

Edgemont Highlands Community Association, Inc.

**THIRD MODIFICATION TO THE COMPREHENSIVE AMENDED AND RESTATED
ARCHITECTURAL AND LANDSCAPING GUIDELINES
FOR EDMONT HIGHLANDS**

**THIS THIRD MODIFICATION TO THE COMPREHENSIVE AMENDED AND RESTATED
ARCHITECTURAL AND LANDSCAPING GUIDELINES FOR EDMONT HIGHLANDS**
(the "Third Modification") is made and entered into this 9 day of April, 2021, by
EDGEMONT COMMUNITY PARTNERS, LLC a Delaware Limited Liability Company
(hereinafter referred to as the "Declarant").

RECITALS

- A. The Comprehensive Amended and Restated Architectural and Landscaping Guidelines for Edgemont Highlands recorded on February 13, 2013 as Reception No. 1060592 in La Plata County, Colorado Clerk and Recorder's office ("Comprehensive Guidelines") replaced entirely all previous Architectural and Landscaping Guidelines for Edgemont Highlands; and
- B. The First Modification to the Comprehensive Amended and Restated Architectural Guidelines for Edgemont Highlands recorded on November 14, 2014 as Reception No. 1089236 in La Plata County, Colorado Clerk and Recorder's modified the Comprehensive Guidelines; and
- C. The Second Modification to the Comprehensive Amended and Restated Architectural Guidelines for Edgemont Highlands recorded on October 11, 2018 as Reception No. 1149157 in La Plata County, Colorado Clerk and Recorder's modified the Comprehensive Guidelines, and
- D. Edgemont Community Partners, LLC, as Assignee of the Assignment of Declarant Rights dated May 22, 2014, has the right to amend or modify the Comprehensive Guidelines; and
- E. Edgemont Community Partners, LLC desires to amend the Comprehensive Guidelines as set forth below.

NOW, THEREFORE, Declarant hereby amends the Comprehensive Guidelines as follows:

The **COMPREHENSIVE GUIDELINES** have and will continue to create a beautiful, well executed neighborhood, enhancing and protecting property values, creating a very pleasant and desirable place to live.

The physical location of **PHASE 3D – THE TIMBERS AT EDMONT HIGHLANDS** neighborhood ("The Timbers") and the physical separation from the existing Edgemont Highlands neighborhoods (Phase 1, 2A, 2B, 2C, 4, 5A, 5B, 5C) creates an opportunity to both embrace the Comprehensive Guidelines while allowing for diversity and potential improvement from experience of the execution and intent of the Comprehensive Guidelines. Additionally, the size of some of the lots within Phase 3D differ from lot sizes in 3A, 3B and 3C. Broader architectural styles will be considered, as they are in the Monarch Crest Trail neighborhood and The Overlook neighborhood. Additionally, specific requirements for home size and guidelines for outbuildings apply to all lots within Phase 3D, and specific allowances relative to driveway orientation apply to a few lots within Phase 3D.

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1. Styles

Section 2A of the Comprehensive Guidelines indicates that certain “styles” will not be approved. Within The Timbers Phase 3D, Santa Fe/Adobe style shall not be allowed, and tasteful Southwestern Contemporary architecture, along with Colorado Mining, Ranching and Craftsman Styles are encouraged.

2. Design

Within The Timbers Phase 3D, the design shall take into consideration the use of the entire lot, including saving mature established trees when practical, considering solar access, and most importantly, promoting design that utilizes the outdoor space – patios, covered porches, motor courts – to work in concert with the interior of the home design, creating an indoor/outdoor synergy of usable, pleasant lifestyle opportunities for social gatherings and family enjoyment.

3. Size

Within The Timbers Phase 3D, on lots one half acre (21,780 s.f.) and less, homes shall have a minimum of 1,600 square feet and a maximum of 3,200 square feet of heated livable space. On lots over one half acre and not more than one acre (21,780 – 43,560 s.f.) homes shall have a minimum of 1,800 s.f. and a maximum of 4,400 s.f. of heated livable space. On lots over one acre (43,560 s.f. and up) homes shall have a minimum of 2,200 s.f. and a maximum of 5,200 s.f. of heated livable space. A variance on any lot to increase the maximum square footage by up to 20% may be applied for.

4. Roofs

Within The Timbers Phase 3D, roofs may vary from a flat roof to a 12/12 pitch as in the existing Monarch Crest Trail neighborhood, The Timbers Phases 3A, B and C neighborhood, and The Overlook neighborhood. By lowering the pitch from an 8/12 minimum, the need for excellent architectural consideration in eave and soffit detailing is important to avoid any look similar to a modular or prefabricated style roof appearance. Strong simple roof forms are allowed, along with consideration of all other existing roof guidelines in the Comprehensive Guidelines.

5. Exterior Materials

Within The Timbers Phase 3D, all exterior materials currently allowed in the Comprehensive Guidelines are approvable. Greater consideration will be given to allowing a larger percentage of one exterior material on elevations within The Timbers Phase 3D, however, careful architectural design and specifications, such as window and other architectural details, soffit and eave detailing, etc., shall be required in these cases. The requirement in the Comprehensive Guidelines to have two or three of the four approved material types, while still valid for design consideration, will be waived if strong architectural validity can be demonstrated in the overall design.

6. Garage Orientation

For Lots 258 through 277 three car garages are allowed provided they do not face the street, as noted in the Comprehensive Guidelines Section 4.F i. The front of the house is considered to be facing the street. For a three car garage to qualify as not facing the street, it must be at an angle of 45 degrees or more to the front plane of the house.

For Lots 278, 279, 405, 406 and 407 three car garages may face the street, as noted in the Comprehensive Guidelines Section 4. F. ii.

Garage doors may have a maximum height of 9', however one single garage door may have a maximum height of 10' with proper design consideration.

7. Outbuildings:

One outbuilding (up to 500 s.f.) *may* be allowed on Lots 258 through 277 within The Timbers Phase 3D depending on architectural review, provided the outbuilding appropriately integrates with the residence on the lot.

Outbuildings must be designed and located to complement the house and landscape designs, and should not be more visible, or dominant, than the house when viewed from the street. The exterior materials must be of the same materials or similar materials as the analogous exterior materials of the house and must present the same appearance to the street (including orientation, pattern, and color) as the analogous exterior materials of the house. Roof pitches must mirror those on the house.

One larger Outbuilding (up to 1,000 s.f.) *may* be allowed on lots 278, 279, 405, 406 and 407 within the Timbers 3D depending on architectural review, provided the outbuilding appropriately integrates with the residence on the lot and that it also meets the requirements above.

Outbuildings may be plumbed to include a bathroom. Outbuildings are intended for the homeowner's personal use, such as a woodshop, art studio, music room, etc. and are not to be used as an inhabited space. No agricultural usage that would result in water consumption exceeding 10,000 gallons per month for the entire lot is allowed. No rental of the space is allowed. While the space may be used for business activities of the homeowner, limitations on businesses activities within Edgemont Highlands will apply as outlined in the Rules and Regulations and other governing documents of Edgemont Highlands Community Association.

IN WITNESS WHEREOF, the undersigned, being the Declarant, has set its hand and seal on the dates set forth opposite its signature.

EDGEMONT COMMUNITY PARTNERS, LLC
A Delaware limited liability company

By  _____
Eric Flora, Manager

Date: 4/9/21