



THE GREENS AT KISSING CAMELS ESTATES

APPLICATION FOR PLAN APPROVAL - NEW CONSTRUCTION
Current August 18, 2022

THE GREENS AT KISSING CAMELS ESTATES TOWNHOMES

I. General Information

Builder – as used in this Application "Builder" means the licensed general contractor with whom the Owner has contracted to construct, oversee and complete the proposed Improvements.

Owner – as used in this Application "Owner" means the individual(s) or entity(ies) who own the Lot upon which the proposed construction will take place. Provisional applications may be accepted, in the sole discretion of the Architectural Control Committee, from prospective purchasers. However, such applications will only result in conditional approval and construction may not begin based on such conditional approval. In no event may final approval be granted to individual(s) or entity(ies) who do not own the subject lot. In no event shall an approval for construction be transferred without the express written permission of the ACC.

All properties within The Greens at Kissing Camels Estates are subject to the terms and conditions of that certain Declaration of Covenants, Conditions, Restrictions and Easements for The Greens at Kissing Camels Estates Townhomes dated September 5, 2001, as amended ("Covenants"). As provided in the Covenants:

"No Improvement shall be made to, or placed, erected, installed or permitted to occur or exist on, any portion of the Property, nor shall the visible appearance of any existing Improvement be altered or changed in any way, nor shall any construction or installation of any Improvement be commenced, unless and until all plans and specifications for such Improvement have been submitted to, and approved in writing by, the Architectural Control Committee, and otherwise comply in every respect with the provisions of this Declaration and the Association Documents."

Article VI, Section 6.2 of the Covenants delegates to the Architectural Control Committee ("ACC") the authority to adopt whatever rules, regulations, policies and procedures it may deem reasonable and prudent in the performance of its duties. Under that authority, and to assist those applying to build single-family homes and other improvements in The Greens, the ACC has promulgated, and the Board of Directors of The Greens at Kissing Camels Estates Townhome Homeowners Association, Inc. ("Association") has adopted and ratified, certain rules, regulations, policies and procedures pertaining to the submittal and approval of plans and specifications for construction of Improvements upon Lots within The Greens, as well as the conduct and completion of such construction activities.

Completion of this form is the first step in applying for approval.

In order to assure compliance with the Covenants, the Association has adopted the following general procedures relating to the plan review and approval process:

SUMMARY OF REVIEW PROCESS

1. **SUBMITTAL OF APPLICATION FOR PLAN APPROVAL** - An application for plan approval must be completed and submitted together with the then-current application fee and all drawings, plans, specifications, samples and other documents, photos, drawings and other information concerning the proposed Improvements as may be deemed necessary or pertinent by the ACC. The application must be signed by the current Owner of the Lot. (Contractor's signatures for property Owners will not be accepted.)

Applications will **not** be deemed accepted until reviewed by the ACC for completeness. In the event an application is submitted in incomplete form, or the ACC requests additional information or material, the Owner will be notified as soon as possible.

The application and all related submittals must be submitted in duplicate.

2. **COMMENCEMENT OF FORMAL REVIEW PROCESS** - Once an application has been submitted in proper and complete form and accepted by the ACC for review, the ACC may take up to three weeks from the date of acceptance of the application to render a decision. It should also be noted that a decision may be simply a request for further information or modification of the application. However, the ACC will use every reasonable effort to expedite the review process.
3. **APPROVAL/DISAPPROVAL/APPROVAL WITH CONDITIONS**. Approval, once granted, is valid for one (1) year from the date of approval. If construction is not begun within one year, a new application must be submitted. Once construction begins, all construction must be completed within one year, unless this requirement is waived in writing by the ACC.
4. **MODIFICATION OF PLAN**
Regardless of the reason for any modification (including any error in the building plan or change in building ordinances), following plan approval, any modification of the plan must be approved, in writing, by the ACC. The ACC may, in its sole discretion, accept a description of the requested modification or may require an owner to resubmit an entire building application before approving any changes.

This Application, together with any and all related information, documentation and/or materials must be submitted to the ACC, along with the then-current application fee, before the ACC is required to begin its formal review process. In order to avoid unnecessary hardship, Owners contemplating construction may submit, in duplicate, preliminary drawings of the proposed work for tentative action by the ACC. The application fee is not required for submission of such preliminary drawings. However, submission of preliminary drawings does not begin the 30-day period for formal review of an application and cannot result in approval to begin construction.

This Application, the application fee, and all other drawings, plans, specifications, samples, documents, photos, drawings and other submittals and information related hereto must be submitted to:

The Greens at Kissing Camels Homeowners Association
c/o Kelsey Knudson, Property Manager
Diversified Association Management
4325 N. Nevada Ave #100
Colorado Springs, CO 80907
kelseyk@diversifiedprop.com
(719) 334-4525

II. Owner Information

Owner #1: _____
(Printed name)

Owner's Signature: _____
(Signature)

Owner #2: _____
(Printed name)

Owner's Signature: _____
(Signature)

Lot number and address to which this Application pertains ("Lot"): _____

Proposed Project Start Date: _____

Estimated Project Completion Date: _____

[Note: Construction must be prosecuted diligently and continuously from time of commencement until full completion and must be completed within one (1) year of commencement. Failure to complete construction within one year of approval may, entirely at the discretion of the ACC, be deemed a nuisance subject to the violation and fine policy of the Greens. Under current circumstances delays in supply or material may justify extension of the one-year completion requirement.

Owner's (or if more than one, Owners') Contact Information:

Mailing Address: _____

E-mail: _____

Phone: _____ (H) _____ (W) _____ (C)

Preferred Contact Method: _____

III. Required Information and Documentation

The following must be attached to this Application:

- Plan review deposit of one thousand five hundred dollars (\$1500) payable to The Greens at Kissing Camels Estates. Any portion of this fee not required for professional review of the plan will be refunded to Owner.
- A narrative description of the project

The following plans, specifications and samples must be submitted ***in duplicate***.

- All building plans
- All plans and specifications including all exterior elevations, exterior design, style, height, building materials, colors to include an indication of the location where specific colors and materials are to be used and the location and dimensions of all driveways and walkways, including the concrete depth of walks, patios and driveways.
- Proof of copyright permission or license to use copyrighted architectural plans or drawings.
- Samples of all exterior materials, to include but not limited to:
 - Paint samples or color chips for all exterior surfaces
 - Stucco and stone samples for all exterior surfaces
 - Window samples or descriptions accompanied by color and material chips or samples
 - Roof tiles, gutters and downspouts
- Plot plan showing the location of the subject and any adjacent residences, drives, walks, walls, windbreaks, or fences, plotted horizontally and vertically
- If requested by the ACC, drainage plans or evaluation showing how any construction or change in grading will impact storm water run off to streets, other structures, other lots and/or common areas.
- If requested by ACC, a soils report for the townhome lot.

[NOTE - Other information and documentation may be requested by the ACC and review cannot begin until all required information and documentation is received.]

[NOTE – All plans, drawings, plats, etc. must be in a minimum scale of 1/20 inch = 1 foot. All plans, samples and other materials as may be requested by the ACC shall be prepared, obtained and furnished at the sole cost and expense of the Owner.]

The following must also be completed and attached to this Application:

- Appendix A – Construction Guidelines
- Appendix B – Landscaping Options
- Appendix C – Owner Certification
- Appendix D – Builder Information and Certification
- Appendix E – Certificate of Completion
- Appendix F – This is information provided for the convenience of the applicant and/or builder.

Tracking Sheet

For Office/Committee Use Only:

Date Application Received: _____

Date Application Completed and Accepted for Review: _____

Application Fee Paid: \$_____ Check No. _____ Dated: _____

APPROVED APPROVED W/CONDITIONS DISAPPROVED TABLED

By: _____ Approval Date: _____

[Note - Approval automatically expires one (1) year following Approval Date. Construction must be commenced within such one (1) year period, and construction must be completed within one (1) year following the date of commencement of construction.]

Conditions/Comments/Suggestions:

Committee Pre-Approval Inspection: _____

Committee Post-completion Inspection: _____

THE GREENS AT KISSING CAMELS ESTATES TOWNHOMES

APPENDIX A CONSTRUCTION GUIDELINES

The purpose of this Appendix is to alert the Owner and Builder generally to the criteria by which each Application will be evaluated by the ACC. ***For more specific information and guidance, the Owner and Builder shall refer to the Covenants.***

These guidelines are a summary only of certain restrictions and provisions set forth in the Covenants, and are provided only to give Owners and Builders initial guidance in consideration of construction plans. ***These Guidelines are not complete, and do not in any way override, supersede or constitute in any respect an amendment or modification of the recorded Covenants and, in the case of a conflict between these guidelines and the Covenants or any other Association Document, the Covenants and/or such Association Documents, shall control.***

Deviation from these standards by other improvements in the Greens or a variance granted for another improvements DOES NOT create a variance or permission to vary from these Construction Guidelines.

REGARDLESS OF THE PLAN USED, KCPOA must approve any construction. KCPOA may charge an impact fee and/or construction bonds or deposits. The Greens does not collect any fee or deposit for KCPOA but, to protect themselves, we do recommend homeowner secure a receipt from Kissing Camels POA showing all required fees have been paid.

OWNER LIABILITY FOR DAMAGE CAUSED BY CONSTRUCTION

As is further stated in Appendix E "Certificate of Completion," **owner, by submitting this application agrees to be liable for any damage caused by the requested construction or associated excavation**, to the infrastructure, including the landscaping, irrigation system, utilities and cable wiring on both the owner's lot or anywhere else in the Greens. Further Owner specifically agrees to reimburse the Greens HOA for repair of any damage to the infrastructure, including the landscaping, irrigation system, utilities and cable wiring on both the owner's lot or anywhere else in the Greens or for any liability incurred by the Greens HOA as a result of such damage caused by the requested construction or associated excavation. Owner further accepts responsibility for securing a "private locate" of all utilities in any area where owner's contractor or agents will excavate or disturb utilities or cable wiring. Owner may not rely on public utility locating.

CONSTRUCTION ESCROW DEPOSIT

Before any construction, including specifically excavation, may begin Owner must deposit \$5000 (five thousand dollars) with the Greens at Kissing Camels Estates Townhomes HOA. This deposit may be used by the association for inspection of construction, enforcement actions, to complete construction or landscaping, or to reimburse the Association or an adjacent homeowner for improvements which benefit the subject Owner's lot by providing drainage or landscaping on the subject lot or less than half the distance between the subject lot and the adjacent lot. Upon completion of construction (which shall include landscaping if owner has selected option two in appendix B) any part of this amount not spent for inspection, repair of infrastructure, completion of the project, reimbursement for drainage improvements and/or any enforcement action will be returned to owner.

BUILDING PERMIT

Before any construction, including specifically excavation, may begin the homeowner must secure an approved building permit. This permit must be approved by all appropriate governmental and licensing authorities and, upon request, a copy must be provided to the ACC.

SETBACKS, HEIGHT, COVERAGE AND AREA:

Setbacks shall be determined by the ACC but in no event shall be less than required by The Greens master Plan and applicable zoning ordinances.

Ground Floor Area - 2700 square feet minimum of heated floor space, exclusive of porches, decks or garages.

BUILDING HEIGHT RESTRICTIONS

Because of significant variations in surveys of elevations and building heights based on benchmarks, the Greens at Kissing Camels Estates has established the following requirements for the height of new construction in the Greens. All three of these requirements must be met unless the Greens Architectural Control Committee provides written approval of a variance.

- 1- No part of the floor of any new or proposed home, including decks and garage floors may be higher than the height above benchmarks indicated on the development plan filed with the City of Colorado Springs, the most recent version of which is dated November 2013, and;
- 2- No part of the floor of any new or proposed home, including decks and garage floors, may be higher than a straight line connecting the highest point of the floor of the

completed nearest home to the west to the highest point of the floor of the completed nearest home to the east of the new or proposed home, and;

3- No part of the roof (excluding chimneys or vents) of any new or proposed home may be higher than a straight line connecting the highest point of the roof (excluding chimneys or vents) of the complete nearest home to the west to the highest point of the roof (excluding chimneys or vents) of the completed nearest home to the east of the new or proposed home.

Applying these height restrictions to the homes on Reserve Point results in the following height maximums.

4175 Reserve Pt. Top of foundation 6585.28, Finished Floor (main level) 6586.5, Top of house/roof 6610.

4135 Reserve Pt. Top of foundation 6582.93, Finished Floor (main level) 6583.5, Top of house/roof 6606.5

4115 Reserve Pt. Top of foundation 6581.24, Finished floor (main level) 6581, Top of house/roof 6604.75

All lots are limited to 1 story and restricted in height. Basements are not considered a story.

CLEARANCE FROM EXISTING HOMES

No part of any new construction or new improvement in the Greens may be located within fifteen feet of any part of an existing home or improvement. The parts of a home subject to this clearance requirement includes overhangs, eaves, window wells, porches and decks.

WINDOW WELL FALL PROTECTION

To protect against falls by people, pets or wildlife, all window wells must be covered with a protective grate or surrounded by a railing. The size and style of these grates and/or rails must be approved by the ACC.

DUPLICATION OF RESIDENCES:

Every effort should be made to avoid residences with substantially the same front elevations being constructed next to one another.

CONSTRUCTION BUILDINGS:

No buildings or structures are to be erected on any lot for the purpose of a temporary construction shelter or storage of construction material.

ROOFS

Roofing material shall be concrete tile of a type and color identical to, or if not available similar to, the existing Greens Residences specified by the ACC and approved in writing by the ACC before installation.

Residences are to have the same roof pitch(es) as the original 24 Residences in The Greens.

CHIMNEYS:

Exterior surfaces of chimneys are to be of artificial stone of the same type and color as the original 24 Residences in The Greens. If the stone becomes unavailable, the ACC must approve any substitute stone. Hurricane straps are required.

EXTERIOR WALLS AND TRIMS

Artificial stone, & stucco are required for exterior use, provided the stucco and stone are identical to the original 24 Residences in The Greens. In the event the existing stone becomes unavailable a matching stone may be substituted subject to ACC approval.

Trimming of windows and doors shall be identical with the original 24 Residences. Prior approval of exterior trim is required.

WINDOWS AND DOORS:

Windows and Doors are to be of the same material as the original 24 Greens Residences and stain and paint color shall be consistent as well. Front Doors and

Garage doors that are not of the same material and look as the original 24 Residences are not allowed without prior approval of the Committee.

UTILITY METERS:

Utility meters are to be placed in an unobtrusive location and concealed from view with landscape plantings. Location is to be shown on the Site Plan.

GUTTERS AND DOWN SPOUTS:

All gutters and down spouts are to be continuous and shall be colored to blend with the surface to which they are attached. Therefore, gutters and down spouts may not be a different color and must match the original 24 Greens Residences. Output from all

downspouts must be directed, underground, through four-inch PVC (Not HDPE) to a location that ensures erosion prevention, and drainage to the street and away from the subject Residence and adjacent Residences.

IRRIGATION SYSTEM

The lateral lines of any irrigation system must be PVC pipe with solvent welded joints and not poly pipe with clamped joints. **The Greens irrigation system is centrally controlled. Individual home controls are NOT permitted.**

MAILBOXES

The location of mailboxes has been predetermined by the Postal Service.

OUTSIDE MECHANICAL EQUIPMENT:

Air Conditioning and any other mechanical equipment may not be located in the front yard, location to be shown on the Site Plan.

PAVEMENT DEPTH & COLOR

Driveways must be at least six (6) inches deep and be made of reinforced concrete. Patios and sidewalks must be at least 3 ½ inches deep. All concrete must be caramel color.

UTILITY DISCLAIMER

Because the Greens HOA was not involved in the original installation of utilities the HOA offers no assurances or guarantees of the location or availability of gas, water, sewer, electrical power, communications cables or fire hydrants for any lot. The HOA will grant easements through its corporate property to access utilities and will provide any records or information it has to help locate utilities but does not recommend purchasers or builders independently confirm the availability and location of utilities.

UTILITIES

Connection to all utilities must be underground. Materials must conform to Colorado State Code and must be inspected by all proper governmental agencies.

DRAINAGE PLAN:

The drainage plan, if required, must show grading which is consistent with building and street elevations and must make adequate provision for onsite drainage from roofs,

driveways and other impervious surfaces. The drainage plan shall be subject to the review and written approval of the ACC.

FENCING; HEDGES:

Specifications for fencing must be submitted for ACC written approval.

No boundary hedge or boundary wall shall be allowed within The Greens. No fence shall be constructed or finished, except for the use of a dog run and only if specifically approved by the ACC. Please see the Covenants and resolutions, for detailed specifications for dog runs.

SIGNS:

During construction only signs required by the KCPOA or local law or ordinance will be permitted on the subject lot. All signs shall be maintained and kept in an upright position and adhere to the dimension and height requirements of the Association.

MISCELLANEOUS EXTERIOR ISSUES:

Basketball backboards or posts shall not be permitted. Radio and television antennas on the exterior of the building or roof are prohibited. Satellite dishes are allowed with the prior written approval of the ACC, but only if located where, and affixed in such a manner as to be, unobtrusive.

SITE INSPECTION – PRIOR TO CONSTRUCTION

Owner and his or her Builder shall inspect all on-site Improvements prior to commencement of construction and report any problems to the Association. Unless notified, the Improvements will be considered in good repair and all damage occurring during construction will be the responsibility of the Owner. Repairs must be made before or at the time of the completion of the Residence.

SITE INSPECTION – DURING CONSTRUCTION

During construction the ACC may inspect or have its professional(s) inspect the construction to assure work is being done in compliance with submitted plans and/or any conditions imposed by the ACC. ACC will make every effort to assure these inspections do not interfere with construction progress, but the inspections may be made at times or intervals selected entirely at the discretion of the ACC. Owner will be notified of any deviations found during these inspections. Failure to correct such deviations in a timely manner after notice may result in rescission and cancellation of construction approvals.

Owner and the ACC shall conduct inspections of construction at intervals, and at times to be agreed upon by owner and ACC. In the event an agreement is not reached, these inspections shall take place on the 3 month anniversary, 6 month anniversary, 9 month anniversary and 12 month anniversary of the approval of a construction application. In addition such inspections **MUST BE CONDUCTED** after the placement of any concrete form and prior to the pouring of any concrete (this includes, foundations, driveways, walkways and porches.). Before any concrete may be poured the owner must receive written approval from the ACC. Failure to meet this requirement may result in a requirement for destructive inspection of the poured concrete. The requirement for such an inspection is entirely in the discretion of the ACC.

In order to facilitate inspection, owner must provide ACC with a construction schedule and specifically notify the ACC of dates for the following activities:

Pouring any concrete

Application of stucco or any material that will obscure the building's exterior construction.

*Covering or reburial of any underground plumbing, wiring or any other utilities **including specifically lines for any irrigation system.** Such notice must be given in time to permit the ACC to confirm the depth of such plumbing, wiring or utilities.*

EXCAVATION:

Care should be taken to insure that damage to adjoining property does not occur. If damage does occur, Owner is responsible for promptly making the necessary repairs. All dirt and debris not used in construction is to be removed from the area at Owner's expense.

JOB SITE MAINTENANCE AND WORK SCHEDULE

The Kissing Camels Property Owners Association limits the time and days of the week when construction work may be done. Owner and his or her Builder are advised to ensure these requirements are met.

During excavation and construction Owner or Owner's Builder must install and maintain a barrier or fence surrounding the work site. This fence must be at least 18" high and may be plastic sheeting, snow fencing or other material sufficient to contain blowing dirt, trash or construction debris. This barrier must be removed upon completion of construction or at an earlier time approved by the ACC.

Job sites are to be kept as clean as possible during construction. All dirt, nails, gravel and other building materials must be removed from the street daily. Work vehicles are not to be parked in front of occupied Residences or blocking streets. Power and water must not be used from pre-existing dwellings.

Dumpsters are the responsibility of the Owner and shall be kept only on the building site, orderly at all times and emptied on a timely basis. In addition KCPOA requires approval of dumpster location and cleaning.

Portable toilets will be provided by the Owner, for the use of his or her Builders and subcontractors. The quantity is limited to one per lot and shall be placed away from existing Residences and close proximity to the street.

All contractors and subcontractors are prohibited from bringing dogs or pets to the work site. They are an irritant and potential danger to realtors, buyers and homeowners.

Courtesy is required from all parties. In particular, no loud radios or speeding are to be permitted in the subdivision.

It shall be the Owner's responsibility to enforce compliance with these rules and regulations by his or her Builder and Builder's subcontractors.

COMPLIANCE WITH GOVERNMENTAL REQUIREMENTS AND THOSE OF KCPOA:

The Owner and Owner's Builder have full responsibility for compliance with all governmental rules, regulations, codes, ordinances and laws that may apply. Owner is placed on specific notice that the City of Colorado Springs and the community of Kissing Camels Estates requirements must be adhered to in all aspects. Owner and Builder are advised to review the requirements in detail before preparing final construction plans. Reference to these requirements contained elsewhere in these Guidelines is for convenience only and is not a substitute for review of the ordinances themselves.

The ACC assumes no responsibility for the review of submitted information for compliance with governmental or KCPOA requirements of any kind, and no approval granted by the Committee may be construed to express any opinion with respect to such compliance.

GENERAL:

In the event any Improvement is not constructed, and/or painted in accordance with the plans and information submitted and approved, or as modified and approved, the Owner will be notified in writing to make the necessary corrections. If Owner does not make the necessary corrections in the manner and within the timeframe required by the ACC, the ACC and/or the Association may pursue any and all remedies as may be available.

Owner's Builder is expected to maintain a good reputation in business. Builder must take care of call-backs and warranty work in a timely manner and must be easily accessible to realtors, customers and governmental officials.

The provisions of these Guidelines and any requirements in this Application and its Appendices are severable and the invalidation of any of single covenant or restriction by judgment or court order shall not affect any other provision hereof which shall remain in full force and effect.

This Application, and the terms and conditions of any approval(s) or conditions granted by the ACC or the Association in connection herewith, shall be subject to all of the terms and conditions of the Covenants of The Greens.

THE GREENS AT KISSING CAMELS ESTATES TOWNHOMES

**APPENDIX B
LANDSCAPING OPTIONS**

Owner must select one of the following options

Option One.

Owner must pay a landscape fee of \$50,000 (fifty thousand dollars) to the Greens at Kissing Camels Estates Townhomes Homeowners Association **prior to the commencement of any construction.** This fee is in addition to the construction plan review fee and construction deposit. It is allocated at the discretion of the Association and is nonrefundable.

The Association, at its expense, will provide landscaping and irrigation installation in the common area around each new Residence. The plantings and other elements of landscaping will be consistent with those of the original 24 Residences in the Greens. The ACC and Landscape Committee of the Association will provide a landscape plan to the Owner and will solicit Owner input on all landscaping issues but final decision on initial landscaping and landscape maintenance are within the discretion of the ACC and Landscape Committee. Owner may not install any landscaping or plantings without the written approval of the ACC.

The time for installation of the landscaping and irrigation system will be selected by the Association. Such installation may be delayed if the subject Residence is not completed according to approved plans or if delay is caused by weather or other considerations.

Owner accepts Option One above

Owner #1: _____
(Printed name)

Owner's Signature: _____
(Signature)

Owner #2: _____
(Printed name)

Owner's Signature: _____
(Signature)

Option Two.

Owner must submit, **with the original building application**, a landscape plan. This plan will be reviewed by the ACC and the Landscape Committee of the Greens, must meet a standard that is consistent with the original 24 Residences in the Greens and must be approved, in writing, before any construction may begin. The cost for professional review of this plan will be paid from the plan review fee.

All yard areas are to be landscaped in a professional manner and fully landscaped with sod, trees, flowers and shrubs. The plan, at minimum must:

Provide for finished landscaping for the entire area around the subject home out to at least the midline between the subject lot and any adjacent lot and from the subject lot to any adjacent golf course property

Identify the time when landscape work will begin and when it will be completed,

Identify the type of all plantings to be used,

Show the location of all plantings, turf, mulch and other landscape elements,

Show the size at installation and mature size of all plantings,

Describe planting depths, procedures to protect initial plantings from wildlife, procedures for watering or fertilizing initial plantings,

Indicate the location of all elements of the irrigation system including the depth of all lateral lines, locations of control valves and types of irrigation heads (lateral lines must be at least 36 inches deep).

The ACC will provide Owner with copies of any available current landscape plans.

The Association provides pressurized irrigation service to all lots in The Greens. Owner must install and hook up a pressurized irrigation water sprinkler system for all yard areas on the lot. It is not permissible to hook up the sprinkler system to the domestic water system. **The sprinkler system must meet the requirements of the ACC and the Association and must specifically be approved by the company or individual controlling irrigation in the Greens.**

Owner accepts Option Two above

Owner #1: _____
(Printed name)

Owner's Signature: _____
(Signature)

Owner #2: _____
(Printed name)

Owner's Signature: _____
(Signature)

THE GREENS AT KISSING CAMELS ESTATES TOWNHOMES

APPENDIX C OWNER CERTIFICATION

The Owner identified in this Application must complete this Appendix.

Owner hereby represents, warrants, covenants and agrees as follows:

- A. Owner has read this Application, including Appendices A, B, C & D and certifies that the contents thereof are true and correct in all material respects;
- B. Owner is financially responsible for full and complete compliance with all of the terms and conditions of the Association Documents, including the Covenants and this Application, and all Appendices, plans, specifications and samples submitted herewith, and for correcting any deviations there from, all of which are incorporated herein by reference;
- C. Owner shall assure that Owner's builder follows, and that the subject improvements shall conform in all respects to, approved plans, and acknowledges that the Association is not responsible for inspection of the subject improvements or for assuring conformity to approved plans;
- D. Owner acknowledges that Owner and not the Association is responsible for completion, correction, repair or maintenance caused by, or which results from, construction, including landscaping, that is not completed in conformity with approved plans;
- E. Owner agrees to complete construction of the Improvements which are the subject of this Application within twelve (12) months from the date construction commences in conformance with approved plans, unless requirement is waived in writing by the ACC;
- F. Owner further acknowledges that Owner has received and read a copy of the Association Documents, including the Covenants and this Application, and all Appendices, plans, specifications and samples submitted therewith and agrees to abide by the terms and conditions of all such documents, as well as any and all approvals received from the ACC; and
- G. Upon completion of construction, Owner shall execute and submit to the Association a Certificate of Completion in the form of Appendix E.

DATED this _____ day of _____, 20_____

Owner #1: _____
(Printed name)

Owner's Signature: _____
(Signature)

Owner #2: _____
(Printed name)

Owner's Signature: _____
(Signature)

THE GREENS AT KISSING CAMELS ESTATES TOWNHOMES

APPENDIX D
BUILDER INFORMATION AND CERTIFICATION

The following information is requested only to help the ACC evaluate the application. Neither the Greens nor its ACC endorses or requires any specific builder. Homeowners are free to contract with or use any builder. Further, owners are free to change builders at any time.

Builder Information

1. Builder's company name, address, telephone number and responsible party:

2. Describe insurance coverage carried by Builder for this project:

3. Describe Builder's licenses that are applicable to this project (including license numbers and issuing authority):

License No. _____

License No. _____

4. Describe Builder's experience, particularly experiences building in Kissing Camels Estates:

5. Provide references that can verify Builder's reliability:

Owner certifies that he or she has provided the builder with copies of this application and all covenants of the Greens and Kissing Camels Homeowners Association and that Owner understands he or she is liable for the conduct of his or her builder and any violations of relevant laws, rules or covenants by builder.

DATED this _____ day of _____, 20_____

Owner #1: _____
(Printed name)

Owner's Signature: _____
(Signature)

Owner #2: _____
(Printed name)

Owner's Signature: _____
(Signature)

THE GREENS AT KISSING CAMELS ESTATES TOWNHOMES

**APPENDIX E
CERTIFICATE OF COMPLETION**

Lot number and address to which this Certificate pertains ("Lot"): _____

Owner hereby certifies as follows:

- A. Construction of Improvements on the above Lot has been fully completed as of the date of Owner's signature below;
- B. Such Improvements have been completed in full compliance with all of the terms and conditions of the Association Documents, including the Covenants and Owner's Application for Plan Approval, and in full compliance with all plans, specifications and samples submitted to, and approved by, the Association);
- C. Owner agrees to correct, or arrange for the correction of, any and all defects in such construction, including any and all deviations from, and/or nonconformance with, approved plans, all to Association's satisfaction and promptly upon request of the Association, and further hereby agrees to indemnify, defend and hold the Association harmless from and against any and all loss, liability, damage, cost, expense or other claim arising directly or indirectly from any failure of Owner and/or Owner's contractor to construct the Improvements in accordance with the Association Documents, the Covenants and/or the approved plans; and
- D. Owner hereby reaffirms that Owner **(and not the Association)** is responsible for any completion, correction, repair or maintenance caused by, or which results from, construction, including landscaping, that is not completed in conformity with approved plans and the Association's Governing Documents.

DATED this _____ day of _____, 20_____

Owner #1: _____
(Printed name)

Owner's Signature: _____
(Signature)

Owner #2: _____
(Printed name)

Owner's Signature: _____
(Signature)

APPENDIX F
BUILDER/HOMEOWNER MISCELLANEOUS INFORMATION

The following information is provided to the homeowner and/or his or her builder as a courtesy. It includes information collected by the Association in connection with past construction. **It is not an exhaustive list of all information required.** Applicants **MUST** comply with all applicable Greens covenants and KCPOA rules regardless of any information contained here.

This information includes

- Materials that have been approved in the past
- Architectural features that have been required and should be incorporated in proposed plans
- Modifications the ACC will consider
- KCPOA benchmarks
- Select KCPOA Construction and Builder Regulations

MATERIALS THAT HAVE BEEN APPROVED IN THE PAST

Some of these materials may not be available currently. The ACC will consider substitutes proposed by the applicant

Concrete for driveways, sidewalks and patios
BASF Master color caramel
Driveways must be 6 inches thick and reinforced with fiber

Roofing – concrete tile
Boral Rockey Mountain Woods. Saxony Slate ISXCS3965

Stucco on body of home
El Rey La Habra Pottery fine finish elastameric #1566

Stucco on trim of home
El Rey La Habra Pronghorn fine finish elastameric #421

Cultured Stone on home
Boral Carmel Country Ledgestone

Stone sills and caps
Boral Mocha

Soffit and fascia paint (including fascia of deck)
Benjamin Moor Super Spec Acrylic Flat, Med Base 183-3B-01 – Custom Color Match from Paint Gallery. Last painting contractor was Carroll Painting.

Down spout paint
Benjamin Moor 183-2B-01 – (to match stucco)

Garage Doors
1x6 rough cedar smooth side out. Finish with Super Deck 9603 Brown
This material is now prohibited by fire code. ACC can provide substitute metal door that does meet fire code.

Deck rails and courtyard rails and gates
Sherwin-Williams powder coat - Canyon Tan

Deck surface material
Trex 1x6
Timber Tech “Twin Finish Collection” Color “Grey.” Blind fastening with Tiger-Claw Clips

Front door
Solid knotty alder. Neither storm doors nor door lights have been permitted.
Finished with Watco brand teak oil

Windows
Most recently approved was manufactured by Pella. Color – portabella
Other manufacturers that have been approved include:
JeldWen Siteline windows in Sherwin Williams SW 7033 color.
Windsor - Walnut

Exterior Light Fixtures
Most recently approved was
Minka – Lavery
#8752-161

ARCHITECTURAL FEATURES THAT HAVE BEEN REQUIRED AND SHOULD BE INCORPORATED IN PROPOSED PLANS

- Long expanses of roof line sameness is discouraged and preference is to incorporate gables and punch outs that allow the roofline to be broken up and made more interesting to integrate well with existing homes, such as the A, B, and C plans.

- Use of Corbels/Beams are encouraged at appropriate intersections for best fit with existing architectural style of the Greens.
- Punch outs for windows on long elevations is encouraged to break up long expanses of the same lines and more seamlessly fit with the existing Greens architectural styling.
- Punchouts are encouraged to be clad in stone to break up large areas of stucco only.
- Stonework punchouts are encouraged to go the soffit/roofline height.
- Stonework up to the wainscot height is encouraged to break up long expanses of stucco and to give the elevations more mass, with custom, and more upscale appearance.
- Exposed window elevations to street should incorporate paned style window treatments.
- Window type, depending on punch out or elevation treatments should follow the styling of the Greens architectural precedents.
- Neighboring pre-existing windows should be considered when placing windows on new builds.
- Massing of fascia boards along roofline should be consistent with pre-existing architectural standards for the Greens.
- All entries should have 1-2 sidelights, and if possible a transom window, as is the architectural standard in the Greens. Front door width should be no less than 42" and consistent with Alder styling and hardware of the Greens.
- 3 garage bays minimum
- Front garage sconce lights should be on light sensors. 1 sconce light fixture per bay is ideal.
- 2700 SqFt minimum on ground floor unless covered by variance. Variance, only if applicable, may permit 2400 SqFt minimum on ground level, 4800 SqFt minimum overall including basement
- Patio ceilings should be stucco.
- All downspouts should be "daylighted" when possible, particularly when close proximity to driveways and sidewalks.
- Drycreek river rock drainage should be designed organically and meander rather than squaring to edge of property/building envelope lines. (Spec is Colorado River Rock w/3" diam. and greater in size to resist rock migration)
- Irrigation recommended is pop up heads for beds and pop up and rotating heads for turf. Recommended heads are brass to best hold up to maintenance equipment abuse, as well as have the most consistent and reliable spray capabilities.

MODIFICATIONS ACC WILL CONSIDER

Alternate garage door material

Xeriscaping or landscaping that minimizes water use

Fire mitigation, including use of 2 inch white river rock mulch.

KCPOA BENCHMARKS –Revised Sept 22, 1999

All bench marks are top operating nut of fire hydrant

1- Hydrant on west side of Hill Circle at 3550/3560
Elevation 6540.58

2- Hydrant on west side of Hill Circle at 3580/3590
Elevation 6554.53

3- Hydrant on west side of Hill Circle at 3620-3630
Elevation 6567.59

4- Hydrant on west side of Hill Circle at 3650-3660
Elevation 6578.17

5- Hydrant on west side of Hill Circle at 3670-3680
Elevation 6584.37

6- Hydrant on west side of Glen Vista at southeast corner of 3818
Elevation 6591.89

7- Hydrant on west side of Glen Vista at 3854/3872
Elevation 6600.60

8- Hydrant on north side of Glen Vista at northeast corner 3890
Elevation 6610.46

9- Hydrant on north side of Glen Vista at turn around
Elevation 6613.48

10- Hydrant # 1608-C at southeast corner of Camelrock & Hill Circle
Elevation 6594.51

11 – Hydrant #1664-C on east side of Camelrock at northwest corner Elevation 6588.14

SELECT KCPOA CONSTRUCTION AND BUILDER REGULATIONS

These are not Greens regulations but are rules from KCPOA and are provided here to inform the applicant and assist the applicant in securing KCPOA approval.

1. Purpose

These regulations are for construction efficiency and for neighborhood assurance that inconveniences from construction operations will be minimized.

2. Access to Construction Area

KCPOA will designate an access route that the contractor, subcontractors and workers shall follow to the site. Identification tags will be provided after proof of proper vehicle insurance is provided and must be exhibited on all vehicles. Violations may result in revocation of commercial access. General Contractors and subcontractors must sign a copy of these regulations.

3. Daily Operations

Working hours shall be between 7:00 a.m. and 6:00 p.m. daily, Monday through Saturday, unless prior written approval is given by the KCPOA Executive Board. Work is prohibited on the following major Holidays:

New Year's Day Memorial Day Independence Day Labor Day Thanksgiving Day
Christmas Eve Day Christmas Day

4. Parking of Construction Vehicles

All vehicles shall be parked so as not to inhibit traffic or damage surrounding natural landscape or adjoining property. Vehicles are not to be left on community roads overnight. Trailers may be parked within the garage. For short term projects, trailers may be left in the driveway with Community Manager Approval.

5. Signage

1. One professional sign, "2' x 4' with street address is allowed upon which the names and numbers of the architect and contractor may be shown along with a realtor, if appropriate. 2. Color Board must follow guidelines in Article 4.18.7.

6. Chemical Toilets

A chemical toilet shall be provided by the contractor and placed pursuant to city regulations.

7. Dust, Noise and Odor

The contractor will be responsible for watering or screening dust problem areas and eliminating any odors. No pets or loud radios are allowed.