The use of textures and/or colored concrete will require specific approval.

Section 3.12 FENCES AND SCREENING. Fencing along Lot lines (i.e., lines defining boundaries of a Lot) is not permitted. The trees are to be left in place to provide screening. The use of exterior screening or walls will not be permitted except for limited privacy areas approved by the Architectural Control Committee. All privacy walls shall be designed and constructed as a visual extension of the architecture of the Residence including both scale and use of materials, and shall be physically connected to the Residence. The height of privacy walls will be reviewed by the Architectural Control Committee on a case-by-case basis, with consideration given to site specific conditions and design. Invisible fences are encouraged if pets are allowed to be outside a Residence at any time.

Section 3.13 DRIVEWAY AND PARKING.

(a) Access from the street should be as easy as possible without overly emphasizing parking areas or the garage. Parking areas should be located out of major sight lines and partially screened with grading and planting, where feasible.

(b) Driveways should intersect the road at approximately 90 degrees for maximum visibility. Paving materials shall be either concrete, masonry pavers or asphalt.

Section 3.14 ACCESSORY STRUCTURES. If any accessory buildings or other Improvements are to be constructed or installed on a Lot (including, but not limited to, gazebos, greenhouses, play/sports equipment, etc.), they should adhere to applicable guidelines for buildings and site planning. It is important that the massing and scale, as well as forms, materials and other detailing, be well coordinated with the main structure on the site. No storage sheds will be allowed.

Section 3.15 LIGHTING. All exterior illumination used for buildings, drives, walks,

signs and general landscape purposes within the Wilderdest Community shall be of a “sharp cutoff” design, minimizing impacts on adjacent properties. Lighted columns require specific approval by the Architectural Control Committee.

Section 3.16 SIGNAGE. No signage will be permitted on a Lot except for Street numbers and temporary construction signs. No “For Sale” signs or other signs identifying a Lot or Residence as being for sale are permitted; provided, however, that Declarant or the Architectural Control Committee may establish a standard method of identifying Residence within Wilderdest Community that are for sale. The Architectural Control Committee shall review all signage for appropriate use of materials and suitable location.

Section 3.17 TRASH RECEPTACLES. All areas used for storage of solid waste shall be screened from off-site views, using materials and forms complementary to the main Residence. Except on designated trash pickup days, no trash receptacle shall be kept outside of an enclosed, screened area. Enclosed commercial trash containers and maintenance thereof will be required during construction.

Section 3.18 UTILITIES. Construction of utilities shall be carefully coordinated with existing site conditions so that minimal disturbance occurs. All utility trenches and ditches shall be properly compacted. All construction, including storage of excavated and backfill materials, shall respect all boundaries of areas to be preserved.

Section 3.19 HOUSEKEEPING/DEBRIS AND TRASH REMOVAL. Daily cleanup of the Construction Site is mandatory. All construction trash and debris shall be stored in a commercial container and shall be removed from the trash disposal area on a weekly basis. All soil and debris flowing into the street(s) from the Construction Site shall be cleaned on a daily basis.

Section 3.20 CHEMICAL TOILETS. Chemical toilets shall be provided by the Contractor and placed in an approved location. All chemical toilets shall be confined to the street side of the Lots, and will be kept as far from the curb as possible.

Section 3.21 VEHICLES AND PARKING. All vehicles will be parked so as not to inhibit traffic or damage surrounding natural landscape or adjoining property. Vehicles shall not be left on community roads overnight. No recreational or utility trailers may be parked on a Lot unless enclosed within the garage.

Section 3.22 PETS. Contractors, subcontractors and employees are prohibited from bringing dogs and other pets to the Construction Site.

Section 3.23 ANTENNAE AND SATELLITE DISHES. Exterior antennae and satellite dishes are not favored and will be discouraged. An antenna or satellite dish may be installed on a Lot only if approved by the Architectural Control Committee. The Architectural Control Committee will not approve an antenna or a satellite dish unless it is camouflaged or otherwise made unrecognizable as an antenna or satellite dish or unless it is screened so that it is not visible from any street or adjacent Lot. The Architectural Control Committee may refuse to approve an antenna or satellite dish even if it is camouflaged or screened.

Section 3.24 PLAY/SPORTS EQUIPMENT.

(a) All play structures are required to be approved by the Architectural Control Committee for design and placement prior to installation. Wood structures are encouraged. Metal equipment is required to be of subtle coloring that causes the structure to blend into the surrounding environment. Paint color requires the approval of the Architectural Control Committee and shall be submitted at the time of plan submittal. Failure to submit a proposed color in no way obligates the committee to accept the unauthorized structure.

(b) All play/sports equipment (basketball hoops, trampolines, swing sets, etc.) is to be placed so as to minimize the visual impact from neighboring properties or roadways. Screening of play/sports equipment may be required. Generally, play equipment shall be located in rear yards.

(c) Basketball backboards shall be located either on the Residence or on a separate support minimizing visual impact. In each case, the color, size and location of basketball hoops, backboards and supports must be approved by the Architectural Control Committee prior to installation.

Section 3.25 CONSTRUCTION SITE BOUNDARY LIMITS. The Contractor shall provide the Architectural Control Committee with a detailed plan of Construction Site boundary limits prior to construction. Where appropriate due to existing groundcover, the plan shall be implemented with snow fencing, rope barricades or like material prior to construction. The plan shall include size and location for construction material, storage areas, limits of excavation, access areas, parking, chemical toilet location, temporary structures, dumpster, fire extinguisher, utility trenching and a construction sign.

Section 3.26 DAILY OPERATION. Working hours for each Construction Site shall be between 7:00 a.m. and 6:00 p.m. daily.

Section 3.27 EXCAVATION/GRADING. Excess excavation material shall be removed from the Lot and shall not be placed in common areas, roads or other Lots (except as approved on a site-specific basis by the Architectural Control Committee). Excavation, except for utility trenching, shall be on the Owner's Lot only. Contractors are expressly prohibited, during backfill and final grading operations, from spreading excess debris or material over the remainder of the Lot without prior approval of the Architectural Control Committee.

All plans should be designed to minimize the extent of grading required. Techniques for doing this include "stepping" building down slopes, providing access across slopes instead of down them, and using low retaining walls where necessary. The Architectural Review Committee shall have the right to require a soils or drainage engineer to provide initial reports or supplemental reports to advise the Architectural Review Committee at the Owner's expense. All graded slopes should be "rolled" back into existing slopes so that after re-vegetation. All areas that are to be preserved (trees, shrubs, rock outcrops, etc.) shall be marked and protected throughout the construction period. **ALL GRADING PLANS REQUIRE THE APPROVAL OF THE ARCHITECTURAL CONTROL COMMITTEE PRIOR TO ANY GRADING ACTIVITY.**

Section 3.28 DRAINAGE.

(a) Disruption to existing drainage courses shall be kept to a minimum. Where disruption or realignment must occur, reconstruction should occur in a naturalized manner allowing water to flow in a non-destructive historic course. If culverts or structural channels are required, they should blend in with existing environments.

(b) On most Lots, the location and the volume of water that has historically entered and departed the Lot must be accepted. Within the Lot, adjustments can be made as described above.

Section 3.29 EROSION CONTROL. During all site disruptions, approved techniques for controlling erosion within the site onto other sites shall be used. Methods include sedimentation basins, filtration materials such as hay bales or permeable geotextiles and slope stabilization fabrics. Proper re-vegetation shall begin as quickly as possible after soil disturbance. Grading shall be maintained at all times so as to conduct irrigation and surface waters away from structures.

Section 3.30 BLASTING. Any plans to blast shall be brought to the attention of the City of Colorado Springs and the Architectural Control Committee before commencement and shall be approved both by the City and the Architectural Control Committee. Proper safety and protective actions shall be used.

Section 3.31 DUST, NOISE AND ODOR. Every effort shall be made by the Contractor to control dust, noise and odor emitted from a Construction Site. The Contractor will be responsible for watering or screening dust problem areas as well as controlling noise and offensive odors from the Lot.

Section 3.32 FIRE EXTINGUISHERS. The minimum number and type of fire extinguisher(s) required by the City shall be located on each Lot in a conspicuous location.

Section 3.33 SECURITY/FIRE MONITORING. All homes in the Wildernest Community are required to install compatible wiring, control panel, security sensors, and smoke detectors for hookup to the monitoring equipment located

ARTICLE 4 REVIEW PROCEDURES

Section 4.1 REVIEW PROCEDURES. All Owners, Architects, Contractors and their agents and any other designated representatives of Owners shall comply with the following process in order to obtain approval from the Architectural Control Committee for any Improvements:

(a) The Owner or Contractor shall submit two sets of plans at the beginning of the plan review process. One of these sets will be retained by the Architectural Control Committee for permanent record, the other will be signed and returned to the Owner or Contractor. Plans submitted to the Architectural Control Committee shall satisfy the requirements contained below in Article 5.

(b) The Architectural Control Committee shall respond in writing to the Owner within 30 calendar days after receiving the complete plans. The response may approve or disapprove the plans, approve the plans with conditions or make recommendations for changes or adjustments deemed necessary or appropriate by the Architectural Control Committee. If the Architectural Control Committee does not respond to the Owner within 30 days after receiving completed plans, the plans shall be deemed to be rejected, unless the Owners sends a written reminder notice to the Committee of this timeline and the pending plan approval. If the Owners sends a reminder notice to the Architectural Control Committee as described herein, this 30 day response period will automatically be extended for an additional 15 days. If a response from the Architectural Control Committee is not received following this 15 day response extension, the plans shall be considered approved.

(c) The Architectural Control Committee reserves the right to require that staking of the Residence be completed in the field for review prior to granting final plan approval. The Architectural Control Committee should be notified upon completion of staking to arrange for on-site inspection.

(d) Once the Architectural Control Committee has approved any submitted plans and construction documents, it shall issue a letter of approval to the Owner or the Owner's Contractor (the "Approval Letter"). The Owner or Contractor may apply for building permits only after receiving the Approval Letter. No construction may begin until the required permits have been issued. Any approval by the Architectural Control Committee is valid for only one year after the date of the Approval Letter. If construction does not begin within that time period, the Owner must resubmit the plans and related documents for approval and the process described above will be repeated.

(e) In order to monitor compliance of construction with the approved plans, a representative of the Architectural Control Committee may make periodic visits to the site during construction.

ARTICLE 5

PLAN REVIEW REQUIREMENTS

Section 5.1 PLAN REVIEW REQUIREMENTS. Plans shall contain enough information for the Architectural Control Committee to accurately assess impacts on the site and adjacent sites, and should give an exact indication of building location(s), mass and materials, access, grading, limits of disturbance and erosion control methods. The following information shall be provided:

1. Detailed Site Survey at a scale of 1" = 20', including at least the following:
 - (a) Survey and legal description of Lot boundaries and any easements, provided by a licensed surveyor.
 - (b) Existing topography, with a minimum two foot contour intervals

and extending to all property lines, with indications of significant drainage ways.

- (c) Precise locations of all shrub masses, trees with two inch or greater caliper and rock outcrops.
- (d) Horizontal and vertical location of all adjacent roads.
- (e) Indication of north arrow and scale.
- (f) Name, address and telephone number of legal Owner(s), surveyor and Architect.

2. Construction program, at a scale of 1" = 20', including at least the following:

- (a) Precise building location(s);
- (b) Precise driveway and parking location(s);
- (c) Location of any other outbuildings, solar apparatus, decks, terraces, fences, paths, pools, tennis courts, lighting or other structural construction;
- (d) Proposed grading (minimum two foot contour intervals) and drainage, including any necessary structures, culverts, detention areas;
- (e) Proposed erosion control plan, delineating all disturbed areas and indicating control techniques to be used;
- (f) Routing of any required utilities including locations of any above grade enclosures (switching boxes, transformers; and
- (g) Location of any exterior enclosures required for solid waste removal.

3. The plans shall also include:

- (a) Floor plans, at 1/4" = 1.0';
- (b) Roof plans, at 1/4"=1.0';
- (c) Elevations of all sides of proposed construction, at 1/4" = 1.0' to include both existing and finished grade adjacent to these elevations;

- (d) Pertinent sections; and
 - (e) Color board depicting all significant exterior materials, colors and textures.
- 4. Landscaping plans, including at least the following:
 - (a) Planting plan(s) at 1" = 20' indicating all existing and proposed plant locations, quantities, sizes, conditions and any special remarks, including location of all structures on Lot and existing plants to be removed or transplanted;
 - (b) All erosion control materials should be detailed;
 - (c) Plan to indicate areas to be irrigated or sodded; and
 - (d) Proposed schedule for installation of landscaping.
- 5. Plans for any other significant structures, such as outbuildings, recreational facilities, play/sports equipment, retaining walls, dog runs, bridges;
- 6. A complete set of specifications.
- 7. A proposed schedule of construction.