
**LAKOTA CANYON
RANCH
New Castle, Colorado**

**DESIGN
GUIDELINES**

**LAKOTA CANYON
RANCH
HOME OWNERS
ASSOCIATION**

Revised Sept. 1, 2017

DESIGN GUIDELINES
FOR
LAKOTA CANYON RANCH
HOME OWNERS ASSOCIATION

INTRODUCTION

1.0

It is the goal of Lakota Canyon Ranch to develop the community with an architectural style consistent with the mountain lifestyle. Breath taking views exemplify the unique and special qualities of this property and together with a commitment to preserve the natural environment; Lakota Canyon Ranch offers a select opportunity to have a home in this majestic and spectacular setting.

These Design Guidelines are a supplement to the Covenants, Conditions and Restrictions of Lakota Canyon Ranch. They apply to the property, homes and improvements of the Lakota Canyon Ranch Home Owners Association. Their intent is to assure that all development respects the natural beauty and sensitive environment of Lakota Canyon Ranch including the surrounding mountain setting and spirit.

It is further the intent of these guidelines to help each homeowner to achieve their desired home while being a responsible owner in Lakota Canyon Ranch and of the Town of New Castle.

LAKOTA CANYON RANCH VISION

2.0

Nestled below the high mountain forests of the Rocky Mountains is the historic town of New Castle. Rich in the history of Colorado, New Castle is the home of Lakota Canyon Ranch and Golf Course.

Lakota Canyon Ranch is a picturesque confluence of mountains, breath taking views, and a unique seclusion with uncharacteristic access to services. Now the home of a new spectacular James Engh golf course, Lakota Canyon Ranch offers an intriguing combination of residential community and world class golf experience. Lakota Canyon Ranch Golf Club is the recipient of many national awards and top rankings. By *Go!(Travel and Leisure, Golf Magazine, Golf Digest and Golf Week Magazine*

James Engh has proven himself to be one of Americas top golf course designers. He has won "Best new golf course in America" for his Sanctuary course in Castle Rock, Colorado and his course at Redlands Mesa. Jim has been called *by Colorado Avid Golfer Magazine*. "Americas' hottest new golf course designer", and was awarded "2003 Designer of the Year", by *Golf Digest*.

In balance with the natural environment, a commitment of architectural continuity will be preserved throughout the Lakota Canyon Ranch property. It is important that each homeowner has an opportunity to understand and embrace this commitment of spirit, history and environment.

The Colorado mountains have over the development of our country reflected an architecture sensitive to the environment, producing structures built and decorated with the region's natural resources.

The Mountain style of architecture is a harmony of the great natural beauty of the environment and the inevitable and logical combination of local craftsmanship traditions and readily available indigenous materials. It is architecture with a special intrinsic approach to the natural surroundings, spawned from the picturesque natural beauty of wooded mountains and the vistas of mountain peaks. In an atmosphere of roaring rivers and High Mountain lakes it has emerged as a spectacular form of refined architecture.

This style of architecture will be the theme for the Lakota Canyon Ranch and Golf Club. Here, amongst the robust climate and at the foot of the Colorado River that threads its way through our mountain environment, homes will incorporate the distinct architectural elements of the Mountain styles. The timber or log trusses and columns, fireplaces of regional stone, the covered porches with articulated wood railings highlight this eloquent design.

Use of indigenous stone, wood siding or half-log applications, articulated wood railings at balconies and covered porches, with extended eaves (evolved from Mountain home roots) form the desired architectural style. The decorative potential of these structural elements (Stone fireplaces with stone chimney caps, decorative workmanship to accent the natural wood, stone features, multiple roof lines varying in design and pitch with rusted metal, architectural grade composition and asphalt singles) can be integrated into an elegant Mountain home..

Each structure should embody the living history of this architectural style, collectively forming an indigenous environment with the spectacular natural beauty of Lakota Canyon Ranch.

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**ARCHITECTURAL GUIDELINES FOR
LAKOTA
CANYON RANCH
New Castle, Colorado**

3.0

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PURPOSE AND OBJECTIVES

4.0

The purpose of the Design Guidelines is to maintain the architectural integrity of the Lakota Canyon Ranch, assure that development conforms to these architectural standards and that buyers and their architects understand and appreciate the design character and environmental sensitivity required in their planning.

The Committee will use its best judgment to see that all improvements, construction, landscaping and alterations of the land conform to these guidelines and harmonize with the natural surroundings and existing structures as to external design, materials, color, site, height, grade, ground elevations and other critical elements.

The objective is to work with the homeowners and builders to develop a harmonious project that complements and fulfills the development goals of protecting the present natural beauty, native setting, and seclusion of home sites within Lakota Canyon Ranch for the benefit of all property owners.

It is the intent of these guidelines to promote architectural differences between homes and multi-family buildings. The guidelines are not intended to unnecessarily restrict creative design or efficient construction. The guidelines and review process do not consider the interior of a home, unless it has an exterior impact.

The lot locations were chosen to best utilize the land while optimizing the views. In many cases the views are so spectacular that some lots are fairly close to others so that they could share the views. This sometimes further restricts the size and height of homes and multi-family buildings as shown in Exhibit A, Lot Design Parameters.

It is further the intent of the Lakota Canyon Ranch Design Review Committee to make the review process as simple and easy as possible for homeowners and builders. During the review process owners and builders will be required to bring in examples of construction styles, materials or details they would like to use so that direction can be established early in the process before incurring significant design cost.

All standards are subject to change as deemed appropriate by Lakota Canyon Ranch H.O.A. Board of Directors due to specific lot topography and conditions.

REVIEW PROCEDURE & APPLICATION SUBMITTALS

5.0

These Design Guidelines address all improvements, alterations and changes to lots and homes in the subdivision for the benefit of Lakota Canyon Ranch homeowners. The Guidelines will be implemented by the Lakota Canyon Ranch Board of Directors. It is expected that the Design Guidelines will be amended from time to time by the Board. Variances for exceptions to these guidelines will be considered by the Board of Directors on a case by case basis. Any variance to the Design Guidelines must be submitted to the Board of Director's in writing and will be taken into consideration at the next scheduled Design Review meeting. The Design Review Committee, established by the Board of Directors, will operate under these Guidelines.

Owners and potential buyers are **required** to request a Preliminary Review to verify that their proposed construction conforms with the Design Guidelines. A Preliminary Review will be followed by a **Final Review**. This will help avoid misunderstandings concerning the Design Guidelines and unnecessary work by the owner's design team. The Preliminary Review application is to be submitted to the Architect with a \$500. initial deposit. The actual Architect fee will be determined by the Architect based on the amount of work your submission requires . The total Architect fee will be paid by the Owner and made payable to the Architect. All other Design review fees and security deposits (payable to the Lakota Canyon Ranch Homeowners Association) are due at the beginning of the Final Review process.

NOTE: If the Preliminary submission is submitted for the Architectural review and the time frame allows sufficient review time, return to owner of Review comments and revisions required, and Owner is able to implement the changes in the submission. **If the Owner is able to provide all the required items for a Final Review, the Owner may request the scheduled Preliminary Review be amended to a Final Review. Construction may not commence until the Owner has received a FINAL REVIEW APPROVAL from the Lakota Design Review Committee.**

Security Deposits and Fees for the Project(s) shall be paid by the Owner to the Lakota Canyon Ranch Homeowners Association with the Final Review submission. The owner should make sure that their architect and contractor are qualified and knowledgeable of mountain conditions, local economics and these Design Guidelines. **Final Review will not be scheduled with the Design Review Committee until all deposits and fees have been paid**

A submission to the Lakota Design Review Committee must include a completed "Lakota Canyon Ranch Master Association DRC Submittal Form" with all the required information needed for the review process requested. Additionally, all deposits and/or Fees due (if applicable) must be submitted with application The lot must be staked at the time of the **Final review** including building corners and lot corners.

From the time the Committee considers the submission complete, the Committee has thirty days to approve, approve with changes or disapprove the application. It is anticipated that most reviews can be completed in less time.

Fees and Deposits: Refer to "Lakota Design Review Fees and Deposits" on page 29

Submittals: Complete submittal must be provided to the Committee **two weeks** in advance of scheduled reviews. Cover letter and a complete submission package including all required materials shall be delivered by Owner to Lakota Canyon H.O.A. 151 Clubhouse Dr. New Castle, Co. Call (970) 355-9552 to make an appointment to bring submission package to the H.O.A. office. These documents must also be supplied in electronic format to **mcdonald8866@gmail.com**. Upon submittal of a completed application and complete submittal requirements, the Preliminary or Final review will be scheduled with the Design Review Committee.

Preliminary Review – The submission may be submitted at any time prior to the desired Design review meeting date but must be a minimum 2 weeks prior to a review date requested by the owner. Design Review meetings are generally scheduled the first Monday of the first week of the month.

NEW HOME CONSTRUCTION:

Submission Description: Schematic Level Drawings, Photographs or sketches are encouraged to minimize advanced costs and establish direction. Two sets are required to be submitted.

Level Drawings must be presented in a 24" x 36" format. These documents must also be supplied for review in electronic format. Designers, Builders or Architects may produce these plans, but they must be presented at an industry standard level. A Site Plan, landscape plan (including drainage considerations), elevations, floor plans, and roof plans are required. They must depict all horizontal and vertical dimensions, indicate contemplated materials, demonstrate roof pitches, window / door sizes and styles as well as fascia and siding materials, railing, and deck considerations. Color(s) of roof shingles, fascia, soffit, all exterior walls and decorative rock is required. The Preliminary submission will be reviewed by an Architect (representing Lakota Canyon Ranch) and input from the members of the Design Review Committee when necessary. The Review comments and required design changes will be returned to the Owner by the Lakota Property Manager for implementation and consideration. The Architect is a member of the Lakota Design Review Committee but has no voting authority in the Review process.

Revisions resulting from applicant's Preliminary review must be presented in revised 24" x 36" drawings. **At this time a Final Review may be requested for a Design Review Committee meeting.** Upon approval of Preliminary plan set, Design Review Committee may authorize New Castle Building Department to release building permit for applicant to proceed with excavation and foundation work only, at applicant's **own risk.**

Final Review -submissions due a minimum 2 weeks prior to scheduled review.

NEW HOME CONSTRUCTION:

Description: Final Construction Level Drawings must be presented in a 24" x 36" format. These documents must also be supplied electronic format.. Final Level Construction Drawings must include all revisions requested in the Preliminary Review. Designers, Builders or Architects may produce these plans, but they must be presented at an industry standard level. Site Plan, landscape plan (including drainage considerations), elevations, floor plans, and roof plans are required. They must depict all horizontal and vertical dimensions and indicate contemplated materials, demonstrate roof pitches, window / door sizes and styles as well as fascia and siding, railing and deck considerations, and exterior lighting styles and locations. Final Review submission must include a sample board (18"W x 36"T) including house stains, roofing materials, window cladding, lighting fixtures proposed, stone sample with layup style shown. Photographs and specification sheets should accompany the sample board, which must clearly show the owner's name and lot number.

In the event that the Design Review Committee does not approve the submission as presented in the Final Review and requests specific changes to meet the guidelines and rules, then the Owner or his representative must re-submit their Application with changes implemented before approval will be granted. The Final Review **re-submission** will be scheduled for the next scheduled Design Review Committee meeting. The Committee (at their discretion) may issue a **provisional Approval** subject to compliance with specific designated changes that must be complied with and implemented during course of construction.

NOTE: Upon issuance of the Final Review Approval , the Owner will receive a letter from the Lakota DRC which indicates to the Town of New Castle that the applicant may proceed with the construction per plan(s) approved upon the designated lot and filing within the subdivision provided a Building Permit is granted by the Town of New Castle Building Department.

Note: Since landscape plans may change during the course of a home's construction, applicants are required to submit a final landscape plan (including drainage considerations) to Design Committee for Review and final approval prior to starting landscaping project.

ALL OTHER PROJECTS:

All other proposed projects that require Design Guideline approval are to be submitted to the Property Manager at least two weeks prior to the Design Guideline Committee meeting. The submission must include an application, written description of the project, sketches (when applicable) color samples and the Fee (if any) made payable to Lakota Canyon Ranch Homeowners Association. The Property Manager may request additional information prior to scheduling your application for a Review. Work on the project may not begin until a written approval is provided by the DRC to the owner.

PROJECT COMPLETION NOTICE:

Upon completion of a new home and the Owner has requested the inspection for issuance of the Certificate of Occupancy or completion of project on an existing property, the applicant must send the DRC an Owner Notification of Completion to request a Final Inspection. This Inspection may be conducted by the Design Review Committee, Lakota Property Manager, and/or a Lakota Board member to determine if the project is in compliance with the build design approved by the Design Committee. The Security Deposit(s) will not be returned until an approval has been issued in writing by the Design Review Committee or Representative. **Fines may be levied against the Owner for violation(s) of approved project design requirements during course of construction and after completion of project.**

IMPORTANT NOTE:

The commencement of any construction and/or work on “New home or All other projects” prior to receiving a Committee approval shall be a Rule Violation and may result in Fines being levied by the Lakota Board against the Owner.

MATERIALS

6.0

Using native materials contributes to the harmonious blend of function and character desired for the Lakota Canyon Ranch community.

Lakota Canyon Ranch encourages using natural materials of native stone, rock and wood. Exterior finishes of Brick or Stucco may not be used at any time.

Mountain structures typically use stone or rock at the base, evoking a feeling of strength and mass. The upper levels are made of wood.

Appropriate fabricated materials including ornamental uses of wrought iron, carbon steel, patina copper and rusted corrugated metal can be used to further capture the Mountain character.

The key for maintaining a harmonious blend throughout the development is continuity in the use of materials. This aspect of plans for homes and landscape will be considered in all reviews.

Vinyl, composite wood materials, cementitious materials or aluminum siding are not acceptable in Lakota Canyon Ranch. Other manufactured siding may be approved upon review. Wood Shingles may be used as accents or on larger surfaces upon acceptance in the Design Approval process. They are not appropriate for any large unbroken facade surfaces

Appropriate fabricated materials including ornamental uses of wrought iron, carbon steel, patina copper and rusted corrugated metal can be used to further capture the Mountain character.

The key for maintaining a harmonious blend throughout the development is continuity in the use of materials. This aspect of plans for homes and landscape will be considered in all reviews.

COLORS

7.0

Subtle earth tone colors are abundant in the woodlands and natural landscape of the Lakota Canyon area. These subdued colors should be applied in harmony with natural wood colors on all exterior applications. Accent colors must be approved by the Design Review Committee.

Semi-transparent stains are preferred. However, solid body stains may be approved in the Design approval process. Glossy finished surfaces are not desirable and will also be discouraged. Owner(s) will be required to keep the exterior stain in a like “new” condition. This will require periodic maintenance and re-staining. When re-staining, Owner must submit color sample(s) to DRC for approval even if using original color.

SITE / BUILDING ENVELOPES

8.0

Building envelopes have been established throughout the Lakota Canyon Ranch development. All structures, including garages must be located within the designated building envelope.

Within the building envelope, location of structures should consider the following aspects:

Minimize disturbance to the site

Protect special site features

Orient the building to take advantage of views and solar access

Take maximum advantage of topography

Awareness of neighboring structures and privacy

Environmental assets such as trees, boulders, natural topographic features and vegetation should be regarded with care and protection during construction phases. These existing assets will embrace the new structures and help to form a natural blending of a structure contiguous with the environment.

BUILDING MASS

9.0

Building mass is an important concern in the Lakota Canyon Ranch community. Proper massing will embody a feeling of structures as part of the land, topography and environment rather than dominating the landscape and departing from a synergistic relationship.

Dispersion of mass throughout a structure can be accomplished by several architectural techniques. Multiple roof lines, varying in pitch design and slope as well as the utilization of dormers and gable ends will disperse mass at the roof. A stepping back of roof and wall facades will give depth and interest to the structures and mitigate overwhelming massing.

Covered porches, balconies, and articulated wood or metal railing will function to add interest and break up wall massing. Large massing of vertical and horizontal wall surfaces should be avoided. Combinations of facade treatments such as stone, rock, rusted corrugated metal and wood trim will help break up large surfaces. All other products for exterior use requires the Owner to request a variance from the Lakota Board of Directors which may or may not be granted.

Mountain architecture has an eloquent and ornamental theme that blends with nature. All structural elements have the potential to be ornamental. Utilization of the architectural techniques discussed in this section can effectively reduce the perception of inappropriate mass and scale.

SCALE

10.0

Structures without texture or pattern lack scale. A structure in the natural environment demands even more attention to scale so it does not impose on the natural beauty of the land.

Problems of appropriate scale typically show up when there is a lack of variety in materials, materials without three-dimensional relief and/or lack of attention to details.

Appropriate textural treatments are very effective in softening a visual statement and blending a structure with the environment. Using material such as stone, rock and wood creates scale and by articulating structural elements such as columns, posts and beams, interest scale can be established.

BUILDING REQUIREMENTS

11.0

All dwelling units shall have a designated minimum and maximum of square feet of living space and maximum height. These standards are designated for each lot and block in Exhibit A.

Maximum sizes of dwelling units and number of stories allowed on specific lots, allowable lot coverage, living levels allowed, maximum height, and special conditions and requirements are charted in Exhibit A of these guidelines. The entirety of the building(s) and/or structures must be within the defined building envelope designated on the specific lot plat for proposed building site.

Note: Exhibit A does not include all lots of Lakota now platted.

MANUFACTURED HOUSING

12.0

Component manufacturing, including panelized construction may be allowed upon review. It is generally acknowledged that this type of construction which includes pre- assembled trusses or wall panels prior to delivery to the site can save construction time.

Owners are asked to submit product or manufacturing information to the Lakota Canyon Ranch Design Review Committee for consideration in a Preliminary Review.

OPEN SPACE

13.0

Open space is a valuable asset to the development as a whole and the individual environment of each lot. Buffers between adjacent properties can be created by undisturbed portions of the site. This serves to help maintain a unifying natural landscape throughout the Lakota Canyon Ranch development.

Open space areas shall be left in a natural state. Maintenance items such as litter removal, tree trimming and weed control will be necessary in these areas and are the responsibility of the property owner.

BUILDING HEIGHT

14.0

Building heights for each site are identified in the chart at Exhibit A. No structure shall exceed the maximum height limits as set forth in Exhibit A.

Height will be measured as set forth in the Lakota Canyon Ranch PUD Master Plan Approval as specified by the Town of New Castle.

SOLAR DESIGN

15.0

Mountain conditions may require solar considerations. Orientation, material choice and architectural elements should be explored for maximum passive solar efficiency.

Passive collection elements such as thermal mass surfaces which function for collection and redistribution of heat should be incorporated into home designs. Solar collection at south facing view windows should also be considered in conjunction with roof overhangs.

Active solar systems are allowed in the Lakota Canyon Ranch Development. The design of active solar systems must meet architectural guidelines and are subject to approval by the Design Review Committee. Active solar system design should be submitted during the Preliminary stage of the design review process.

ROOFS

16.0

In keeping with the Mountain style, main roof pitches are to be a minimum of 7:12 and a maximum of 14:12. There shall be multiple roof lines and pitches within these parameters. Flat roofs are not allowed in Lakota Canyon Ranch except on walk out decks from second level living spaces. Shed roofs on homes constructed in Lakota Canyon will have a minimum pitch of 3:12.

Gable, Shed, Barrel and/or Hip roof designs for the main roof will generally be approved. The use of any of these roof elements must be complimented with the use of other roof elements and configurations to break up the continuous roof form and long uninterrupted ridgelines. Smaller forms (such as Gable, Shed, and/or Hip dormers) should be used to reduce roof mass thereby providing depth and design for a more appealing visual appearance. Gambrel, Flat, Mansard and A-Frame designs are not acceptable.

Roof materials shall have a combination of rusted metal and architectural grade asphalt/composition shingles. The color of the Composition shingles must be approved during the Final Review process.

Wood Roof Shingles are not allowed.

Flashing should either match the color of the roof or may be aged or painted copper. Coated bright copper that does not weather or age to a dulled sheen is not permitted.

Mountain architecture typically utilized large overhangs to keep snow away from foundations and building walls. This architectural feature is encouraged. Soffits shall not be masonry or stucco.

Cold roofs are recommended to be used over all heated areas and shall include soffits and roof venting.

Skylights should not be visible from adjacent properties and will be reviewed on a case by case basis by the Design Review Committee.

Eave tails must be a minimum of 6" x 10" and incorporate 10" long Jog eave tails at all major roof gables. Eave tails at subordinate roofs must be a minimum of 6" x 8" and incorporate 8" long eave tails..

DORMERS

17.0

Dormers are an important element in the Mountain style of architecture. They are a crucial element in providing visual interest on large massive roofs.

This design element, when well executed, creates an identifiable character. Roof overhangs, structural brackets and window sashes create shadows which help break up the building's mass into smaller more intimate forms.

Gable, Shed, Barrel or Hipped dormers are applicable to the Mountain style and add interest, scale and depth to roof lines.

WINDOWS

18.0

Windows in Lakota Canyon Ranch should be vertically oriented. Generally 2-1/2 times in height to width represents a vertical rectangular size which is appropriate to the Mountain style. Any variance must be approved during the Design Review.

To maintain the current window theme in Lakota Canyon Ranch and the desired Mountain style, multiple (mulled) window panels and separating mullions is the desired window style on all street side windows. These windows create depth and character to the home. Various patterns of window mullions can be considered.

The desire to maximize exterior views (especially in the Lakota Canyon Ranch neighborhoods) often creates a design requirement to use larger uninterrupted window panels. To take advantage of an exceptional view, larger non-reflective glass surfaces may be used. The use of side-lite mulled accent windows is encouraged to maintain the Mountain style.

In general, floor to ceiling glass walls are not appropriate.

The exterior of windows must be trimmed in wood and stained with the approved trim color. Window cladding color must also be approved. White window cladding/mullions will not be approved.

ENTRIES

19.0

Mountain style entries tend to be protected by a large timber supported overhead porch-like element. This protective element enhances the significance of the entry.

The front door of any dwelling provides the opportunity to make a grand statement. This can be conveyed through scale, choice of materials, fenestration (treatment of the glass surfaces), hardware or combination thereof.

Beam and/or log work at the entry covering is encouraged.

The front door should capture the character of the architectural theme and set the tone for the inside of the house. Entry doors should be wood with wood or stone trim.

DOORS

20.0

Doors can vary greatly in their use of materials, and most often use a combination of wood and glass. If the entry door is of an alternative material, it should present the appearance of a “stained wood grained” door and will be subject to review and approval from the Design Review process.

All front entry doors are encouraged to be natural wood. All glass panel designs in doors must be approved. Exterior doors should be wide heavy boarded to give the door height and allowing it to hold up to the architectural “weight” of the structure.

Screen doors shall be wood framed and ornamental hardware is encouraged. Doors other than the main entry door may be wood, aluminum or metal clad and trimmed in wood or stone. Screen and storm doors at residence front/street-side entries are not allowed.

DRAINAGE

21.0

All structure and lot drainage associated with construction of a dwelling whether temporary or permanent shall not be allowed to drain onto any adjacent properties or under sidewalks. Any piped drainage (i.e.: downspouts tied into underground drain pipe or foundation drains) must be run into a dry sump or to daylight as lot contours allow within the property boundary. Check with Town of New Castle for drainage requirements. Although the Design Review Committee will review the proposed lot drainage, there will be no assessment made as to the Owners compliance with any regulatory Town, County and/or State requirements regarding lot Drainage. Any fines, costs etc. attributed to unacceptable drainage compliance and subsequent damages (if any) shall be the sole responsibility of the Owner.

GUTTERS & DOWNSPOUTS

22.0

If exposed, gutters and downspouts are to be either patina or aged copper, or painted metal in muted color to match roof, fascia, siding or trim elements. Otherwise, they should be concealed with eaves and structural columns or trim. Gutters of galvanized steel material are not acceptable.

FOUNDATIONS

23.0

All exposed foundation walls greater than 12 inches shall be stoned in the Lakota Canyon Ranch community. Exposed foundations in Mountain style were typically stone or faced in stone. Stone selection should be indigenous to the Colorado mountain areas.

Stone provides a solid visual base for the structures and accommodates steps in building foundations on sloping sites. This also provides the opportunity to extend the architecture into the landscape through the use of stone retaining walls.

Moisture protection features must be used to prevent spotting or staining.

WALLS

24.0

Walls are yet another opportunity to provide scale and interest. Materials native to the land will provide the desired texture and scale.

The vernacular style of Mountain architecture is largely identified by walls and siding material. Several different types of siding and wall constructions are appropriate in keeping with this unique and eloquently theme.

Log structures utilizing both square and round logs are appropriate when combined with other essential Mountain features.

Half-log siding, unpeeled log and peeled log (typically spruce or pine), board and batten siding, stone walls, clapboard and brainstorm siding or slab siding may be appropriate in the correct context and when combined traditionally with other Mountain elements.

If logs are used, Chinking in combination with the various siding materials can add interest, character and authenticity to walls.

Accenting with large timbers, planks and/or large full logs will break facade surfaces, add character and scale. Horizontal and vertical combinations along large facades serve to add interest and break up monotony thereby adding scale to large areas.

Walls should be of substantial depth and character to balance the structure. Stone foundation walls or partially stoned walls in combination with a weathered and appropriate siding material are encouraged.

A minimum of 3 feet high stone wainscot along street frontages is required. Minimum front side elevation returns of 8 feet are required, as appropriate to site.

Glass walls or sunrooms are not appropriate.

A general rule of thumb of the Mountain style is that anything structural can also be decorative .

RETAINING WALLS

25.0

Retaining walls should reflect a natural extension of the land and its surrounding. Stone or boulder retaining walls are appropriate. Railroad tie, concrete, brick or stucco retaining walls are not approved for the Lakota Canyon Ranch neighborhoods. Manufactured landscape stones may be used upon approval by the Design Committee during the approval process.

Retaining walls should not exceed 4'0" in height at any one rise. Terraced walls that do not exceed 4'0" at each rise may be used within appropriate contexts. Natural planted areas should occur between terraced walls.

All exposed retaining walls and/or where landscape beds are outlined with rock must be constructed or faced with stone or boulders. **Lava rock is not acceptable**

CHIMNEYS AND VENTS

26.0

Chimneys are symbolic of the warmth of hearth and home. They usually provide a vertical balancing to a generally horizontal structure. Elements of strength and permanence are established in chimney design.

Mountain architecture is represented in natural stone chimneys that usually match the stone foundations in treatment and style and are encouraged in Lakota Canyon Ranch.

Natural stone caps are encouraged and should be supported by elevated corner stones. Vents and flue caps may be concealed within the stone or metal chimney cap. This is encouraged but not required.

Chimneys must have downdraft deflectors, spark arresters and roof saddles.

FIREPLACES

27.0

Fireplaces bring warmth, intimacy and a sense of focus to a home. Wood burning fireplaces are discouraged for air quality reasons. Gas fireplaces should be considered as an alternative.

PORCHES, PATIOS, BALCONIES AND DECKS

28.0

Outdoor spaces are encouraged and typical of Mountain architecture. Decks, porches, verandas and patios should be considered exterior rooms that take advantage of the outdoors.

Decks should be thought of as porches on traditional structures. Porches, decks and patios should be covered and supported with columns of heavy timber, log or stone. Heavy timber columns shall be a minimum of 8 inches by 8 inches, logs a minimum of 10 inch diameter, and beams a minimum of 6 inches by 10 inches.

Railing of log, timber or ornamental metal shall be used at all porches, verandas, decks and balconies regardless of elevation off of grade.

Deck surfaces of wood or stone, concrete or aggregate are recommended. Other surfaces may be approved during the Design Review process.

All street frontage porches, decks or patios must have minimum 36" high railings. Patios or decks which front Clubhouse Drive, common areas, parks or the golf course must have minimum 36" high railings.

ACCESSORY BUILDINGS AND STRUCTURES

29.0

Detached Accessory buildings or structures, including barns, sheds and other outbuildings are not permitted within Lakota Canyon Ranch. Breezeways and porte cocheres will be reviewed on a case by case basis. However, in general they will not be considered appropriate to the development.

GARAGES

30.0

Garages should compliment the architecture of the home. Departures of style, size or materials from the residence is not appropriate to the community. The garage must be attached and part of the home structure. A detached garage will not be approved.

Garage doors should appear to be individual doors for each bay. This means that double width doors should have an applied wood facade which looks like two separate doors, etc. Overhead or swinging doors are appropriate within these guidelines. Garage roof lines should be subordinate in height to main roof and consistent in pitch.

DRIVEWAYS

31.0

Driveway surfaces should be concrete. Asphalt driveways will be accepted under special review only. Alternative surfaces shall be reviewed for approval by the Lakota Canyon Ranch Design Review Committee.

Construction access shall be permitted only over the approved driveway for the lot.

PATHWAYS, BRIDGES, FENCES

32.0

All pathways, bridges and /or fences must be submitted to the Design Review Committee for approval prior to construction installation.

When a pathway is cut into the landscape without regard to its visual effects, the environment can be jeopardized. The width, alignment and materials are critical; therefore pathways should be as narrow as possible, winding to create surprise and mystery, and should be paved with a material which is consistent with the overall surroundings.

Existing terrain, vegetation, rock outcroppings and other natural features should be preserved and incorporated into the site design. Fences or low lying walls may be used to define gateway entries. Decorative features, if used, should derive their appearance from the architect and landscape design.

Rear yard fences (from mid-house back) are permitted on most lots that do not adjoin the golf course property. Overall fence height must match existing yard fences in Lakota.

All permitted fences must be standard three-rail cedar split-rail fencing. The fence rails/posts may be sealed with a clear coat wood sealer or stained with a semi-transparent stain approved by the Design Committee. Railing must provide for connection to adjoining properties. Only 2"x4" welded wire fencing for containment of children or pets may be applied to the interior side of the split rail fencing, and may not protrude above the top rail.

Fences are not permitted on any lots that adjoin the golf course property.

PARKING

33.0

All parking shall be within the designated driveway area.

Mobile homes, trailers, boats, snowmobiles, four wheelers and like vehicles may not be parked in driveways, along roadsides or anywhere else within the boundaries of the lot.

UTILITIES

34.0

All utilities need to be enclosed in wooden boxes conducive to the house exterior siding except where prohibited by any Utility Company.

SCREENING

35.0

Screening serves an important function in the collective environment of any residential community. Utilities, venting, and other non-aesthetic elements necessary to the function of a home shall be screened in a sensitive and harmonious way when possible by the use of landscape plants. Awareness of each homeowner's adjacent property views will afford reciprocal benefit in this environmentally sensitive area.

MAINTENANCE

36.0

Property maintenance shall be the responsibility of the property owner. That responsibility shall be monitored by the Property Management Company. The Homeowner Association Board of Directors shall ultimately be responsible for rectifying negligent maintenance by individual Owners. Landscape, weeding, building damage, deteriorating stains and general property up-keep shall be maintained by each property owner with respect to their property. Upon notice to the Owner, immediate attention and resolution shall be made to all substantial maladies. If not resolved, the Owner may be subject to penalties as set forth in the Declarations.

OUTDOOR ELEMENTS

37.0

Exterior features such as hot tubs, Jacuzzis, built-in barbecues and the like are allowed if incorporated within the deck, porch or balcony areas. They should not be visually commanding or inappropriately demonstrative.

Outside swimming pools are not acceptable in the development. Gazebo's within the building envelope and under 300 sq. ft. in size are allowed without their square footage counting against maximum allowable square footages. Architecture of such gazebos shall be harmonious with the Mountain style home design and must be submitted to and approved by the Design Review Committee.

Yard art and substantial children's' structures such as swing or jungle gym types of facilities shall be reviewed on a case by case basis. Any such submission should conform to the materials and architecture used in Lakota and encouraged in these Guidelines.

LIGHTING

38.0

Lighting (appropriately designed) adds finishing touches to successful architectural and landscape design. At Lakota Canyon Ranch it is important to realize this potential but keep in mind the overriding goal of this portion of the Design Guidelines is to encourage "dark skies" lighting fixtures and limiting light pollution. Exterior light fixtures are subject to Design Review Committee approval

Indirect sources and horizontal cutoff fixtures are recommended to reduce glare and provide ambient light. Exterior lighting in which the direct light source is visible or which produces excessive glare is not permitted. Soffit lighting and down-light style fixtures are encouraged. Light sources shall be muted, white or pale yellow in color. Sodium, mercury vapor or bare bulbs are not allowed. Colored lights are not allowed except as seasonal ornamental lights. Holiday lighting may be in place only from Thanksgiving until the end of January each year.

Lighting, with the exception of low level down lighting along the driveway, is prohibited outside the building envelope. Low level lighting of home addresses will identify homes, and can enhance the homes architectural character. Subtle application of downward "dark sky" lighting created with incandescent or low voltage quartz halogen lights may define pathways and landscape but must be approved by the Design Review Committee.

Up-lighting of trees and/or landscaping is prohibited. This type of lighting creates an unnatural and imposing atmosphere.

WILDLIFE & DOMESTIC ANIMALS

39.0

Personal dog kennels or runs within the building envelope are permitted subject to approval from the Design Review Committee provided that they are screened, located in a sensitive and considerate location and fenced per paragraph 35.0.

Invisible fencing systems are encouraged

Wildlife migration through Lakota Canyon Ranch is to be anticipated. Property Owners are responsible to assure that domestic animals do not interfere with this migration. Owners should be aware of the presence of wildlife throughout Lakota Canyon Ranch.

Landscape planning should be sensitive to indigenous wildlife and habitat.

WILDFIRE MANAGEMENT

40.0

Wildfire management is the responsibility of each Owner for not only their respective property but as a community participant in Lakota Canyon Ranch.

Simple considerations will embrace effective wildfire management techniques, 30 foot safety zones around all structures in all directions. This means keeping debris removed, grasses cut low, and dry vegetation removed,

Wood shingle roofs are not permitted. Gutters should be seasonally cleaned; spark arresters and screens must be used at all chimneys, vents and flues.

Vegetation management by each Property owner on developed and vacant lots is an essential element of wildfire management. It is the responsibility of each owner to control the build-up of excess fuel on lots. Lawns must have sprinkler systems and vegetation should receive adequate watering during the summer season.

Stock piling of flammable materials or debris is not permitted in Lakota Canyon Ranch. On site burning is not permitted in Lakota Canyon Ranch.

LANDSCAPE GUIDELINES

41.0

The challenge of landscape design in Lakota Canyon Ranch is to blend the homes and grounds into this spectacular setting. The choice of native plant materials will help ensure thriving growth. Plant materials should be selected to do a variety of jobs both functional and aesthetic. Mature sizes compatible with existent species should be considered when selecting new landscape material. Poorly selected landscape materials can cause erosion and flooding. Preferred landscape materials include plants, grasses and trees that grow naturally and are locally available. Within the lot lines, landscape material should be used to make a transition from wild and natural to domestic. Materials should be selected which do not appear overly manicured. Landscaping can be used to define outdoor spaces from on site and off site view, establish a background and foreground, and knit together the natural environment, site and home.

Native plants, ornamental flowering plants, and local shrubs may be used. Lawns are required along street frontages. All lawn areas must have underground sprinkler systems and will be limited in total size for each property. Drip systems, or bubbler irrigation is appropriate for shrub, tree and other landscape watering if installed in a manner which provides low visibility. Front lawn may incorporate xeriscaping which will be reviewed on a case by case basis.

LANDSCAPE REQUIREMENTS:

1.) street frontage of home: requires lawn (grass) from mid-lot forward to sidewalk except for approved landscape beds

2.) Minimum 8 **new** trees per lot. Two existing established trees may be included to meet requirement provided they meet the size requirement(s):

Minimum 5 evergreens - 3 minimum @ 8 ft. tall – 2 minimum @ 6 ft. tall

Minimum 3 deciduous - 3 inch trunk diameter or greater

LANDSCAPE and CONSTRUCTION DEPOSIT(S)

42.0

The Final Landscape Plan approved by the DRC must be completed prior to the Final Inspection. Between the months of Nov. 15 and March 15 a Final Inspection may be approved if landscaping cannot be completed due to weather conditions and/or lack of availability of acceptable trees/plants provided that the \$5,000. landscape completion deposit is held in escrow by the Lakota Canyon HOA. The \$5,000. Deposit will be returned to the applicant upon completion and Approval Inspection of the approved landscape plan completed in the following spring. All vegetation requirements shall be accomplished within the first growing season after completion of the exterior of the residence.

A Landscape deposit of \$5,000. will be required prior to Final Lakota Canyon Ranch Design Review. Said deposit payable to Lakota Canyon HOA shall be secured prior to commencement of any site work, demolition, excavation or construction including road or driveway grading. This deposit is refundable upon specific performance of all construction and landscape elements as required by approved landscape and approval by the Property Management Representative and/or the Lakota H.O.A. Board of Directors.

If re-vegetation of the project is not completed as approved in the Final Review application, the applicant shall be in violation of Covenant requirements and subject to penalties set forth in the Declarations.

A Construction Deposit in the amount of \$3000. is due and payable with the submission for a Final Review. This deposit will be held by Lakota H.O.A until the Final Inspection Approval for the construction project is issued to the Owner. The deposit will be returned at that time minus fines or assessments (if any) that may have been levied due to violations and/or incurred costs to Lakota H.O.A. during the course of the project.

AC UNITS AND SATELLITE RECEIVERS

43.0

The location of outdoor air conditioning units must be indicated on the architectural drawings submitted and approved during the Design approval process.

NOTE: Window Air Conditioner units are not allowed.

Only satellite receivers less than one meter in diameter or diagonal measurement are acceptable. The location of all wireless receivers must minimize their visibility from the street side, adjacent lots, and the Golf Course. Such receivers are installed at an owner's risk and may require review by the Lakota Design Review Committee should they occasion complaints. Install satellite receivers in a location that minimizes the visibility of the receiver/equipment and wiring.

CONSTRUCTION MANAGEMENT

44.0

Construction management is an essential part of any development in the Lakota Canyon Ranch. It is our goal to minimize the disturbance, retain the large amount of undisturbed area possible, and to protect adjacent properties. All Contractors, and Owners shall abide by these regulations.

Construction Zone

The Owner or Contractor shall provide the Lakota Canyon Ranch Design Review Committee with a Construction Management Plan (Plan) as part of the Final Design Review Package. The Plan shall consist of a narrative and graphic material in sufficient detail to address the following considerations.

Limits of Construction

The physical limits of all construction and all construction-related activity shall be indicated on the Plan. All construction activity, storage of all construction materials, temporary construction trailer and sanitary facilities, dumpsters and other construction equipment or facilities shall be located within the limits of the Construction Zone. Vehicle parking areas must be addressed in the Construction Management Plan.

Protection of Existing Vegetation

Methods for protecting existing vegetation, particularly vegetation within the Limits of Construction, shall be indicated in the Plan. All protective measures shall be implemented prior to initiating construction.

Location of Construction Trailer

No more than one temporary construction trailer shall be permitted on a job site. Trailers shall be located within the designated limits of construction. All temporary structures shall be removed immediately after the Certificate of Occupancy permit is issued.

Temporary Sanitation Facilities

Job sites shall be equipped with sanitary facilities. All temporary structures shall be removed after the Occupancy Permit is issued.

Permits

The Owner or contractor is responsible for obtaining all required permits.

Construction Schedule

The Contractor shall provide a construction schedule with start, end and major "milestones" identified. The schedule shall be updated if there are major delays.

Tree Clearing

The Plan shall include identifying those trees that must be removed to allow for development and any tree thinning for woodland management. No trees shall be removed from the site until the Plan is approved. Clear cutting of part or the entire site will not be permitted. Final approval for tree cutting will be made by the Design Review Committee in the field.

Improvement Survey

After staking the foundation a survey is made by a licensed surveyor to certified that all improvements are within the Building Envelope and that they match the approved plans.

Construction Access

The only approved construction access will be over the approved alignment for the driveway. In no event shall more than one construction access be permitted onto any lot.

Storage of Construction Materials and Equipment

Storage areas shall be designated according to the approved Plan prior to commencing construction. The Contractor will be responsible for the maintenance of these areas.

Daily Operation

Normal working hours for each construction site shall be 7:00am to 7:00pm, and 9 am to 4 pm on Sundays, unless otherwise restricted by the Lakota HOA Board of Directors

Blasting

Prior to commencing any blasting proper safety and protective actions shall be used according Garfield County standards and regulations. The blasting contractor is responsible for all blasting damage to any pre-existing structures within a half-mile of the site. All applicable OSHA regulation and guidelines must be strictly observed at all times.

Restoration and Repair

Damage to any property, including streets and curbs by the Owner(s) and/or Contractor(s) shall be promptly repaired by the Owner and at the expense of the Owner employing the person or entity causing the damage.

Dust and Noise Control

Every effort shall be made to control dust and noise emitted from a construction area. The Contractor shall be responsible for controlling excessive dust and noise. Regular watering of the site is required. The volume of on site radio and/or other music sources must be controlled by the General Contractor.

Excavation

The design shall encourage a balanced site excavation. Any excess excavation material shall be removed from Lakota Canyon Ranch. The material shall not be placed in common areas, roads or other home sites or on any common property unless approved by the Property owner.

Debris and Trash Removal

Owners or Contractor shall clean up all trash and debris on the construction site at the end of each day. Trash and debris shall be removed from the site when necessary to a dumping site located off the Lakota Canyon Ranch property.

Lightweight material, packaging, and other items, shall be covered or weighted down to prevent wind from blowing such materials off the construction site. Owners and Contractors are prohibited from dumping or burying trash anywhere on the site or on Lakota Canyon Ranch property, unless such an area has been expressly designated and authorization has been granted.

During the construction period, each construction site shall be kept neat and be properly policed to prevent it from becoming a public eyesore, or affecting other sites or common areas. Any clean-up cost incurred by the Home Owners Association in enforcing these requirements will be billed to the Owner or Builder. Dirt, mud or debris resulting from activity on each construction site shall be promptly removed from public or private roads, open spaces and driveways or other portions of the Lakota Canyon Ranch property.

Each construction site must have a designated wash out area within the Construction Zone or Building Envelope for contractors and suppliers to clean their equipment. The cleaning of equipment and the effluent must remain within that specific area. The equipment cleaned in any area other than the designated area will result in the Design Review Committee imposing a fine to repair damage resulting from such equipment cleaning in improper areas.

Vehicles and Parking

All vehicles will be parked so as not to inhibit traffic and within the fenced Construction Zone. Changing oil in vehicles and equipment without proper receptacles and removal procedures is forbidden.

Signage

Temporary construction signage shall be limited to one sign per site, not to exceed 6 square feet of total surface area. This sign will be free standing and the design and location of such a sign shall be approved by the Design Review Committee. The sign shall be single-faced. It may include the builder's name and phone number, architect's name and phone number and Owner's name and phone number. "For Sale" signs will be permitted on a case by case basis by the Design Committee.

Fire Extinguisher

A minimum of one serviceable 1016 ABC-rated dry chemical fire extinguisher shall be located on each construction site in a conspicuous location.

Flammable Items

Careless use of cigarettes and storage of flammable liquids or items is not allowed.

Pets

Contractors, subcontractors and their employees are prohibited from bringing pets to any jobsites Lakota Canyon Ranch property.

Firearms

Discharging firearms is prohibited throughout the Lakota Canyon Ranch property.

Inspections

Members of the Design Review Committee or authorized Representative are permitted to inspect the job site at any time to ensure that construction is consistent with the approved plans and that the construction site is clean. Any variance to the approved design will be brought to the attention of the Property Owner. The Owner will be responsible for correcting the variance. If not corrected, the Owner shall be in Violation of HOA Covenants and subject to penalties per H.O.A. Declarations.

Utilities

Utilities should be designed and constructed for the most intensive use that can reasonably be foreseen. All utilities should be designed and installed according to Garfield County and Town of New Castle regulations.

In order to avoid damage from rocky sub-soils in the area, all pipe and wiring should be bedded over and under with at least 4 inches of sand or pea gravel.

Location tape should be provided above all buried utilities at a depth of approximately one foot. A separate location tape should be provided for each pipe or wire in a common trench.

Accurate as-built drawings shall be prepared by the Contractor to tie the location of all underground utilities to permanent reference points. Copies shall be submitted to the governing utility or regulatory agency upon completion of the construction review process.

Compliance

Owner and General Contractor will abide by the above construction guidelines and if violations are not remedied upon notice, the owner will be subject to fines from the Homeowners Association.

LAKOTA CANYON RANCH-Lot Design Parameter-Exhibit A 45.0

	MAX HEIGHT	MAX HEIGHT (Golf Course Side)	MAX HEIGHT (Street Side)	FRONT SETBACK*	R<AR SETBACK**	SIDE SETBACK*	MIN LIVING SPACE	MAX LIVING SPACE**	PARKING SPACES
BLOCK C -single family									
Lots 1-24	30	NA	NA	30	20	10	1600	4500	3
BLOCK O- single family									
lots 1-12	30	NA	NA	25	30	10	2000	4500	3
All Duplex Lots									
All Lakota Canyon Lots designated as a duplex lot	30	NA	NA	25	25	10	1500 each side	2500 each side	2/unit
BLOCK F -single family									
lots 1-21	30	NA	NA	30	20	10	1600	4000	3
BLOCK G -single family									
Lots 1-21	30	NA	NA	30	20	15	2500	6000	3
BLOCK H -single family									
Lots 1-19	22	NA	NA	25	25	10	1600	4000	3
Lots 20-32 (1 level)	22	NA	NA	25	25	10	1600	4500	3
Lots 20-32 (2 levels)	30	NA	NA	25	25	10	1600	5000	3
BLOCK I -single family									
Lots 1-18	30	NA	NA	40	40	20	2000	NONE	3
lots 19-27	30	NA	NA	25	20	10	1600	NONE	3
BLACKHAWK II -single family									
lots 1-10	30	NA	NA	30	30	10	1600	4500	3
Lots 11-22	30	NA	NA	30	20	10	1600	4500	3
SPUR DRIVE									
Off Golf Course, 3,4,5,24,25,26,27,28	30	NA	NA	20	20	7.5	1600	4500	3
On Golf Course (level or downhill lots) 1,2,6,7,8,9,10,11,12,13,14,15,16,17,18,	35	35	26	20	20	7.5	2000	4500	3
On Golf Course (uphill lots) 19,20,21,22,23,29 30,31,32,33,34	35	26	35	20	20	7.5	2000	4500	3
WHITETAIL DR									
Off Golf Course	30	NA	NA	25	20	7.5	1600	4500	3
On Golf Course	30	NA	NA	25	20	7.5	2000	4500	3
Lots 13 18	30	NA	NA	25	20	7.5	1300	2000	3

■ MAXIMUM HEIGHT

HEIGHTS ARE MEASURED TO TOP OF RIDGE- SEE NEW CASTLE BUILDING REGULATIONS

ALL SETBACKS REPRESENT MINIMUMS -INDIVIDUAL LOT SETBACKS ARE DESIGNATED ON FINAL PLAN * MAXIMUM LIVING SPACE IS CALCULATED UPON ABOVE GRADE SPACE

LAKOTA CANYON RANCH
DESIGN REVIEW FEES
46.0

New Home Application/Review Fee - \$1000.00

New Home Application/Review Fee Street/Road Impact Fee - \$500.00

Architect Preliminary Review Deposit - \$500.00 (non –refundable)

The total fee will be determined by the Architect based on the amount of work required. The deposit (payable to the Architect) is due with the Preliminary Review application and the balance (if any) is due and payable upon receipt of the Architect’s written comments/responses review report. The balance of fee must be paid directly to the Architect prior to the Design Review Committee Preliminary Review meeting. If Fee has not been paid, the Preliminary Review Application will be re-scheduled for the next Design Review Committee meeting.

Exterior Remodels/Replacements /Additions Application Review Fee:

\$150.00 – exterior modifications

\$50.00 - addition and/or repair of Deck, Patio, Driveway and/or Fence

Landscape Replacement or Re-design Application Fee: - \$25.00

If the Owner has an “approved landscape Plan” from the home’s original construction approval Process and is replacing plants and/or trees with like kind and size as required by the Design Review Guidelines, the fee is waived. A copy of the original Landscape Plan must be submitted with this application for review and approval.

Exterior Staining (House , porch, deck, rails, and/or Patio) Application Fee : \$25.00

New Home Construction Security Deposit : \$3000.00

New Home Landscape Security Deposit : \$5000.00

Deposits and application fees (except Architect fees) should be made payable to Lakota Canyon Home Owners Association and included with the Application Submission.

LAKOTA CANYON RANCH
FINE(S) FOR RULE AND/OR COVENANT VIOLATIONS

47.0

The Lakota Canyon Ranch Master Association Declarations, Article 12. General Provisions Section 12.4 authorizes the Lakota Canyon Ranch Board of Directors to levy and collect Fines for violation(s) and non-compliance with rules and/or covenants provided the required Violation Notice and advisement to Owner of the Hearing Appeal Process has been provided to the Owner.

A “Violation Notification Letter” will be sent to the Owner advising the specific rule and/or covenant violation that needs to be cured. The Owner shall have ten (10) days from the date of the Notification to remedy the Violation. Failure to cure the Violation or request a Hearing with the Lakota Board of Directors to contest the Violation within that ten (10) days shall result in Fine(s) levied against the Owner as outlined below. In the event the Owner has multiple Violations at the same time, a Fine will be levied on each Violation separately.

If the Violation is construction related, construction must stop and may not proceed until the Violation is cured. Construction may not resume until the remedy has been inspected and approved by a Representative of the Lakota Board of Directors and the Fine has been paid to the Lakota Canyon Homeowners Association. In the event that the Owner requests a Hearing with the Lakota Canyon Board of Directors, the Owner must comply with the Lakota Board of Directors decision(s).

FINE SCHEDULES: (payable to Lakota Canyon Ranch Home Owners Association) :

Section I.

NEW HOME CONSTRUCTION VIOLATIONS:

- a.) The Violation has not been cured within the ten day period, the initial Fine amount due is **\$250.00**.
- b.) In the event , the Violation has not been cured within the ten days from the Notification, a Fine of **\$25.00** Per day shall begin to accrue starting as of the eleventh day and shall continue to accrue daily until the Violation is cured. Fine under this Section 1 (b) is in addition to the Fine assessed in Section 1 (a) above.
- c.) If a Notice of Violation is sent to Owner that has been deemed by the Lakota Board of Directors as a “repeat” of a previous Violation, there shall not be a grace period to cure the Violation, A Fine of **\$50.00 per day** shall begin to accrue from the date of the Violation Notification and will continue to accrue until the Violation has been cured.

NOTE: A Fine will continue to accrue until the Violation cure has been inspected **and** approved by by a Representative of the Lakota Ranch Home Owners Association. It is the Owners responsibility to request an inspection in writing sent to the Property Management Co. Upon inspection, if the cure is deemed to be acceptable, the accrual of the Fine will cease as of the date of the Owner’s written Inspection request. If the Violation has not been cured, the Fine will continue to accrue until an approval of a cure has been granted.

Section II.

ALL OTHER VIOLATIONS:

- a.) The Violation has not been cured within the ten(10) day period, the Fine amount due is **\$50.00**.
- b.) In the event, the Violation has not been cured within ten days from the Notification, a Fine of **\$5.00** Per day shall begin to accrue starting on the eleventh day and shall continue to accrue daily until the Violation is cured. Fine under this section II b. is in addition to Fine assessed in Section II a.
- c.) If a Notice of Violation is sent to Owner that has been deemed by the Lakota Board of Directors a Repeat of a previous Violation, there shall not be a grace period to cure the Violation. The Fine of **\$25.00 per day** shall begin to accrue from the date of the Violation Notification and will continue to accrue until approval of s cure has been granted.

NOTE: A Fine will continue to accrue until the Violation cure has been inspected **and** approved by a Representative of the Lakota Ranch Home Owners Association. It is the Owners responsibility to request an inspection in writing sent to the Property Management Co. Upon inspection, if the cure is deemed to be acceptable, the accrual of the Fine will cease as of the date of the Owner's written Inspection request. If the Violation has not been cured, the Fine will continue to accrue until an approval of a cure has been granted.

A Violation will not be closed and Final Approval granted under either Section I or Section II until all Fines are paid and said payment is submitted to Lakota Canyon Ranch Home Owner's Association.

NOTE:

The above Fines under Section I and/or Section II may be amended upon approval by the Lakota Board of Directors. Additionally, the Fines may be increased at the discretion of the Lakota Board of Directors regarding an Owner that has repetitive rule and/or covenant Violations.

