

Architectural Control Summaries (ACS)

Revised 8/2/07

These documents summarize certain Architectural Control issues contained in the DECLARATION of Covenants, Conditions, Restrictions and Easements for Stonehaven at Breckenridge Golf Club (the DECLARATION) and in the By-Laws of Stonehaven at Breckenridge Golf Course Association, Inc.(By-Laws). These are summaries only and are not all inclusive. The DECLARATION and By-Laws are the governing documents and should be reviewed by all owners. The “Sections” described in the summaries are from the DECLARATION

Contained herein are also the procedures for submitting requests for Improvements to home exteriors, lots and landscaping.

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Summary Section 6 of the DECLARATION entitled Architectural Control

The Architecture Committee is defined in Article 2, Section 2.1 of the DECLARATION. The structure of the Architectural Committee is in Article 6 of the DECLARATION.

Section 6.1 – Architecture Committee

The Board of Directors of the Stonehaven Homeowners Association (HOA) appoints the members of the Architecture Committee. The Committee shall consist of at least three and not more than five individuals. The members of the Committee need not be members of the HOA. The Architecture Committee is hereafter known as the Architecture Review Committee (ARC). The ARC shall exercise the functions assigned to it by the DECLARATION, including reviewing and approving plans for Improvements as provided in the DECLARATION.

Section 6.2 – Design Guidelines

The ARC shall promulgate and adopt Design Guidelines applicable to all Improvements in the Community Area. At present, Design Guidelines have not been developed. The DECLARATION and By-Laws are the documents in force. Design Guidelines may be developed in the future.

Section 6.3 – Approval Required

No Improvement shall be placed, erected, installed or permitted to occur or exist on any Lot, nor shall the exterior of any existing Improvements be altered, nor shall any construction be commenced on any Improvements, unless and until the plans and specifications for such Improvements have been submitted to and approved in writing by the ARC.

Improvements or changes to existing Improvements made without prior approval by the ARC are subject to review by the ARC. If the Improvement or change is not approved by the ARC, the owner will have to remove the Improvement or change to an existing Improvement, at the Homeowner's expense. If the Improvement or change to an existing Improvement is rejected by the ARC and the Homeowner does not remove the change, bringing the area back to its former condition as specified by the ARC, the Association will have the work done and will invoice the Homeowner for costs incurred.

In reviewing requests for Improvements, the ARC will consider whether such Improvements are:

- Consistent with the quality of Stonehaven, in terms of materials and “look and feel” of the Community Area.
- Consistent with the terms of the DECLARATION.
- In or not contrary to the interests, welfare, or rights of the Community Area, the Homeowners Association, and/or the Homeowners.

Sections 2.14 and 6.3 of the DECLARATION describe some examples of Improvements that require the approval of the ARC.

The Homeowner is responsible for adhering to the requirements of Sections 2.14 and 6.3 of the DECLARATION. Typical items that require ARC approval are:

- Changes, additions, or alterations to home exteriors including roofing, stone facades, support columns, stairs, windows, walls, etc.
- Changes in exterior color or finishing materials, such as stain, paint, siding, etc., even if using the same color or materials as currently exists.
- Any changes in exterior lighting including bulb color or wattage.
- Changes, additions, or alterations to landscaping, including trees, shrubs, flowers, wood chips, mulch, or decorative materials of any kind.
- Additions to home exteriors including, but not limited to, poles, signs, exterior tanks, solar equipment, fences, patios and decks.
- Changes to lot configuration such as grading, excavation, filling, etc.

Section 6.4 – Plan Submissions

The ARC has a “Request for Architectural Approval” Form. **This form must be used by Homeowners to request approval of any Improvement or change to an existing Improvement in advance of implementing the Improvement.** The form can be obtained from the Stonehaven Property Manager or downloaded from the Stonehaven web site at www.stonehavenatbreckenridge.org.

Section 6.5 – Approval Process

Requests for ARC approval must be submitted in writing in accordance with the procedures set forth in the “Procedure for Submitting Architecture Improvement Requests”. Fees may be charged to cover expenses incurred in the review of Improvement Requests. Approvals expire one year after approval is granted if the Improvement has not commenced by that date.

Section 6.6 – Approval Standards

Improvements within the Community Area must comply with the DECLARATION. The ARC may disapprove a plan if it is not consistent with the DECLARATION, if the plan is incomplete, or if the ARC deems the plan to be contrary to the interests, welfare, or rights of the Community Area, the Homeowners Association, and/or the Homeowners. If the ARC has structural integrity concerns with the proposed Improvement, it may require the review and approval of an engineer licensed in Colorado.

The ARC will also require the Homeowner to ensure that any damage to Common Areas or other Homeowners’ Lots or property that results from the installation of the Improvement shall be immediately repaired at the expense of the responsible Homeowner.

Approval of a plan by the ARC shall not mean that the plan is in compliance with local building codes, zoning ordinances or other governmental regulations. It is the

responsibility of the Homeowner to comply with all applicable codes, ordinances, and regulations.

The decision of the ARC is final and binding unless its decision is clearly arbitrary and there is no evidence to support the decision.

Section 6.7 – No Liability

Discussion of the Liabilities of the Association's Board of Directors and the ARC is contained in Section 6.7 and Article 14 of the DECLARATION.

Procedure for Submitting Architecture Improvement Requests

Homeowners cannot make Improvements or changes to existing Improvements to their home exteriors, lots, landscape, exterior lighting, etc. without first obtaining approval from the Stonehaven ARC.

Improvements or changes to existing Improvements made without prior approval by the ARC are subject to review by the ARC. If the Improvement or change is not approved by the ARC, the owner will have to remove the Improvement or change to an existing Improvement, at the Homeowner's expense. If the Improvement or change to an existing Improvement is rejected by the ARC and the Homeowner does not remove the change, bringing the area back to its former condition as specified by the ARC, the Association will have the work done and will invoice the Homeowner for costs incurred.

1. To apply for ARC approval for a proposed Improvement or change to an existing Improvement, obtain the latest version of the "Request for Architectural Approval" form from the Stonehaven Property Manager or download it from the Stonehaven web site at www.stonehavenatbreckenridge.org.
2. Complete the form, paying attention to the Architecture Control Summaries, the DECLARATION of Covenants, Conditions, Restrictions and Easements for Stonehaven at Breckenridge Golf Club, and the section of the form requiring plans, drawings, pictures, and specifications.
3. Submit one (1) copy of the completed form along with one (1) copy of any plans, drawings, pictures, and specifications to the Stonehaven Property Manager. Contact information for the Property Manager is on the Stonehaven website. Submissions via email are preferred but can also be sent via U.S. mail.
4. The Property Manager will review the request for completeness and either distribute it to each member of the ARC or, if it is incomplete, ask the Homeowner for more information. Whenever possible, distribution to ARC members will be done electronically.
5. ARC members will review each request and communicate recommendations or questions to the Property Manager. When responses have been received from all ARC members, the Property Manager will submit these to the ARC Chair. For routine requests (e.g., staining of exterior, tree planting) the Chair will grant or deny approval. For non-routine requests, the Chair will forward the ARC request form along with recommendations and questions to the Stonehaven Board of Directors for review and advice. The ARC will strive to provide a decision within one week of receipt of each request.

Landscape Improvements

The Stonehaven landscape is designed to match the native environment, with a mix of native trees and low to medium height mountain shrubs and grasses that resemble the “rough” areas of the Breckenridge Golf Course. This landscape should require relatively little maintenance and is intended to thrive on high country conditions. Homeowners may “garden” their own property, but must obtain approval from the ARC before installation or changes to landscape Improvements.

By decision of the Board of Directors, effective 8/02/07, maintenance of the Stonehaven landscape is the responsibility of the HOA, except that Homeowners are responsible for weeding, irrigating, and maintaining any Homeowner-installed flower gardens and for the maintenance of irrigation systems tied into an individual Homeowner’s domestic water system.

ARC oversight applies to trees, shrubs, and landscaping of any kind. The HOA encourages Homeowners to improve their property wherever possible, but to provide consistency, quality, and the appearance we all desire, approval must be obtained from the Stonehaven ARC before any landscape Improvements can be implemented.

In some cases, the Stonehaven ARC may require the Homeowner to obtain prior approval from adjacent Homeowners who may be potentially affected by the Improvement (view obstruction by new trees, for example). The Homeowner requesting the change must provide evidence, as part of their Request submission, that the other Homeowners have agreed to the Improvement.

The ARC will also require the Homeowner to ensure that any damage to Common Areas or other Homeowners’ Lots or property that results from the installation of the Improvement shall be immediately repaired at the expense of the responsible Homeowner.

Outside Lighting

For both safety and ambiance reasons, the exterior lighting is standardized throughout the entire development. The HOA controls the lighting so that they come on and shut off at the same time, are always operational and ensure that the bulbs are of the same color, type and wattage. The outside lighting is controlled by photocells and come on at dusk and turn off at dawn.

No changes to outside lighting can be made to any home without ARC approval. This includes bulb color or wattage. Homeowners should not change any home exterior light bulbs, as our HOA has taken on this responsibility. Our Property Manager inspects the property on a routine basis and replaces bulbs with the type and color chosen by the ARC, so all homes have the same ambiance and look.

Please contact our Property Manager if you find any of your outside light bulbs burned out. He will come out as soon as possible to replace them. Due to the difficulty of replacing up-lighting bulbs in the winter, the Stonehaven Property Manager plans to come through each autumn and replace all up-lighting (not sconce) bulbs in the hope that this will last through the winter.

Home Exterior Stain

Per Section 5.1 of the DECLARATION, the ARC is responsible for reviewing and approving Improvements related to certain Building and Grounds Maintenance issues. The condition of each home's exterior stain is one of these issues.

Ultra-violet light in the high country is damaging to home exteriors. Experience has shown that homes in our development must have their exteriors re-stained every three to five years, at a minimum. This is standard practice for high-quality housing throughout Summit County. If staining is not done during that timeframe, exterior surfaces could begin to deteriorate to the point where they may need to be replaced. How long any given stain application will protect a home depends on many factors, but the actual condition of each home's exterior is subject to review by the ARC at any time. The ARC will notify the Homeowner when it determines that a home is in need of re-staining. (Homeowners are free to re-stain the exterior of their home more frequently than requested by the ARC.). The Homeowner will be given adequate time, typically six months following notification, to have the work completed. If a staining, as requested by the ARC, is not completed by the date requested, per the Stonehaven DECLARATION, the Stonehaven Homeowners Association may contract to have the work completed and bill the Homeowner for costs incurred.

Exterior staining is defined as staining all exterior wood surfaces including siding, garage doors, decks, and log support posts.

- Only ARC approved semi-solid stain colors may be used. Please contact the Stonehaven Property Manager to obtain a current list of approved stain colors.
- Stonehaven homes should be stained using a minimum of two of the approved colors.
- Homeowners must receive approval from the ARC before any work can be started. Please contact our Property Manager to obtain forms needed for approval.