

RECEIVED FEB 26 2025

TRAILS WEST VILLAGE

**Home and Landscape Design Requirements,
Procedures and Regulations**

**Adopted June 23, 1996
Revised July 22, 1996
Revised November 15, 1996
Revised February 18, 1997**

**Revised April 28, 1999
Revised July 14, 1999**

I. INTRODUCTION

In order to ensure a harmonious balance among the residential structures to be constructed in Trails West Village and to prevent the construction of homes of disparate size and style the following design and landscape guidelines have been adopted. The task of implementing these guidelines falls on the Design Control Committee ("DCC"). The DCC is authorized, pursuant to Article V of the Declaration of Covenants, Conditions and Restriction of Trials West Village, recorded at Book , Page Mesa County Records, to establish and enforce builder qualification, design, construction, landscaping and aesthetic rules and regulations governing all Owners of real property subject to the Declarations.

II. SITE DESIGN REQUIREMENTS

1. General Site Grading and Drainage

Site grading and drainage will be done with a minimum disruption to the lot and shall not drain to adjoining lots, open spaces or across adjacent roads so as to cause a condition that could lead to soil erosion. A site specific soils analysis, or written approval from a soils consultant, is required for each lot prior to constructing any slab or stem wall foundation.

In situations where grading on a lot is proposed to extend beyond the lot line, approval must be obtained in writing from the DCC and the adjacent property owner. In such cases the owner must promptly restore and landscape the disturbed area as required by the DCC and the adjacent property owner, at the owner's expense.

2. House Siting and Construction Area

The house should be centered in the set back area or building envelope as much as possible. Sitings close to the set back lines should be avoided except where necessary. As much distance as possible should be provided between the house and the edge of the building envelope, or existing house, on adjacent lots. Consideration must be given to house location so as to minimize the obstruction of views of neighboring lots. Preservation of large existing trees or natural vegetation shall be a prime consideration in house location.

All construction sites will be maintained in such a way as to keep all construction materials within the lot area. All construction trash and debris may be placed in a dumpster which may be placed on the street directly in front of the lot under construction on a temporary basis only.

3. Re-Contours and Retainage

- Re-contoured slopes on individual lots shall be graded or retained according to the recommendations set forth in the Subsurface Soils Exploration Report of Lincoln-DeVore, Inc. dated November 18, 1995.

Individual walls in excess of three feet shall be engineered by a qualified engineer or architect. Retaining walls may be constructed of natural stone (minimum size of 12"), approved retaining wall systems, new pressure treated timbers, concrete block or poured concrete. Concrete blocks or walls must be textured or colored. All retaining wall

material must be compatible with the house and/or surrounding environment. Railroad ties are not acceptable for individual retaining walls in excess of three feet unless approved by a qualified engineering opinion.

4. Set Backs

Set back requirements are regulated by Grand Junction zoning restrictions. Intrusions of patios, decks and fencing into building setback will be considered by the DCC on an individual basis, however, any intrusions must be in compliance with Grand Junction requirements. The architect/designer and property owner are advised to determine set back, height, use and bulk limitations prior to commencing design activities.

5. Road Entry

Driveway construction shall not interfere with established drainage or road grades. Where driveways cross more than ten feet (10') of right-of way to access the improved road surface, a license agreement is required. Culverts are required in most cases to accommodate drainage. Culverts must extend a minimum of four feet (4') on either side of the driveway and be a minimum of fifteen inches (15") in diameter. The upstream end shall have a tapered end section while the downstream end shall have a minimum of four feet (4') of at least three inches (3") size rock rip-rap installed. Where culverts are not necessary a hard surface drainage pan is required to carry run-off water. Details must be approved by the DCC prior to construction.

III. BASIC BUILDING DESIGN REQUIREMENTS

1. General Appearance

The DCC is vested with the authority to disapprove any plan, design or drawing that, in its sole discretion, fails to meet the standard of quality, appearance and character which is desired for Trails West Village homes. The DCC may deny any plan, design or drawing if it finds the same to lack aesthetic appeal or character. The DCC may also request modification of certain elements of a plan, design or drawing and make final approval contingent on the implementation of such modifications. For example, the DCC may insist on the alteration of roof lines or the size and shape of windows, etc., before finally approving a plan.

2. Site/Square Footage

All single family homes constructed within Trails West Village shall be a minimum of 1,600 square feet, net livable space. Multi-level single family homes shall have a minimum base floor of 1,200 square feet.

3. Garage Area

All single family homes shall be designed for a minimum of 2 cars (side by side), and contain, a minimum garage area of 440 sq. ft. All garages shall be enclosed and attached to a residential structure by way of a shared structural wall. Detached garages and covered carports shall not be permitted.

4. Driveways

Driveways shall be a minimum slope consistent with the slope of the terrain and not exceed 10% grade. Downslope fill is discouraged. Driveway entry should be as narrow as practical (i.e. 12'). The driveway must be paved in its entirety from paved road surface to the garage, with concrete. Driveways shall not be closer than five feet (5') to the side property lines.

5. Height of Structures

Residential dwellings shall not exceed 23 feet in height measured from finished grade to the highest point on the roof (exclusive of vents or chimneys). In no case shall the front elevation design present a flat vertical profile of more than 14 feet on the front. That is, the vertical elements must be stepped horizontally up (or down) the slope. The DCC reserves the right to require a lower building height or vertical profile, if, in the opinion of the DCC, the proposed structure would be detrimental to the aesthetic integrity of the community.

6. Color

The color of external materials must be subdued and blend with the colors of the natural landscape. Earth tones, generally muted, are recommended. Accent colors and materials, used judiciously and with restraint, may be permitted. Large expanses of pastels, the primary colors or white are not allowed. The chief exterior color and the color of the roof tiles or shingles must be approved by the DCC prior to application.

7. Color of Building Projections

All projections including but not limited to chimney flues, ~~vents~~, gutters, downspouts and utility boxes shall match or be compatible with the color of the surface from which they project.

8. Materials

Allowable exterior surfaces for residential dwellings are: a) stucco; b) brick; c) natural stone or rock; and d) lapped hardboard siding, provided that it has a maximum exposed width of 6", is used in areas appropriate to the design of the house and does not exceed 75% of the total exterior surface including doors and windows. Use of plastic butt joiners, or inside or outside corner joiners are not allowed. The hardboard siding must be installed with board ends staggered, properly caulked and corners turned using appropriate wooden stock.. Any exterior material (i.e. siding, trim, roof, fence, retaining walls, etc.) when in the judgment of the DCC is deemed to be inappropriate may be restricted or precluded from use in any area in Trails West Village. Wood surfaces must be finished with a pigmented stain or paint. Unpainted or unstained wood is not allowed nor wood finished with a clear stain.

Imitation stone veneer is discouraged and allowed only with prior approval of the DCC. Imitation Stone veneer sheet siding not allowed. Use of glass block, except as an accent feature, is not allowed.

9. Basements

Basements or below grade living space shall be permitted; provided, however, that all plans submitted for such space shall include written approval by a qualified professional based on a satisfactory soils and water table analysis.

10. Roofs

A minimum roof pitch of 5/12 is required. Approval of roof design by the DCC will be further based upon the visual impact of the roof on the lot and/or on neighboring lots, dwellings, roads and open space.

Acceptable roofing materials include: asphalt shingles; dimensional composition roofing material, clay and concrete tiles. All roofing material must meet Grand Junction requirements for fire rating and, as a minimum, be fire rated class "B" or better. Use of any combustible roof material and, in particular, wood shingles or shakes must have written approval of the City Fire Department. Materials which have a flat non-dimensional appearance are not acceptable. Included in this category are three tab asphalt, fiberglass, or hardboard shingles.

Quality insulated metal or wood garage doors painted or stained with an appropriate flat finish paint are the only acceptable type of garage door absent special circumstances. Visual impact of garage doors will be de-emphasized by such measures as siting of the garage doors, overhangs or projections, special door facing materials or design, landscaping, berming, etc. Design of garage doors must be compatible with the architecture of the house.

12. Foundation Walls

Foundation walls shall not be exposed. Step siding on foundation walls is not acceptable, except that stepped foundations shall have siding installed to mitigate the step appearance. Foundation walls cannot be exposed over 18 inches.

13. Exterior Mechanical Equipment

All exterior mechanical equipment such as air conditioning, fireplace vents and flumes and heat exchanger units shall be mounted on off-street side of the house and roof.

14. Fencing

Fencing shall not be permitted in the front yard in excess of 18". Perimeter fencing around the sides and the back is permitted up to six feet in height so long as side fencing shall be set back a minimum of 5' from the front of the house.

15. Decks

Decks shall be restricted to back yards. Decks and deck supports shall be constructed of redwood or Douglas Fir (stained) and materials compatible with the basic house structure. Solid deck enclosures constructed of materials the same or

similar to the house siding are preferred. Where deck enclosures are not solid (i.e. picket type enclosures, etc.) they shall be substantial and project a dominant horizontal appearance. Deck support posts, where required, shall have a substantial appearance which may be considerably greater than the structural integrity required. The actual dimensions of the support structures depend upon the height of the externally exposed portions of the support structures. In general, deck supports greater than eight feet (8') high should be a minimum of 12" x 12" or 12" in diameter. The taller the supports the greater the cross sectional area required. Owner will avoid exposing understructure elements such as decking supports and cross bracing.

16. Accessory Structures

Accessory structures, including dog houses, sand boxes, etc. shall be constructed predominantly wood compatible with the dwelling and approved by the DCC or alternatively enclosed by approved fencing. Dog runs must be enclosed by approved fencing.

17. Exterior Lighting

Exterior lighting must be subdued so as not to create a nuisance for neighboring property or roadways. External fixed down directed flood lights are acceptable. External adjustable flood lighting fixtures are not allowed. In all cases, exterior lights are subject to approval of the DCC and should be of a design compatible with the structure.

18. Sky Lights

Skylights must be of a flat glass design. Bubble type glass skylights are not permitted.

19. Sun Shades, Arbors, Trellises and Other Structures

- (a) The vertical support elements of these structures shall be of wood, brick, rock or stone. If partial screen walls are used in these structures, they shall be of natural materials (greenhouses excepted). In no event shall any of these structures be closer than thirty inches (30") to the property line.
- (b) The following materials shall be used for the roof covering of these structures:
 - 1. Material matching the roof of the existing building.

2. Glass (flat panels).
 3. Wood, solid or spaced.
- (c) Maximum height at the peak of the roof covering from the high point of the existing grade at the proposed foundation for structures in this section shall not exceed twelve feet (12').
 - (d) Height and placement of structures dealt with by this section shall be subject to the approval of the DCC, and they shall not obstruct neighbors views.
 - (e) All exposed surfaces shall match or be compatible with the colors of the existing dung.
 - (f) Unacceptable construction materials for structures in this section include:
 1. Metal structures and supports, including metal awnings.
 2. Corrugated plastic and fiberglass.
 3. Inflatable structures.

20. Chimneys

Chimneys must meet all Mesa County emission requirements. Chimney design must be appropriate with the overall design of the house and approved by the DCC. Wood burning devices in new homes are prohibited.

21. Antennas and Flagpoles

All TV, radio or special communication antennas or aerials, or satellite dishes of any size, as permitted by the Covenants, located in back yards shall be concealed from adjacent property and roads and the installation approved by the DCC. Flagpole installation must be approved by the DCC.

22. Backboards

Basketball backboards may be installed on the back of the house or as free standing improvements only upon approval of the DCC.

23. Barbecue Facilities

Permanent outdoor barbecue facilities shall not be permitted on any side of the house facing a street.

24. Pools

Above ground pool structures are not allowed. Pool decking for in-ground pools must be level with the finished grade and extend at least five feet (5') horizontally in all directions. All pool equipment shall be screened from the view of neighboring property or roads. All pool equipment shall be located or be sound-attenuated in such a manner as not to disturb the occupants of adjacent or nearby properties.

25. Approach Signage

Each residential home is required to have visible street address signage. The number, in addition to identifying the street number assigned to the residence, is to allow fire and emergency personnel to quickly locate the home.

IV. LANDSCAPING AND IRRIGATION REQUIREMENTS

Landscaping Requirements

1. Each owner shall landscape the front yard within sixty (60) days of the issuance of a certificate of occupancy ("c.o.") and the backyard within one hundred eighty (180) days of a c.o. If weather doesn't permit compliance with these deadlines, the owner may request an extension of time from the DCC which shall be freely given. Landscaping shall mean laying, planting or seeding a minimum of 75% of the applicable area (i.e., front yard, back yard) with vegetative cover or xeriscaping. Any area not so covered shall be controlled to prevent large patches of dirt or dust. In addition, landscaping shall include the planting of a minimum of three (3) trees per lot of at least two (2) inch caliper measured six (6) inches above grade. At least one of three trees shall be planted in the front yard.

2. Landscaping plan

A landscaping plan shall be submitted to the DCC at the time building plans are submitted and prior to the installation of any landscaping. The landscaping plans may be shown on the same set of plans as the building plans provided the location of the trees and the vegetative cover or xeriscaping is clearly shown.

3. Irrigation System

To further principles of water conservation and to preserve the geologic integrity of the subdivision the Trails West Village Homeowners' Association shall have the exclusive right to control the raw water irrigation system under rules and regulations adopted by the Board of Directors. The irrigation system is a gravity — system. In order to provide adequate pressure and flow to each lot, water restrictions, including, but not limited to an alternate watering day schedule, may be imposed by the Board of Directors. Owners with extensive landscaping plans should bear in mind these limitations and plan on supplementing irrigation needs through the Owner's Ute water tap, if necessary. No additional pumps or alterations of the irrigation delivery system to each lot shall be allowed without prior written authorization of the Board of Directors.

V. QUALIFICATIONS OF ARCHITECTS, DESIGNERS AND BUILDERS

The following standards are established to design or build any structure in Trails West Village.

1. Architects

Must be licensed to practice architecture.

2. Designers

The following criterion will be considered in evaluating whether a building designer without an architect's seal will be allowed to design homes for Trails West Village:

- a) Possession of a Bachelor of Architecture Degree from an accredited four year university.
- b) Certification from the American Institute of Building Design.
- c) Submission of a portfolio of examples of past residential design work for which the applicant is responsible. This portfolio must contain photo or renderings. If the designer's name does not appear on the drawings, letters from the firms for which they were done will be required to attest to authorship.
- d) Please note that the possession of any of the above does not automatically qualify a designer but is merely evidence of design experience.

3. Builders (Including Owner/Builder)

In order to construct residential dwellings in Trails West Village all contractors must meet each of the following criteria:

- a) General Contractor's license from the City of Grand Junction.
- b) Minimum of 5 years experience as a residential builder.
- c) Proof of compliance with all laws and regulations of the State of Colorado concerning workers compensation, unemployment compensation, social security.

- d) Acceptable list of recently completed home construction projects with photographs if possible
- e) Acceptable list of preferred subcontractors for concrete, framing, electrical, plumbing, drywall, masonry and exterior finishes.
- f) Bank reference.
- g) 5 personal references.
- h) Signed acknowledgment of having received and read the Declaration of Covenants, Conditions and Restrictions of Trails West Village and the Trails West Village Home and Landscape Design Requirements, Procedures and Regulations.
- i) Sworn declaration confirming no personal or corporate insolvency for last 7 years.
- j) No complaint record with any local, regional or state bureau or agency.
- k) Enjoys generally positive reputation within the community.

4. Exclusions.

The DCC reserves the right to exclude from further work at Trails West Village designers or builders who have demonstrated by their work in Trails West Village that they have not met quality and performance standards acceptable to the DCC.

VI. PROCEDURES

1. Submission of Plans

Any owner or builder desiring DCC approval shall submit to the DCC the following:

- a) Three (3) sets of all building and landscaping plans and specifications, including building placement on lot to scale (1/8" = 1 foot or larger).
- b) Application for Design Control Committee Approval (prefer typed).
- c) If new builder, a builder packet containing the information required in Section V.3.

The DCC shall take action on the plans within thirty (30) days of submittal or the same shall be deemed approved.

2. Content of Plans

All Plans submitted to the DCC shall contain sufficient detail to allow the DCC to determine compliance with these guidelines. At a minimum, all plans shall provide a scale and show dimensions of all material structures and features drawn to scale. It is essential for all plans to show required setbacks. Plans not providing these measurements shall be deemed incomplete and will not be reviewed. Plans shall also indicate the type and color of exterior materials to be used. The DCC may request additional detail, drawings or other documentation that in its discretion is necessary to determine compliance with these guidelines.

3. Approval of Plans

Upon approval or denial of plans the DCC shall stamp both sets of the plans accordingly and return one set to the Applicant. The other set shall be retained by the DCC along with the Application Form. In the event of any later discrepancies between the set of plans given to Applicant and the set retained, the set of plans on file with the DCC shall control.

4. Composition of DCC

The DCC shall consist of four (4) members who will serve at the pleasure of the Declarant, and later, as provided in the covenants and bylaws of the Homeowner's Association, at the pleasure of the Board of Directors of the Association.

3. Meetings of DCC

The DCC shall meet as often as necessary to review the plans submitted to it. The meetings shall be held initially at the offices of Murphy & Associates, 533

Bogart Lane, Grand Junction at times and dates determined by the DCC based on the number of pending applications. The Applicant may, and is encouraged, to attend the meetings.

6. Quorum and Voting Requirements

Three (3) of the DCC members shall be present to constitute a quorum. Plans or builders shall not be approved unless a majority of the quorum present approves them.

VII. GENERAL PROVISIONS

1. Authority

The authority for the DCC is found in the TWV Declaration of Restrictions, Covenants and Conditions ("Covenants").

2. Owner Responsibility

All lot Owners in Trails West Village will be responsible for compliance with the Trails West Village Covenants and these guidelines by their representative builders, contractors, and subcontractors.

3. Non-Waiver

The failure of the DCC to enforce any restriction, covenants, condition, or requirement contained in these guidelines or the Covenants shall not constitute a waiver of any right to enforce such provision or any other provision contained in any of the above enumerated documents.

4. Non-Liability

Neither the DCC, nor any member thereof, nor the Board of Directors of Trails West Village Homeowners Association, nor agents or employees of the DCC or the Board, nor the respective heirs, successors, or assigns of any of the foregoing individuals or entities shall be held liable for damage to anyone submitting plans and/or specifications to them for approval by reason of mistake in judgment, negligence, or failure to approve such plans and/or specifications. Every Owner or other person who submits plans and/or specifications to the DCC for approval agrees, by submission of such plans and/or specifications, that he or she will not bring any action or suit against the DCC, its members, agents, or employees, or the Board, agents, or employees relating to action taken by them or neglected to be taken by them in connection with the plans and/or specifications submitted.

5. Interpretation

Any matter, condition, or material not defined herein or any matter requiring interpretive clarification shall remain a matter of discretion on the part of the DCC.

6. Enforcement

Failure to obtain necessary approval from the DCC as required in the guidelines and in advance of new construction, additions or alterations will constitute a violation of the Covenants and can require modifications or removal at the expense of the Owner. The DCC or its designated Representative shall notify the owner of the infraction, define the corrective measures required to remedy the, infraction and refer the matter to the Board of Directors of Trails West Village Homeowner's Association for enforcement. In addition to the expense of the corrective action required, a noncompliance assessment penalty may be imposed on the property owner.

7. Stop Work Order Authority

The Board of Directors of Trails West Village homeowner's Association has the authority and responsibility (a) to stop any' or all work where any violation of the approved plans occurs, and (b) to require correction or removal of any violation at the owner's expense. Violations would include, but not be limited to, unacceptable removal or damage to tree; changes in: site work, architectural or structural plans, exterior lighting, grading, landscaping, building materials and/or exterior colors.

8. Variances

The DCC reserves the right to vary at any time from the procedure or standards established herein.

9. Additional Standards and Requirements

Additional standards and requirements are set forth in the overall development plans for Trails West Village, the applicable subdivision plat, the Covenants, and any applicable Supplement Declarations. Each Owner must read and become familiar with all such documents so as to avoid violating the standards and requirements set forth therein. Copies of all such documents are available for inspection at the offices of the DCC.

10. Severability

Each and every provision contained herein shall be deemed independent and severable, and the invalidity or partial invalidity of any provision or portion thereof shall not affect the validity or enforceability of any other provision herein.

11. Effective Date

These guidelines shall be in full force and effect from the date of adoption by-the Trails West Village Homeowner's Association Board of Directors.

12. Amendment

The Board of Directors of Trails West Village Homeowner's Association may amend, repeal or re-enact all or part of these regulations as provided for in the Covenants and Bylaws.

VIII. ADDITIONS OR ALTERATIONS TO EXISTING RESIDENCES

The following paragraphs apply to new homes designed and built for lot owners as well as homes previously designed and built by prior owners and purchased or repurchased in a completed state.

1. Approval Requirements

Any additions or alterations affecting the finished grade of the site, exterior appearance (including color) of any structure, or major landscaping change requires approval of the DCC.

2. Property Owner Responsibilities

The property owner must comply with the Procedures set forth in Section VI for the addition or alteration desired.

3. House Exterior

Any change of exterior material or change resulting in a change of appearance of the house including siding, doors, windows, skylights, decks, deck railings, roofs, etc., shall be governed by the guidelines and must have prior approval of the DCC.

4. Repainting

Any change in a paint or stain color must be approved by the DCC. Samples of the colors to be applied must be submitted to the DCC for approval. Re-staining or repainting with the existing colors previously approved by the DCC does not require DCC approval.

5. Landscaping

All property owners are encouraged to plant additional indigenous trees and shrubs. Approval for planting additional trees and shrubs is *not* required by the DCC provided the following requirements are adhered to:

- a) Trees or shrubs are not to be planted so as to define property lines.
- b) Trees or shrubs are not to be planted where, when fully grown, they may interfere with neighboring property's view or solar exposure, or impair the egress view from the driveway or views around street corners.
- c) There is no minimum planting size requirement.

6. Fencing

See Section IV. 14. for fence design requirements.

7. Exterior Lighting

Any additions of or alterations to exterior lighting must have prior DCC approval. Any lighting other than "Down Lighting" is discouraged. See Section IV. 17. for exterior lighting requirements.

8. Changes in New Owner Unfinished Homes (Spec Homes)

Changes in exterior design or landscaping to property that has been purchased by new owners after approval of Final Plans and are not complete at the time of purchase may be made under the following conditions:

- a) Any change that would result in a change of exterior physical appearance of the property must be submitted to the DCC for approval. This includes changes in site design (re-contouring, retaining wall, driveways, fencing, etc.) house structure, material, or color.
- b) Changes in landscaping material or location of plantings from the Approved Landscape Plan require prior DCC approval. Any owner may add landscaping to the lot in addition to the minimum requirements of Section IV. 1. subject to the restrictions of Section IV.3.

TRAILS WEST VILLAGE
Design Control Committee Application
[For Builder Approval]

Builder Name:

Address:

Phone:

(Office)

(Home)

Filing No.

Lot No.

Block No.

For Design Control Committee

Submittal Date:

Pre-Construction Approval/Denial Date:

DCC Meeting Date:

DCC Follow Up Meeting Date:

Conditions of Approval:

Builder Qualifications:

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12

Reasons for Denial:

- 1
- 2
- 3
- 4
- 5
- 6
- 7

9

10

11

Approved as a Builder in Trails West Village subject to the above conditions:

By: _____

TWV Design Control Committee

Date: _____

Verification that conditions were satisfied:

By: _____

TWV Design Control Committee

Date: _____

Denied as a Builder in Trails West Village:

By: _____

TWV Design Control Committee

TRAILS WEST VILLAGE

Design Control Committee Application

Owner Name: _____

Address: _____

Phone: _____ (Office) _____ (Home)

Filing No. _____ Lot No. _____ Block No. _____

Size of Residence (Sq.Ft.) _____ Estimated Price: _____

Estimated Const. Start Date: _____ Estimated Const Complete Date: _____

For Design Control Committee

Submittal Date: _____ Pre-Construction Approval/Denial Date. _____

Final Completion Acceptance Date: Architectural: _____ Landscape & Irr: _____

Conditions of Approval.

Architectural Plans and Specifications:

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12

Landscape and Irrigation Plans and Specifications:

- 1
- 2
- 3
- 4
- 5
- 6
- 7

10

11

12

Approved for construction subject to the above conditions:

By:

TWV Design Control Committee

Engineering Compliance Letter:

**DECLARATION OF NO PERSONAL
OR CORPORATE INSOLVENCY**

I, _____ resident of Mesa
County, state and affirm that I have not been declared insolvent nor filed for
bankruptcy individually in the *last* seven (7) years, nor have I been an
officer, director, shareholder or member of a partnership, corporation or
limited liability company that filed for bankruptcy, voluntarily or
involuntarily, within the last seven (7) years.

Name:

Date:

STATE OF COLORADO
COUNTY OF

)
) ss.
)

I, _____ being duly sworn upon oath,
deposes and says that I have read the foregoing, knows the content thereof and that the
same is true to the best of my information, knowledge and belief.

Subscribed and sworn to before me this _____ day of _____, 1996, by

My Commission expires: _____

Notary public

ACKNOWLEDGEMENT

I, _____ hereby acknowledge that I have received and read

the Declaration of Covenants, Conditions and Restrictions of Trails West Village and the Trails West Village Home and landscape Design Requirements, Procedures and Regulations.

Date:

TRAILS WEST VILLAGE FILING #3

Design Control Committee
Home and Landscape Design Requirements,
Procedures and Regulations.

Revised and Adopted April 28, 1999

II. Site Design Requirements

1. General Site Grading and Drainage

Additional Paragraph added:

The Filing #3 Lots 6 through 12 have special grading and drainage requirements as indicated on the grading and drainage sheets provided in the final submittal to the City of Grand Junction. Finished grade contours shall comply with these grading and drainage plans.

III. Basic Building Design Requirements

2. Size/Square Footage

For residential structures erected in Filing #3, the minimum square footage for such structures shall be 1700 square feet.

8. Materials

Allowable exterior surfaces for residential dwellings in Filing #3 are: a) stucco; b) brick; c) natural stone or rock. Lapped hardboard siding is not allowed in Filing #3. (Any reference to lapped hardboard siding is hereby removed.)

10. Roofs

For Filing #3, the pitch requirement would be modified from a minimum of 5/12 to a minimum of 6/12.

14. Fencing

ADDED:

In Filing #3 in order to maintain the natural beauty of the area owners of those lots adjoining the "30 foot No Disturbance Easement" will be allowed to install a two rail split rail fence on 10 foot centers along the lot perimeter in the "30 foot No Disturbance Easement". No other fences or structures will be allowed in the "30 foot No Disturbance Easement". Fence permits are required by the City of Grand Junction

Redlands Water and Power may not allow fencing within the existing 20 foot roadway easement along Lots 1, 12, and 16 of Filing #3. Builders and homeowners should check with Redlands Water and Power company for approval of modification of this requirement.

A new subparagraph would have to be added under this section to wit:

26. Specialized Foundations for Filing #3

Builder shall review recommendations provided by the Geotechnical investigation for Trails West Village Filing #3 prepared by Western Colorado Testing Inc., dated August 1, 1997, job #205497 and furnish sealed engineered foundation plans to the DCC which conforms with the Geotechnical Investigation mentioned above or as modified by a licensed professional engineer for approval by DCC.

IV. LANDSCAPING AND IRRIGATION REQUIREMENTS

1. Landscaping Requirements

For Filing #3, landscaping for the front yard shall contain at least 25% grass.

TRAILS WEST VILLAGE FILING #3

Amendments to the
Design Control Committee
Home and Landscape Design Requirements,
Procedures and Regulations

July 14, 1999

II. Site Design Requirements

1. General Site Grading and Drainage

Additional paragraph added:

In Filing #3 Lots 6 through 12 have special grading and drainage requirements as indicated on the grading and drainage sheets provided in the final submittal to the City of Grand Junction. Finished grade contours shall comply with these grading and drainage plans.

A lot specific grading plan shall be prepared (and sealed) by a Colorado licensed Professional Engineer, and certified after completion. A copy of said completion shall be sent to the Grand Junction Community Development Department for their records.

The grading plan shall meet the requirements shown on sheets 7 and 8 (attached hereto) of the TWV Filing#3 construction drawings prepared by Banner and Associates. Additionally the grading is required to meet the following conditions:

- *Runoff shall be channeled to a swale in the drainage easement between the houses or to a swale totally within the lot being designed.*
- *The swales between the houses must retain their flow capacity and cannot be blocked. Run off shall not flow from one lot to another lot.*
- *Grading design shall collect any offsite flow from uphill and convey it*

without damage to structures or retaining walls within the swales mentioned above.

- ***The Design Control Committee (DCC) shall approve all lot specific grading plans mentioned above.***

Amendments to Trails West Village Design Control Committee Home and Landscape Design Requirements, Procedures and Regulations dated July 14, 1999