

RULES AND REGULATIONS

OF

MILE HIGH GREYHOUND PARK

AS OF *May 2023*

TABLE OF CONTENTS

1.	INTRODUCTION	5
1.1	Basis for Rules and Regulations	5
1.2	Definitions	5
1.3	Contents of Rules.....	5
1.4	Architectural Review Committee or Representative	5
1.5	ARC Contact Information.....	5
1.6	Effect of Declaration	5
1.7	Effect of Governmental and Other Regulations.....	6
1.8	Water Service	6
1.9	Interference with Utilities	6
1.10	Goal of Rules	6
2.	PROCEDURES FOR ARC APPROVAL	7
2.1	General	7
2.2	Drawings or Plans.....	7
2.3	Submission of Drawings and Plans	8
2.4	Action by ARC	8
2.5	Revisions and Additions to Approved Plans	9
2.6	Completion of Work	9
2.7	Inspection of Work	9
2.8	Notice of Non-Compliance.....	9
2.9	Correction of Non-Compliance	10
2.10	Amendment	10
2.11	Questions	10
3.	SPECIFIC TYPES OF IMPROVEMENTS / SITE RESTRICTIONS.....	10
3.1	General	10
3.2	Accessory Buildings	11
3.3	Additions and Expansions	11
3.4	Address Numbers	11
3.5	Air Conditioning Equipment	12
3.6	Antennae/Satellite Dishes	12
3.7	Awnings.....	13
3.8	Balconies and Decks.....	13
3.9	Barbecue/Gas Grills.....	13
3.10	Basketball Backboards	13
3.11	Birdbaths.....	14

3.12	Birdhouses and Bird Feeders	14
3.13	Clothes Lines and Hangers	14
3.14	Decks	14
3.15	Dog Houses	14
3.16	Doors	14
3.17	Drainage	14
3.18	Evaporative Coolers	15
3.19	Exterior Lighting	15
3.20	Fences	15
3.21	Flags/Flagpoles	15
3.22	Gardens – Flower or Vegetable	15
3.23	Grading and Grade Changes	15
3.24	Hanging of Clothes	15
3.25	Kennels	16
3.26	Landscaping	16
3.27	Lights and Lighting	16
3.28	Mailboxes	16
3.29	Ornaments/Art - Landscape/Yard	16
3.30	Painting	17
3.31	Patios - Enclosed	17
3.32	Paving	17
3.33	Pipes	17
3.34	Play Structures and Sports Equipment	17
3.35	Playhouses	17
3.36	Poles	17
3.37	Ponds and Water Features	17
3.38	Radio Antennae	18
3.39	Radon Mitigation Systems	18
3.40	Roofing Materials	18
3.41	Rooftop Equipment	18
3.42	Satellite Dishes	18
3.43	Screen Doors	18
3.44	Seasonal Decorations	18
3.45	Security Devices	18
3.46	Shutters - Exterior	19
3.47	Siding	19
3.48	Signs	19

3.49	Solar Energy Devices	19
3.50	Statues or Fountains.....	19
3.51	Storage Sheds	20
3.52	Swamp Coolers.....	20
3.53	Television Antennae.....	20
3.54	Tree Houses	20
3.55	Vanes	20
3.56	Vents.....	20
3.57	Walls.....	20
3.58	Walls, Retaining	20
3.59	Weather Vanes and Directionals	20
3.60	Wind Electric Generators	20
3.61	Windows Replacement	21
3.62	Windows: Tinting, Security Bars, etc.	21

1. INTRODUCTION

1.1 Basis for Rules and Regulations

These Rules and Regulations (the “Rules”) are intended to assist Owners living in the Mile High Greyhound Park community (the “Community”). Pursuant to the Community Declaration of Covenants, Conditions and Restrictions for Mile High Greyhound Park (A Planned Community (“Declaration”), recorded on March 2, 2022 at Reception Number 2022000019013 in the offices of the Clerk and Recorder of Adams County, Colorado, the Mile High Greyhound Park Community Association, Inc. (“Association”) is authorized to adopt rules and regulations for the Community.

1.2 Definitions

All capitalized words and phrases used in these Rules shall have the meaning provided in the Declaration unless otherwise defined herein.

1.3 Contents of Rules

In addition to the introductory material, these Rules contain (A) a summary of procedures for obtaining approval from the ARC (see Section 2); and (B) a listing of specific types of improvements that Owners might wish to make with specific information as to each of these types of improvements (see Section 3).

1.4 Architectural Review Committee or Representative

The ARC consists of persons, representatives or a committee appointed to review requests for approval of architectural or site changes.

1.5 ARC Contact Information

The contact information of the ARC, persons, committee or representative authorized to administer the architectural review process is:

COMPANY NAME	OFFICE	FAX	E-MAIL
Delwest Management Corporation; Master HOA 155 South Madison Street, #326 Denver, CO 80209	<u>(720)708-4065</u>	N/A	<u>rose@delwest.com</u> <u>stacie@delwestmanagement.com</u>

1.6 Effect of Declaration

The Declaration governs the Community. Each Owner should review and become familiar with the Declaration. Nothing in these Rules supersedes or alters the provisions or requirements of the Declaration and, if there is any conflict or inconsistency, the Declaration will control.

1.7 Effect of Governmental and Other Regulations

Use of property within the Community and any Improvements must comply with any applicable building codes and other governmental requirements and regulations. Owners are encouraged to contact Adams County (“County”) and the City of Commerce City (“City”) and the South Adams County Water Company (“Consolidated”) for further information and requirements for Improvements they wish to make.

APPROVAL BY THE ARC DOES NOT CONSTITUTE ASSURANCE THAT IMPROVEMENTS COMPLY WITH APPLICABLE GOVERNMENTAL REQUIREMENTS OR REGULATIONS OR THAT A PERMIT OR APPROVALS ARE NOT ALSO REQUIRED FROM APPLICABLE GOVERNMENTAL BODIES.

1.8 Water Service

Water service to the Community is provided by South Adams County Water Department, All Owners and the Association are subject to all of the Articles of Incorporation, Bylaws, Engineering Standards, rules, regulations, policies and procedures (the “SACWD”) promulgated by South Adams County Water from time to time, including, without limitation, Rules concerning failure to pay water service bills and SACWD right and procedure to suspend and to disconnect service from customers that are delinquent in payment or use water in an unauthorized manner. All Owners and the Association are required to observe, abide by, and comply with the SACWD Rules. At such time as an Owner desires to sell his/her home, that Owner must provide his/her buyer with copies of the SACWD Rules as part of the due diligence documents provided to his/her buyer or shall inform his/her buyer in writing.

1.9 Interference with Utilities

In making Improvements to property, Owners are responsible for locating all water, sewer, gas, electrical, cable television, or other utility lines or easements. Owners should not construct any Improvements over such easements without the consent of the utility involved, and Owners will be responsible for any damage to any utility lines. All underground utility lines and easements can be located by contacting:

Utility Notification Center of Colorado

DIAL - 811

1.10 Goal of Rules

Compliance with these Rules and the provisions of the Declaration will help preserve the inherent architectural and aesthetic quality of the Community. It is the responsibility of the ARC to ensure that all proposed Improvements meet or exceed the requirements of these Rules and to promote the highest quality design for the neighborhood. It is important that Improvements to property be made in harmony with and not detrimental to the rest of the Community. A spirit of cooperation with the ARC and neighbors will go far in creating an

optimum environment, which will benefit all Owners. By following these Rules and obtaining prior written approval for Improvements to property from the ARC, Owners will be protecting their financial investment and will help insure that Improvements to property are compatible with standards established for the Community. If a question ever arises as to the correct interpretation of any terms, phrases or language contained in these Rules, the ARC's interpretation shall be final and binding.

2. PROCEDURES FOR ARC APPROVAL

2.1 General

The procedures set forth in this Article 2 are intended to clarify the terms, provisions and requirements of Article 4 of the Declaration. In the event of any conflict between these rules and the Declaration, the terms of Article 4 in the Declaration shall control. As indicated in Section 3 of these Rules, there are some cases in which advance written approval of the ARC is not required if the Rules with respect to that specific type of Improvement are followed. In a few cases, as indicated in Section 3, a specific type of Improvement is not permitted under any circumstances. In all other cases, including Improvements not included in Section 3, advance, or prior written approval by the ARC is required before an Improvement to property is commenced.

2.2 Drawings or Plans

Owners are required to submit to the ARC a completed Architectural Review Request Form ("ARR"), which forms are available from the person or entity listed in Section 1.5, the current version of which is attached as Appendix A, and complete plans and specifications, in duplicate, (said plans and specifications to show exterior design, height, materials, color, location of the structure or addition to the structure, plotted horizontally and vertically, location and size of driveways, general plan of landscaping, fencing, walls, windbreaks and grading plan, as well as such other materials and information as may be required) prior to commencement of work on any Improvement to property. In most cases, the materials to be submitted will *not* have to be professionally prepared by an architect or draftsman, and a simple drawing with dimensions and description will be sufficient. In the case of major improvements, such as room additions, structural changes or accessory building construction, detailed plans and specifications, prepared by a licensed architect, may be required. Whether done by the Owner, or professionally, the following guidelines should be followed in preparing drawings or plans:

- A.** The drawing or plan should be done to scale and shall depict the property lines of your Lot and the outside boundary lines of the home as located on the Lot. If you have a copy of an improvement survey of your Lot obtained when you purchased it, this survey would be an excellent base from which to start.
- B.** Existing Improvements, in addition to your home, should be shown on the drawing or plan and identified or labeled. Such existing Improvements include driveways, walks, decks, trees, shrubs, fences, etc. The proposed Improvements should be shown on the plan and labeled. Either on the plan or on an attachment, there should

be a brief description of the proposed Improvement, including the materials to be used and the colors. For Example: Replacement of front steps.

- C. The plan or drawing and other materials should include the name of the Owner, the address of the home, the lot, block and filing number of the Lot, and the e-mail address and telephone number where the Owner can be reached.
- D. Additions to and expansions of homes are not permitted. Improvements that may be approved generally are limited to new roofing, exterior painting, and replacement of windows and doors.
- E. The proposed Improvements must take into consideration the easements, building location restrictions and sight distance limitations at intersections.
- F. Owners should be aware that many Improvements require a permit from the County, the City or other governmental entity. The ARC reserves the right to require a copy of such permit as a condition of its approval.
- G. In some instances, elevation drawings of the proposed Improvement will be required. The elevation drawings should indicate materials.
- H. Photographs of existing conditions and of proposed materials and colors are encouraged to be included, and are helpful to convey the intended design, but should not be used solely to describe the proposed changes.

2.3 Submission of Drawings and Plans

Two copies of the drawing or plans (minimum acceptable size 8.5" x 11") must be submitted to the ARC along with a completed ARR. Color photographs, brochures, paint swatches, etc. will help expedite the approval process. Specific dimensions and locations are required.

Any costs incurred by the ARC for review of submittals shall be borne by the Owner and shall be payable prior to final approval. Any reasonable engineering consultant fees or other fees incurred by the ARC in reviewing any submission will be assessed to the Owner requesting approval of the submission.

2.4 Action by ARC

The ARC will meet as required to review plans submitted for approval. The ARC may require submission of additional information or material, and the request will be deemed denied until all required information and materials have been submitted. The ARC will act upon all requests in writing within forty-five (45) days after the complete submission of plans, specifications, and other materials and information as requested by the ARC. If the ARC fails to review and approve in writing (which may be with conditions and/or requirements) or disapprove, a request for architectural approval within forty-five (45) days after the complete submission of the plans, specifications, materials and other information with respect thereto, such request is deemed approved by the ARC.

2.5 Revisions and Additions to Approved Plans

Any revisions and/or additions to approved plans made by the Owner or as required by any governmental agency, must be re-submitted for approval by the ARC. The revised plans must follow the requirements as outlined above.

2.6 Completion of Work

After approval (which may be with conditions and/or requirements) of any proposed Improvement by the ARC, the proposed Improvement shall be completed and constructed as promptly and diligently as possible, and in complete conformity with all conditions and requirements of the approval. Failure to complete the proposed Improvement within one year from the date of the approval or such other date as may be set forth in the approval or as set forth in the Declaration (the "Completion Deadline"), shall constitute noncompliance; provided, however, that the ARC may grant extensions of time to individual Owners for completion of any proposed Improvements, either (a) at the time of initial approval of such Improvements, or (b) upon the request of any Owner, provided such request is delivered to the ARC in writing and the Owner is diligently prosecuting completion of the subject Improvements or other good cause exists at the time such request is made.

2.7 Inspection of Work

The ARC, or its duly authorized representative, shall have the right to inspect any Improvement at any time, including prior to or after completion, in order to determine whether or not the proposed Improvement is being completed or has been completed in compliance with the approval granted pursuant to this Section.

2.8 Notice of Non-Compliance

If, as a result of inspections or otherwise, the ARC determines that any Improvement has been done without obtaining all required approvals (which may be with conditions and/or requirements), or was not done in substantial compliance with the approval that was granted, or has not been completed by the Completion Deadline, subject to any extensions of time granted pursuant to Section 2.6 hereof, then the ARC shall notify the Association, and the District shall then notify the applicant in writing of the non-compliance (the "Notice of Non-Compliance"). The Notice of Non-Compliance shall specify the particulars of the non-compliance, shall state that the applicant is required to remedy or remove the non-compliance within not more than forty-five (45) days, and that if the non-compliance is not remedied or removed, that the District may impose fines upon the applicant as provided in Section 2.9. Proof of delivery of the Notice of Non-Compliance shall be placed in the records of the Board. Such proof shall be deemed adequate if a copy of the notice, together with a statement of the date and manner of delivery, is entered by the officer, director, or agent who gave such notice. The notice requirement shall be deemed satisfied if the applicant files a response. The applicant shall respond to the Notice of Non-Compliance within ten (10) days after it receives the notice, regardless of whether the applicant is challenging the finding of non-compliance. The applicant may request a

hearing before the Board by including the request for a hearing in or with such Owner's response to the Notice of Non-Compliance. If a hearing is timely requested, the hearing shall be held before the Board. At the hearing, the applicant shall be afforded a reasonable opportunity to be heard. The Board may adopt rules for the conduct of such hearings that may include, without limitation, rules that govern the presentation of evidence and witnesses and the ability of an applicant to question adverse witnesses. The minutes of the hearing, shall contain a written statement of the results of the hearing.

2.9 Correction of Non-Compliance

If the ARC determines that a non-compliance exists, the Person responsible for such non-compliance shall remedy or remove the same within not more than forty-five (45) days from the date of receipt of the Notice of Non-Compliance. If such Person does not comply with the ruling within such period, the ARC shall notify the District, and the District may, at its option and if allowed by applicable law, record a notice of non-compliance against the Lot on which the non-compliance exists, may impose fines in the amount of \$15.00 for each day for the first thirty (30) days such non-compliance exists and thereafter fines in the amount of \$30.00 for each day such non-compliance exists, penalties and interest, may remove the non-complying Improvement, or may otherwise remedy the non-compliance in accordance with the Declaration and applicable law. The Person responsible for such non-compliance shall reimburse the District, upon demand, for all costs and expenses, as well as anticipated costs and expenses, with respect thereto.

2.10 Amendment

These Rules may at any time, from time to time, be added to, deleted from, repealed, amended, and modified, reenacted, or otherwise changed by the Association, by majority vote or written approval of the members of the Board, with the approval of the Person authorized to appoint the Board, as changing conditions and/or priorities dictate.

2.11 Questions

If you have any questions about the foregoing procedures, feel free to call the Association at the phone number and address listed in the Section 1.5 of these Rules.

3. SPECIFIC TYPES OF IMPROVEMENTS / SITE RESTRICTIONS

3.1 General

The following is a listing, in alphabetical order, of a wide variety of specific types of Improvements which Owners typically consider installing, with pertinent information as to each. Unless otherwise specifically stated, drawings or plans for a proposed Improvement must be submitted to the ARC and written approval of the ARC obtained before the Improvements are made. In some cases, where it is specifically so noted, an Owner may proceed with the Improvements without advance approval if the Owner follows the stated guideline. In some cases, where specifically stated, some types of Improvements are prohibited. ARC review and approval is required on any external items not be listed below.

3.1.1 Variances

Approval of any proposed plans by the granting of a variance from compliance with any of the provisions of these Rules is at the sole discretion of the ARC when circumstances such as topography, natural obstructions, hardship, aesthetic or environmental considerations may require.

3.1.2 No Unsightliness

All unsightly conditions, structures, facilities, equipment, and objects, including snow removal equipment and garden or maintenance equipment, when not in actual use, must be enclosed within a structure.

3.1.3 Waivers; No Precedent

The approval or consent of the ARC to any application for approval shall not be deemed to constitute a waiver of any right to withhold or deny approval or consent as to any application or other matters whatsoever, as to which approval or consent may subsequently or additionally be required. Nor shall any such approval or consent be deemed to constitute a precedent in any other matter.

3.1.4 Liability

The Association, the Board and the ARC and the members thereof shall not be liable in damages to any person submitting requests for approval or to any approval, or failure to approve or disapprove in regard to any matter within its jurisdiction. The ARC shall not bear any responsibility for ensuring structural integrity or soundness of approved construction or modifications, or for ensuring compliance with building codes and other governmental requirements. The ARC will not make any investigation into title, ownership, easements, rights-of-way, or other rights appurtenant to property with respect to architectural requests and shall not be liable for any disputes relating to the same.

3.2 Accessory Buildings

Accessory buildings are not permitted. That includes, without limitation, storage sheds, gazebos, and play structures.

3.3 Additions and Expansions

Addition to or expansion of any home is not permitted.

3.4 Address Numbers

Approval is required to replace, alter or relocate existing address numbers, unless the address numbers are replaced using the same style, color and type of number currently on the home.

3.5 Air Conditioning Equipment

Approval is required for all air conditioning equipment including evaporative coolers (swamp coolers) and attic ventilators installed after the initial construction.

Approval is not required for replacement of existing air conditioning equipment with like equipment located in the same location as the equipment being replaced. Replacement with different equipment requires approval.

No heating, air conditioning, air movement (e.g. swamp coolers) or refrigeration equipment shall be placed or installed on rooftops, or extended from windows. Ground mounted or exterior wall air conditioning equipment installed in the side yard must be installed in a manner so as to minimize visibility from the street and minimize any noise to adjacent property Owners.

3.6 Antennae/Satellite Dishes

3.6.1 General Provisions

“Permitted Antennas” are defined as (a) an antenna which is less than one meter in diameter and is used to receive direct broadcast satellite service, including direct-to-home satellite services, or is used to receive or transmit fixed wireless signals via satellite; (b) an antenna which is less than one meter in diameter and is used to receive video programming services via multipoint distribution services, including multichannel multipoint distribution services, instruction television fixed services, and local multipoint distribution services or is used to receive or transmit fixed wireless signals other than via satellite; (c) an antenna which is designed to receive broadcast television broadcast signals; or (d) other antennas which are expressly permitted under applicable federal statutes or regulations. In the event a Permitted Antenna is no longer expressly permitted under applicable federal statutes or regulations, such antenna will no longer be a Permitted Antenna for purposes of this Section. Installation of Permitted Antennas shall not require the approval of the ARC.

- A.** All Permitted Antennas shall be installed with emphasis on being as unobtrusive as possible to the Community. To the extent that reception is not substantially degraded or costs unreasonably increased, all Permitted Antennas shall be screened from view from any street and nearby Lots to the maximum extent possible, and placement shall be made in the following order of preference:
 - (1) Inside the structure of the house, not visible from the street
 - (2) Rear yard or side yard, mounted on the house, in the least visible location below roofline
 - (3) Back rooftop
 - (4) Any other location approved by the ARC.

- B.** If more than one (1) location on the Lot allows for adequate reception without imposing unreasonable expense or delay, the order of preference described above shall be used, and the least visible site shall be selected.

- C. Permitted Antennas shall not encroach upon common areas or any other Owner's property.
- D. Permitted Antennas may not be installed on balconies.

3.6.2 Installation of Antennae/Satellite Dishes

- A. All installations must comply with all applicable building codes and other governmental regulations, and must be secured so they do not jeopardize the safety of residents or cause damage to adjacent properties. Any installation must strictly comply with FCC guidelines.
- B. All Permitted Antennas shall be no larger, nor installed more visibly, than is necessary for reception of an acceptable signal.
- C. Owners are responsible for all costs associated with the Permitted Antenna, including but not limited to costs to install, replace, repair, maintain, relocate, or remove the Permitted Antenna.
- D. All cabling must be run internally when feasible, must be securely attached, and must be as inconspicuous as possible. Permitted Antennas, masts and any visible wiring may be required to be painted to match the color of the structure to which they are attached. The Owner should check with the installer/vendor for the appropriate type of paint.
- E. All other antennas, not addressed above, are prohibited.

3.7 Awnings

Awnings, including, without limitation, cloth or canvas overhangs, and sunshades are not permitted.

3.8 Balconies and Decks

Balconies and Decks are not permitted, except for reconstruction of a balcony or deck constructed by a builder as part of the original construction of the home. Reconstruction requires approval of the ARC.

3.9 Barbecue/Gas Grills

Approval is not required. All barbecue grills, smokers, etc. must be stored in the Owner's garage or on a rear balcony or in a rear yard.

3.10 Basketball Backboards

Not permitted, whether portable or affixed.

3.11 Birdbaths

Approval is not required, subject to the following limitations. Placement in front yard is not allowed. Birdbaths are only permitted in the rear yard or fenced area.

See Section 3.52, Statues or Fountains.

3.12 Birdhouses and Bird Feeders

Approval is not required, subject to the following limitations. If installed in the rear or side yard and the size is limited to one foot by two feet, no approval is required. No more than three of each of a birdhouse or bird feeder shall be installed on any Lot. Birdhouses or bird feeders may be mounted on a pole, provided the pole shall not exceed five (5) feet in height.

3.13 Clothes Lines and Hangers

Exterior clotheslines and hangers are not permitted.

3.14 Decks

See Section 3.8, Balconies and Decks.

3.15 Dog Houses

Approval is required. Dog houses are restricted to six (6) square feet and must be located in a fenced backyard/Sideyard. Dog houses must be installed at ground level, and must not be visible above the fence. Dog houses must also match the colors and materials of the exterior of the home. Limit of one doghouse per Lot. Dog runs are not permitted.

3.16 Doors

Approval is not required for an already existing main entrance door to a home or an accessory building if the material matches or is similar to existing doors on the house and if the color is generally accepted as a complimentary color to that of existing doors on the house. Complementary colors would be the body, trim or accent colors of the house or white (for storm/screen doors).

- A.** Storm Doors. Approval is required.
- B.** Security Doors and Windows. All security or security-type doors and windows must be approved prior to installation.

3.17 Drainage

The Declaration requires that there be no interference with the established drainage pattern over any property. The established drainage pattern means the drainage pattern which exists at the time final grading of a Lot by the Declarant or a Builder is completed. It is very important to ensure that water drains away from the foundation of the house and that the flow patterns prevent water from flowing under or against the house foundation,

walkways, sidewalks, and driveways into the street. Therefore, changes to landscaping are not permitted. The ARC may require a report from a drainage engineer as part of improvement plan approval. Landscaping and all drainage from downspouts off the house should conform to the established drainage pattern. Sump pump drainage should be vented a reasonable distance from the property line, on the Owner's property, to allow for absorption. Adverse effects to adjacent properties, including Association lands, sidewalks and streets, will not be tolerated. Potted plants are permitted in containers not exceeding 18 inches in diameter.

3.18 Evaporative Coolers

Approval is required. No rooftop or window mount installations are allowed.

See Section 3.5, Air Conditioning Equipment.

3.19 Exterior Lighting

See Section 3.29, Lights and Lighting.

3.20 Fences

Fences will be constructed by the Developer or Builder. Perimeter fences and fences between Lots may not be removed, replaced, painted a different color or altered by any Owner. Adding a gate to a fence requires the approval of the ARC. Fences are maintained by the homeowner. Owners with pets may install 4 inch x 2 inch weld wire mesh on front and/or rear yard fences only with the approval of the ARC.

3.21 Flags/Flagpoles

Flags, pennants, and banners are allowed. Not to exceed the size of 4x6, and has to be mounted to the home. Only one flag, pennant, or banner is permitted. Flagpoles are not permitted.

3.22 Gardens – Flower or Vegetable

Flower and vegetable gardens are not permitted. Potted plants are allowed in containers not exceeding 18 inches in diameter.

3.23 Grading and Grade Changes

See Section 3.17, Drainage.

3.24 Hanging of Clothes

See Section 3.13, Clothes Lines and Hangers.

3.25 Kennels

Approval will not be granted. Breeding or maintaining animals for a commercial purpose is prohibited.

3.26 Landscaping

Changes to landscaping are not permitted.

3.27 Lights and Lighting

Approval is not required for replacing existing lighting, including coach lights, with the same or similar lighting style and color as originally installed.

Approval is required to modify or add exterior lighting.

Approval is required to install motion detector spotlights, spotlights, floodlights or ballasted fixtures (sodium, mercury, multi-vapor, fluorescent, metal halide, etc.).

- A.** Considerations will include, but may not be limited to, the visibility, style and location of the fixture.
- B.** Exterior lighting for security and/or other uses must be directed at the ground and house, whereby the light cone stays within the property boundaries and the light source does not cause glare to other properties (bullet type light fixtures are recommended).
- C.** Ground lighting along walks must be maintained in a working and sightly manner. Low- voltage or solar powered ground lighting fixtures which are typically affixed by stakes or similar posts are to be maintained in good aesthetic repair, be functional, not be a tripping or other physical hazard along pedestrian pathways, and remain generally vertical in their presentation.
- D.** Holiday lighting and decorations do not require approval. It is required that they not be installed more than forty-five (45) days prior to the holiday. They shall be removed within forty-five (45) days following the holiday.

3.28 Mailboxes

Communal mailboxes are owned and maintained by the Association. Changes by Owners are not permitted.

3.29 Ornaments/Art - Landscape/Yard

Approval is not required for yard ornaments which are installed in the rear yard and which are of a height less than three (3) feet.

Up to three (3) small (less than 12 inches in height) front yard ornaments may be installed in the front yard without approval, as long as the ornament is installed at ground level and the color and design integrate into the landscape.

Approval is required for any other yard ornaments.

See Section 3.52, Statues or Fountains.

3.30 Painting

Approval is required. The ARC generally will approve repainting if it is satisfied that color and/or color combinations are identical to the original manufacturer color established on the home and/or accessory improvement. Any changes to the color scheme must be submitted for approval and must conform to the general scheme of the Community.

3.31 Patios - Enclosed

See Section 3.3, Additions and Expansions.

3.32 Paving

Approval is required, regardless of whether for walks, driveways, patio areas or other purposes, and regardless of whether concrete, asphalt, brick, flagstones, stepping stones, pre-cast patterned, or exposed aggregate concrete pavers are used as the paving material.

3.33 Pipes

Approval is required for all exterior pipes, conduits and equipment. Adequate screening may also be required.

3.34 Play Structures and Sports Equipment

Play structures and sports equipment (trampolines, swing sets, fort structures, etc.) are not permitted.

3.35 Playhouses

Playhouse are permitted as long as they are not visible from street or alley. Cannot be larger than 8x8

3.36 Poles

See Section 3.23, Flags/Flagpoles.

3.37 Ponds and Water Features

Ponds and water features are not permitted.

3.38 Radio Antennae

See Section 3.6, Antennae/Satellite Dishes.

3.39 Radon Mitigation Systems

Approval is required. Equipment must be painted a color similar or generally accepted as complimentary to the exterior of the house. All equipment shall be installed so as to minimize its visibility. Installing a fan to current system does not require an approval.

3.40 Roofing Materials

Approval is required for all roofing materials other than those originally used by the Builder. All buildings constructed on a Lot should be roofed with the same or greater quality and type of roofing material as originally used by the Builder. Roof caps currently on the parapet walls need to be replaced each time a homeowner re-roofs.

Approval is not required for repairs to an existing roof with the same building material that exist on the building.

3.41 Rooftop Equipment

Approval is required. Equipment must be painted a color similar or generally accepted as complimentary to the roofing material of the house. All rooftop equipment shall be installed so as to minimize its visibility.

See Section 3.51 Solar Energy Devices.

3.42 Satellite Dishes

See Section 3.6, Antennae/Satellite Dishes.

3.43 Screen Doors

Screen doors require approval. See Section 3.16, Doors.

3.44 Seasonal Decorations

Approval is not required if installed on a lot within forty-five (45) days of a holiday, provided that an Owner is keeping with the Community standards, and provided that the decorations are removed within forty-five (45) days of the holiday.

See Section 3.29, Lights and Lighting.

3.45 Security Devices.

Approval is not required. Security devices, including cameras and alarms, must be selected, located and installed so as to be an integral part of the house and not distract from the home's architecture and appearance. Cameras and housing sirens, speaker boxes,

conduits and related exterior elements should be unobtrusive and inconspicuous. Such devices should be located where not readily visible and should be a color that blends with or matches the surface to which it is attached.

3.46 Shutters - Exterior

Approval is required. Shutters should be appropriate for the architectural style of the home and be of the appropriate proportion to the windows they frame. Shutters should be the same color as the “accent” color of the home (typically the same as the front door or other accent details).

3.47 Siding

Approval is required.

3.48 Signs

Approval is not required for one (1) temporary sign advertising property for sale or lease or one (1) open house sign, which shall be no larger than five (5) square feet and which are conservative in color and style; one (1) yard/garage sale signs which is no larger than 36” x 48”; and/or burglar alarm notification signs, ground staked or window mounted which are no larger than 8” x 8” Such signs may be installed in the front yard or on the back yard fence of the Lot.

Political signs (defined as signs that carry a message intended to influence the outcome of an election, including supporting or opposing the election of a candidate, the recall of a public official, or the passage of a ballot issue) may be displayed within the boundaries of an Owner’s or resident’s Lot without approval, political signs shall not exceed 36” by 48” in size.

Approval is required for all other signs. No lighted sign will be permitted unless utilized by the Developer and/or a Builder.

3.49 Solar Energy Devices

Approval is required in order to review aesthetic conditions. Photovoltaic (PV) Solar panels must lay flat on the roof, meet all applicable safety, building codes and electrical requirements, including solar panels for thermal systems (solar water heaters). The ARC is allowed to request changes as long as they don’t significantly increase the cost or decrease the efficiency of the proposed device and panels. Please also see Colorado Law C.R.S. 38-30-168, which governs the review and the Owner’s installation of such devices.

3.50 Statues or Fountains

Approval is not required if statues or fountains are installed in the rear/side yard and are not greater than four (4) feet in height from the highest point, including any pedestal.

Approval is required if the statue or fountain is proposed for the front yard. Statue or fountain location in the front yard should be located close to the main entrance of the house.

See Section 3.11, Birdbaths and Section 3.31, Ornaments/Art – Landscape/Yard

3.51 Storage Sheds

See Section 3.2, Accessory Buildings.

3.52 Swamp Coolers

See Section 3.5, Air Conditioning Equipment, Section 3.18, Evaporative Coolers, and Section 3.43, Rooftop Equipment.

3.53 Television Antennae

See Section 3.6, Antennae/Satellite Dishes.

3.54 Tree Houses

Approval will not be granted. Tree houses are not permitted.

3.55 Vanes

See Section 3.61, Weather Vanes and Directionals.

3.56 Vents

See Section 3.43, Rooftop Equipment.

3.57 Walls

See Section 3.20, Fences and Section 3.60, Walls, Retaining.

3.58 Walls, Retaining

New retaining walls are not permitted. Retaining walls are maintained by homeowners

3.59 Weather Vanes and Directionals

Approval is required.

3.60 Wind Electric Generators

Approval is required. In addition to ARC approval, windmills and any other type of fixture, which fall under the criteria of a wind generator, or are used to generate power etc., must meet the requirement of the C.R.S. §40-2-124 and any applicable regulations of the Colorado Public Utilities Commission.

3.61 Windows Replacement

Approval is required. Considerations will include, but may not be limited to, size, color, existing and proposed window style and style of home.

3.62 Windows: Tinting, Security Bars, etc.

Approval is required for any visible window tinting. Highly reflective and/or dark tinting is considered too commercial for residential applications and is not permitted.

Approval is required for security bars and may not be approved on second story windows and other windows visible to the street.

4. LEASING.

4.1 Minimum Term

Owners of Units may lease their Units, provided that the term of any such lease must be at least six [6] months.

4.2 Written Lease Required

All leases shall be in writing and shall disclose that the tenants and all occupants of the leased Unit are bound by and obligated to comply with the Association Documents. However, the Association Documents shall apply regardless of whether such a provision is specifically set forth in the lease. Every lease of a Unit must contain the following (or substantially identical) language:

THE UNIT THAT IS THE SUBJECT OF THIS LEASE IS LOCATED IN A COMMUNITY KNOWN AS "MILE HIGH GREYHOUND PARK (A PLANNED COMMUNITY)" (THE "COMMUNITY"). THE COMMUNITY IS SUBJECT TO THE COMMUNITY DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR MILE HIGH GREYHOUND PARK (THE "DECLARATION"). THE GREYHOUND PARK COMMUNITY ASSOCIATION, INC. (THE "ASSOCIATION") HAS BEEN FORMED TO MANAGE THE COMMUNITY. THE ASSOCIATION HAS ADOPTED RULES AND REGULATIONS THAT AFFECT THE USE OF UNITS IN THE COMMUNITY (THE "RULES AND REGULATIONS").

TENANT HEREBY AGREES TO OBSERVE AND PERFORM ALL OF THE TERMS AND PROVISIONS OF THE DECLARATION, THE RULES AND REGULATIONS AND ALL OF THE OTHER ASSOCIATION DOCUMENTS (AS THAT TERM IS DEFINED IN THE DECLARATION) THAT APPLY TO THE USE AND ENJOYMENT OF THE UNIT AND THE COMMUNITY. TENANT UNDERSTANDS AND AGREES THAT THE ASSOCIATION MAY ENFORCE SUCH TERMS AND PROVISIONS AGAINST TENANT. IN ADDITION, TENANT'S FAILURE TO OBSERVE AND PERFORM SUCH TERMS AND PROVISIONS IS A MATERIAL BREACH OF THIS LEASE AND IS BASIS FOR LANDLORD TO TERMINATE THIS LEASE AND EVICT TENANT.

4.3 Compliance with Declaration and Rules and Regulations

Whether or not a lease of a Unit is in writing or contains the language required by Section 4.2, each and every tenant that leases a Unit is subject to and shall perform and observe all of the terms and provisions of the Declaration, the Rules and Regulations and the other Association Documents. The Association has the right to enforce those terms and provisions against each and every tenant of a Unit and, as provided in the applicable Association Document, against the Owner of such Unit.

Remainder of page intentionally left blank.

{00629489.DOCX; 1}
1247.0005: 729535

Error! Unknown document property name.

{00629489.DOCX; 1}
1247.0005: 729535

Error! Unknown document property name.