

SPRING VALLEY PROPERTY OWNERS & RECREATIONAL CORPORATION
Policy Number 330 - ARCHITECTURAL CONTROL
COMMITTEE RULES AND REGULATIONS POLICY
Effective January 1, 2010

Attachment - A

Building & Exterior Modification Contract

A. This agreement has been prepared by the Architectural Control Committee (ACC) to outline the obligations of the ACC, the property owner (owner) and the contractors involved in building in the SVPORC Community. Completed packages as well as all requests for change and/or modifications, should be sent to the **ACC Chairman. Refer to the SVPORC website for contact information at www.myspringvalley.org or email to syporc@juno.com or write to SVPORC Attention: ACC Chairman, P.O. Box 513, Divide, Colorado 80814. NO WORK CAN BE STARTED ON THE LOT UNTIL FINAL WRITTEN APPROVAL HAS BEEN RECEIVED BY THE OWNER FROM THE ACC, THIS INCLUDES LOT CLEARING.**

B. It is required that you read your Declaration and/or Covenants, which were provided to you at closing, and review the attached fine schedule. At the closing of the sale of your property, the title company is required to provide the correct version of the covenants to you. If you are in need of a copy of these, you should contact your title company. The information in this attachment focuses on the policies and procedures for building and other improvements.

C. All required submittal information will have to be complete and delivered to the ACC before any approvals can be granted. Partial approvals will not be given. If you want to install a septic tank or do lot clearing prior to building, a request can be made for this work separately from the home construction.

D. All community association fees and liens must be paid in full prior to submission of request for lot clearing, septic tank installation, or any type of construction or remodel.

E. Lot clearing, installing a water connection, septic tank, propane tank, or driveway:

1. It is required to submit a request for installation of a septic tank, clearing of a lot for septic tank installation or building site preparation, installation of a propane tank, or driveway installation, along with a signed copy of this contract. After you have completed the work and make a request for the ACC to inspect your property a written letter of compliance will be provided upon final approval. Completion means that all work is complete (septic tank and drain field are installed and/or driveway installed), and the site is clear of debris.

2. **NO WORK CAN START** until a proper means for fire prevention is provided on the property. Water hookup for supply to the house must be accomplished per the requirements set forth by the Valley Maintenance Corporation. Water provided by Valley Maintenance Corporation cannot be used for construction purposes. The Contractor must provide all water necessary. Contact information is as follows: Valley Maintenance Corp., P.O. Box 219, Divide, CO 80814, 719-687-1887. Fire prevention is a foremost concern to the community and work will be stopped if these rules are not complied with.

3. If a water line is damaged, the owner must notify the Valley Maintenance Corporation immediately. The lot owner will be charged for all repairs and any cost associated with the break in the water line. UNDER NO CIRCUMSTANCES SHALL A LOT OWNER OR ANY OF ITS CONTRACTORS ATTEMPT TO FIX A BROKEN COMMUNITY WATER LINE.

4. The Community property and road right-of-ways are not to be used for storage of any construction material.

5. You must submit a site plan showing the location of the septic tank and drain field, or propane tank, property lines, detail dimensions to property lines, proposed house location, driveway location and lot access.

6. You must contact the Teller County to obtain all necessary requirements, information and permitting.

7. Copies of the approved Teller County permits need to be submitted to the ACC before any work can begin.

8. All work related to lot clearing, septic tank, propane tank, or driveway must be **completed within 90 days of the start of the project**. This includes cleanup.

F. Building, Exterior remodel or Surface Water Alteration Submittal Procedure

1. It is required to submit building plans for review (this will not apply to a request for repainting/re-staining exterior of existing structures). **Before you can start building or exterior remodeling, all plans must be submitted and approved by the ACC and this contract form must be signed by the owner and the contractor. When you are ready for a final inspection by the ACC, you need to submit an inspection request, in writing to the ACC.** A written letter of compliance will be provided to the owner upon final approval.

2. One set of Teller County approved plans and permits need to be submitted to the ACC showing the following in detail:

- a. Legal description of property, SVPORC lot and division number along with Teller County assigned address.
- b. Plan needs to show planned locations for house, septic tank, drain field, garage, drainage, driveway, parking areas, natural drainage areas and water course locations.
- c. All requirements for installation of septic tank above must be followed.
- d. Outdoor lighting (if any).
- e. Landscaping/Restoration plan showing areas to be replanted after construction.
- f. Location of propane tank and screening details if propane tank is to be installed above ground.
- g. Plans for required off-street parking of vehicles.

- h. Building plans must show all floor plans including decks and walkways with sufficient elevations and building sections to show method of construction for all elevations of the structure.
- i. Specify the exact colors and materials (include samples, color chips and/or exact website address) to be used on the exterior of your building to include:
 - (i) Roof plan and roofing color.
 - (ii) Exterior siding material and colors (colors should blend into the natural forest surroundings).
 - (iii) Windows.
 - (iv) Doors and trim colors (colors should blend into the natural forest surroundings).
 - (v) Exterior fireplace material and colors.
 - (vi) Railing and decking materials and color.

3. **NO WORK CAN START** until a proper **fire prevention** is provided for on the property (refer to Section 2.E.2).

4. Set back requirements from the front, back and side of the property lines must comply with Teller County Building Code. You should check with the Building Department at Teller County for minimum set back requirements.

G. Repainting, New deck construction and landscaping submittal procedure

1. For repainting/re-staining (different color than original, for same color repainting/re-staining see Section 2.H.1), new deck construction or landscaping submissions, written approval is required. **Before you can begin these projects, all plans must be submitted and approved by the ACC and this contract form must be signed by the owner and the contractor.**

2. When you are ready for a final inspection by the ACC, you need to submit this request in writing to the ACC. A written letter of compliance will be provided to the owner upon final approval.

3. A complete set of plans needs to be submitted to the ACC showing the following in detail:

- a. SVPORC lot and division number along with Teller County assigned address.
- b. Color samples and paint chips for all selected colors/stains.
- c. Wood type or like material to be used on deck construction.
- d. Landscaping/Restoration plan showing areas to be replanted after construction.

H. Maintenance

1. ACC approval is not required for repainting/re-staining outside structures if the color remains the same.
2. Repair of damaged or rotted deck, exterior stairs or railings do not need ACC approval unless color or dimensions are changed from original.

I. General Information

1. You need to submit your Teller County approved plans and permits to the ACC, along with this contract signed by the owner and contractor agreeing to the terms and conditions for construction in the SVPORC Community. **No construction or clearing can start until this contract is signed and returned to the ACC and a formal letter of approval from the ACC is received by the property owner.** The return of this signed contract is a critical part of the approval process. The purpose of the contract is to make certain all interested parties understand the full intent of the ACC and the community rules and agree to follow them. If a general contractor is involved in your building or remodeling process, then they must also sign this contract. The property owner is responsible for all actions of the general contractor and any of its sub-contractors. The owner will be held liable for all violation by the general or sub-contractors. If you change general contractors in the building process, new forms need to be signed by the new general contractor.

2. Review of the plans shall not relieve the Owner or Contractor of the obligation to meet all requirements of the Teller County building code or permitting and shall not relieve the Owner or Contractor of the responsibility for the correctness of the Construction. Changes to the approved plans require re-approval.

3. Spark arrestors must be installed on all open chimneys or fireplaces

4. No burning of any kind is allowed of cleared or construction debris in the SVPORC community at any time. All debris must be hauled out of the community and disposed of properly.

5. The pavilion and common areas are not to be used by the general or sub contractors. Portable toilets must be provided for your building crews during the building period. These cannot be placed on the public right-of-way.

6. If building contractors block the road with vehicles or construction material, the blocking item will immediately be removed and the owner will be billed for the expense of removal and storage. All community roads need to stay clear for emergency vehicle access.

7. The exterior construction of all structures must be completed within two years from the date the building permit is issued by Teller County unless the permit identifies an earlier completion date. Completion of construction means all roofing, windows, siding, exterior walk-ways, rails, decks and any other exterior construction. If the owner does not conform to this requirement, it is agreed that the owner will pay a fee as identified in the fee schedule. Completion of construction is determined by a review by the ACC and the meeting of all terms and conditions of this agreement, as determined by the ACC.

8. All precautions must be taken not to damage any existing utilities. The lot owner will be charged for all repairs and any cost associated with the damaged utility.

J. Any violation of the terms and conditions of the Architectural Control Committee Rules and Regulation, unauthorized deviation from submitted and approved plans, violation of the SVPORC Rules and/or Declaration of Covenants/Bylaws, will result in a stop work order being placed on your property and/or fines levied for violations. The Lot Owner will be responsible for all legal fees, bonding fees, and any other fees associated with a stop work order.

K. All requests for change and or modification must be submitted in writing to the ACC. No approvals for change and/or modification can be given verbally. Only change or modification request granted by the ACC in writing will be honored.

L. AGREEMENT

1. I agree to follow all the rules and regulations as outlined in this document, the SVPORC Declaration of Covenants, and the ACC rules and regulations document. I agree not to change or alter anything that was submitted to the Architectural Control Committee (ACC) without their explicit written permission. All changes and or alterations need to be submitted in writing and have written approval from the ACC prior to instituting the change.

2. I also understand that, as the property owner, I responsible for assuring the builder, general contractor and all of the sub-contractors follow the rules and regulations outlined in this document and the SVPORC Declaration of Covenants. I have received and read a copy of the SVPORC – ACC Rules & Regulations Fine Schedule. The property owner will be billed for the enforcement, legal cost, court cost and any other cost or fines associated with the enforcement of the rules and guidelines outlined in this document and the rules and conditions outlined in the SVPORC Declaration or Covenants.

Owner _____ Date _____

Owner _____ Date _____

General Contractor _____ Date _____