

DESIGN GUIDELINES ASPEN RIDGE RANCH

WELCOME! If you are about to become a new resident of the Aspen Ridge Ranch, welcome! We are pleased you have chosen such a wonderful area in which to build your new home. We stand ready to be of help ... don't hesitate to call upon us!

Aspen Ridge Ranch is a very special place. The ranch is located just three miles from the town of Red Lodge, two miles from the championship 18 hole golf course and just below the Red Lodge Mountain Ski Area. The Beartooth/Absaroka Wilderness is our back yard. This wonderful backdrop will play an important role in the design of your new home. The rolling terrain of the land here offers opportunities for each home to have unique views and building opportunities.

The total area of Aspen Ridge Ranch exceeds 250 acres. Most is devoted to grazing land, agricultural hay production, open space and trails designated for hiking, horseback riding and Nordic skiing. Included is a state-of-the-art Equestrian Center, built in 2006. Even though horses are integral to the ranch, the variety of additional features makes it appealing to those who do not participate in equestrian activities.

In order to understand the nature of Aspen Ridge Ranch, we begin by looking at the existing character of the area. The native vegetation consists mainly of drought tolerant grasses and picturesque stands of aspens. The slopes are covered by wild flowers, sagebrush and grasses characteristic of the transitional Montane Zone that exists along the Beartooth Front. Numerous riparian areas flow through magnificent hay fields and offer refuge for birds and other wildlife. The Ranch is designed to optimize the views from each lot while maintaining the integrity of the land. One main road serves the majority of the lots and minimizes roads on the property. A separate secured road that serves the Equestrian Center ensures privacy for owners.

The Goals of Aspen Ridge Ranch are to:

Protect and maintain the agricultural use of the property;

Preserve the natural beauty of the land;

Create an environment where humans can live in harmony with nature;

Provide a state-of-the-art Equestrian Center that utilizes the latest and safest innovations in equine care;

Set a high standard for design of structures that blend into the natural landscape and take advantage of new and emerging techniques for energy conservation.

DESIGN GUIDELINES

The Declaration of Covenants, Conditions and Restrictions states,

2.1. Design Guidelines. There is a set of "Design Guidelines" which applies to the construction, installation, erection, alteration, remodeling, renovation, contraction or expansion of any home in Aspen Ridge Ranch including:

- a. The staking, clearing, grading, excavation, filling or similar disturbance to the surface of the land including, without limitation, change of grade, change of ground level or

change of drainage pattern;

- b. Landscaping, planting, clearing or removing of trees, shrubs, grass or perennial plants;
- c. Any change or alteration of any previously approved improvement to Property, including any change of exterior appearance, finish material, color or texture;
- d. The demolition or destruction, by voluntary action, of any improvements;
- e. Installation of any materials which act as fencing, berming or screening device;
- f. Repainting and resurfacing of exterior surfaces, and rebuilding of Improvements (provided, however, no approval shall be denied to repaint the exterior of a structure in strict accordance with the originally approved color scheme or to rebuild in strict accordance with the originally approved plans.

These Design Guidelines will make your construction project as convenient and pleasant as possible. Building or remodeling a home is an important step in all of our lives and should be a happy and rewarding one. Design guidelines serve to protect us in two important ways. First, they set certain standards for the exterior design of homes in the Ranch, they help make this unique community more beautiful and will increase our pride and pleasure of home ownership. Second, they enhance the value of our individual and communal real estate.

The "Aspen Ridge Ranch Design Guidelines" have been created by the Declarant, Haughey Loo Inc., dba Aspen Ridge Ranch. They are based in part upon guidelines from other communities that have proven to be successful and fair to all parties over time. In the future they may be revised as needed to keep them in current best practices.

For purposes of brevity some provisions of the Covenants are omitted from this document and incorporated into it by reference. Many of the capitalized terms used in this document are more fully defined in the Covenants. It is important that you are fully acquainted with the Covenants before starting your construction or renovation project.

For clarity, these "Guidelines" combine the site planning, architectural and landscaping guidelines into a single document. Finally, there is a section for you and your contractor covering some of the construction procedures, which will help your project move smoothly and will minimize disturbance of your neighbors.

THE ARCHITECTURAL REVIEW COMMITTEE (ARC)

It is the desire of the Declarant (Haughey-Loo Inc dba Aspen Ridge Ranch) to have a development that has minimum impact on the land and surrounding area. Thus structures should fit into the landscape instead of towering over the land. In order to accomplish this, it is imperative that Lot Owners meet with the ARC in the early stages of planning to assure that the desires of the Declarant and the goals of the development are met.

1.1 Makeup and Committee Appointments

The Covenants state that there shall be an Architectural Review Committee (ARC) appointed by the Declarant to review and approve all plans as laid out in the Design Guidelines. There shall be three (3) voting members and up to two (2) non-voting advisory members. All plans will be reviewed by an architect and a landscape designer or architect with expertise in landscaping with native plants. The Architectural Review Committee shall have exclusive jurisdiction over all original construction and all modifications, additions, or alterations made on or to existing structures and the adjacent open space on any portion of the Ranch.

Method for appointment of the ARC members is listed in 2.2 of the Declaration. One licensed Architect and one well-qualified Landscape Designer who may or may not be residents of the Ranch may serve on the committee.

1.2 Address

The address of the ARC is that of the principal office of Haughey Loo Inc., dba Aspen Ridge Ranch, PO Box 1946, Red Lodge, MT 59068-1946.

1.3 Meetings

Rather than holding regularly scheduled meetings, the ARC will meet as required by the flow of applications for review. The Owner and Owner's architect should meet with the ARC before closure of the sale of the Lot. They should meet as needed during the design phase. Together they will review and modify as needed the site as indicated on the plat for the house and finalize a Building Envelope. Later, when an application package (in acceptable form and content) is received, three sets each will be immediately delivered to the Committee's members for review and an ARC meeting will be scheduled. The Architect and Landscape Designer will present their review conclusions to the full ARC at the meeting. The Covenants call for action on a complete application within 90 days. An extension may be granted if approved by all parties. The Architect, Landscape Designer and a representative or representatives of the ARC will meet with the Owner and its Architect to present and discuss the actions taken by the ARC.

DESIGN GUIDELINES

11.2 Design Goals. The design goals at Aspen Ridge Ranch are:

- to create living environments which respond to the powerful vistas
- to create an environment that is in harmony with the specific microclimates of the land
- to blend with and enrich the landscape of the Beartooth Front
- to conserve limited natural resources
- and to evoke the casual outdoor life style at the Ranch.

Structures should rest comfortably on the ground and blend with their landscape. Owners, along with their architects and landscape designers, are urged to seek creative solutions that will fit within these guidelines and will also meet each owner's individual needs and aspirations.

2. USES

2.1. Lot Use

In order to protect and enhance the peaceful rural character of the Ranch, all single family Lots in the property shall be used exclusively for private residential purposes. No dwelling unit erected or maintained within the property shall be used or occupied for any purpose other than for a private single-family dwelling. No business, profession or other commercial enterprise of any nature shall be conducted on any lot or in any dwelling residence, structure or other improvement located thereon; provided, however, a "home office" activity or an artist studio may be permitted.

No more than one single-family dwelling residence shall be erected or maintained within any lot. No lot shall be re-platted or otherwise subdivided. No improvement other than a dwelling residence may be used for living purposes.

No other temporary house, tent, camping quarters, garage, outbuilding or other temporary structure shall be placed or erected upon a lot; provided, however, the foregoing shall not be deemed to preclude temporary backyard and camping activities of children, or the erection of play houses otherwise complying in all respects with the terms and conditions of the Declaration. No dwelling residence or other structure or improvement placed or erected on any lot shall be occupied in any manner at any time during the course of original construction. One horse trailer and one motor home will be allowed to be stored on the property. However, it must be screened from view from roads and other owners and should be included in the submittal of the house plan. The ARC will have jurisdiction regarding the placement of said trailer and motor home.

2.2. Home Office

A "home office" activity is a secondary or incidental use of a residence. It is anticipated that a home office activity would be based predominately upon computer, telecommunications or other similar technologies with minor, if any, visual or traffic impact upon the property. Minimum standards, which apply to any home office activity conducted from any residence, are contained in the Covenants. An artist studio will be permitted with permission of the ARC.

3. ARCHITECTURAL GUIDELINES

3.2 Compliance with Codes and Ordinances

Designs and construction shall comply with all applicable ordinances and codes established and enforced by Carbon County.

3.3 New Construction

As a rule all construction shall be new. However, appropriate old ranch buildings may be moved to the property and restored for storage sheds, artist studios, etc. All such structures must have approval by the Architectural Review Committee.

3.4 Preliminary Planning

In order to facilitate the planning process, it is recommended that the prospective owner and owner's architect meet on the property with the Architectural Review Committee and others to establish the building envelope and standards for the construction on the Lot.

Agreement should be made on the following standards:

1. Number of stories - For a number of reasons, including concerns relating to view corridors and compatibility with surrounding improvements, one Lot within the ranch may be more suitable for some types of dwelling than others. For instance, on some lots only a one-story floor plan would be appropriate. On others, a one story walkout and/or two-story floor plan would also be appropriate. Horse trailer and motor home storage or screening must be included in the initial architectural plan
2. There is no designated maximum square footage – however, extremely large homes that cover a large part of the building envelope or significantly stand out in the environment are not appropriate for the development. Minimum size is 2500 Square Feet excluding garage.
3. Foundation elevations (maximum)- The general intent of these Guidelines is for the top of the foundation, and the related first floor line, to be set as low as possible while still providing appropriate site drainage.
4. Maximum height – A maximum height of the house is not designated. However, designs should relate building massing and related roof heights to the lay of the land. A general rule is that no structure may be higher than twenty (20) feet above the existing natural grade at the top of the ridge where the home is located. Roof heights, including eaves, should step down as the terrain falls. Building heights shall be measured from the existing grade to the highest point of the roof ridgeline.
5. A Building Envelope has been designated with assistance of the engineer with reference to septic site, soil conditions, proximity to ditches and other land characteristic. The developer will work with the buyer to further identify and clarify the building envelope and siting of the house.

3.5 Site Guidelines - Goals

Site planning is the first step in the design of your new home or the placing of an addition on an existing residence. An effective site plan will help maximize the pride and pleasure you will enjoy from your home and, at the same time, will protect the interests of your neighbors. Among the goals for a successful site plan are: minimizing grading, protection of surface drainage routes, maximizing your privacy and that of your neighbors, protecting and enhancing the unique rural character, maintaining view corridors, and preserving the dominance of the natural setting by locating your house so it will rest comfortably in the land.

3.5.1 Site Survey

A licensed surveyor has surveyed your lot and a septic perk test has been performed and has passed inspection. A civil engineer has logged the information for your lot. This is good insur-

ance for you and is actually the first step in the planning process.

3.5.2 Soil Testing

A reputable geotechnical engineering firm should be employed to drill test holes on your site to determine the subsoil characteristics and make well-informed recommendations on such matters as engineered foundation and slab on earth design, surface drainage away from your house, foundation drainage (if required) and much more. Like obtaining a site survey, such tests are good insurance against future problems. A licensed structural engineer must do foundation designs.

3.5.3 Site Plan

This plan will designate points (elevations) where the foundation meets the existing natural grade for use in calculating the structure's height. **A benchmark for this measurement shall subsequently be established on-site, in agreement with the Architectural Review Committee's designated representative.**

4. DESIGN OF PRINCIPLE STRUCTURE (HOME)

4.1 Setbacks

All setbacks shall be a minimum of twenty five (25) feet from all property lines.

4.2 Zoning Ordinance and Building Code

Design of your site must comply with applicable provisions of the zoning ordinance and building code of Carbon County as well as the Covenants of the Ranch. If these documents should conflict in any way, the more stringent provision shall apply.

4.3 Utility Services

All utilities, including electric, cable television, and telephone transmission lines, but excluding lighting standards and customary service devices for access, control or use of utilities shall be installed underground. Except for the Northwestern energy transmission line that crosses the Property, no overhead utility line shall ever be installed or maintained on any portion of the Property, except during construction when the contractor or builder may install a temporary overhead utility line which shall promptly be removed upon completion of construction. Ground mounted mechanical and/or electric equipment shall be screened from view.

4.4 Excavations, Grading and Drainage

The finished grading of all lots shall be to within six (6) inches of the top of unfinished foundations. In the case of a stepped foundation, finished grading shall average within six (6) inches of the top of the stepped foundation. No material change may be made in the ground level, slope, pitch or drainage patterns of any lot. Grading shall be maintained at all time so as to protect foundations and footings from excess moisture at all times.

4.5 Exterior Wall Materials

Materials may be of wood, brick, stone, stucco, or other natural materials but also certain artificial stone, new composite materials and concrete approved by the ARC. Garage doors should appear to be an integral part of the houses and not be a dominant feature. We encourage the use of materials that obscure the garage doors.

4.6 Windows

Metal, vinyl or wood windows are permitted. All windows shall be color anodized and/or painted or coated a color to complement the color of the Structure.

4.7 Roofs, Gutters and Downspouts

All roofing material shall be Class "A" fire rated. All sloping roofs shall be of tile, slate, rusted metal or other non-flammable or flame retardant composites. Wood shake shingles are not allowed. Flat roofs may be permitted so long as parapet walls are provided; such roofs should be sloped as required to provide adequate drainage. The flat roof cannot be visible from any point on the Ranch. Gutters and downspouts may be used on sloped roofs and shall be painted the same color as the adjoining fascia surface as necessary. Catch basins from downspouts are encouraged but must be approved by the ARC.

4.8 Chimneys

Chimney facing shall be of stone, brick or other material acceptable to the ARC.

4.9 Exposed Concrete

All exposed concrete on foundations or elsewhere shall be textured or otherwise surfaced in a manner to blend with or complement the design of the dwelling residence.

4.10 Colors

One of the most important steps in the design of your residence is the selection of appropriate exterior colors. There is not a set group of colors that are allowed but in general, all colors must be subdued so they will relate to those of the Ranch setting. All exterior colors must be approved by the Architectural Review Committee.

4.11 Garages

Every residence constructed on any Lot must construct a two car fully enclosed garage. Larger garages may be permitted with the approval of the ARC as variances. Garage doors shall be of a compatible design that blends with the house and minimizes the look of the garage, and shall be equipped with automatic garage door openers with remote control operating devices.

4.13 Large Vehicle Storage

Owners of each Lot are allowed to store one horse trailer and one motor home on their property. They must be stored in a place that is hidden as much as possible from the view of other owners and visitors and may be housed in structures. All structures and areas for storage must be approved by the ARC and meet all the guidelines as stated herein. No trailers or motor homes may be stored on any Aspen Ridge Ranch property

4.14 Skylights

Skylights on sloping roofs shall be made of neutral colored anodized frames and clear or tinted plastic. Domed or pyramidal skylights are not permitted on sloping roofs, which are visible from roads or adjoining properties..

4.15 Kitchens

No more than one room in each residence may contain kitchen facilities except where approved by the ARC as a "wet-bar" area or as part of a den, playroom or entertainment area.

4.16. Solar Panels and Collectors

We encourage the use of alternative energy sources and require that they be as unobtrusive as possible. Solar panels and collectors may be used on roofs or walls if they are an integral part of the design. Sun tracking panels may be placed away from the house but must be approved by the ARC.

5. EXTERIOR GUIDELINES

5.1 Driveways

All Lots except #s 3, 6, and 7 are flag lots. These flag lots allow for a driveway that connects Aspen Ridge Road (the main subdivision road) to the lot and the house. Driveways, parking and garage layouts shall be designed to minimize visibility of the driveway from the surrounding areas through careful siting, grading and landscaping. No more than two (2) driveway entries will be permitted for each lot. Driveways may not be paved and must meet requirements set by the county. Any fencing should be low profile and must be approved by the ARC.

5.2 Paths, Outdoor Stairs, Courtyards, Terraces and Walls must be approved by the ARC.

The spatial organization of the residence as well as the organization of the outdoor spaces is to be designed as one unified whole. Natural materials such as natural stone as well as stamped, colored concrete and other appropriate alternatives may be used provided they compliment the residence.

When necessary, walls are allowed as part of the design of a house within the building envelope. They may not be used outside of the Building Envelope. Walls can serve many purposes in the development of a residential lot. Relatively typical situations are described below:

- 5.2.1 Patio, entrance courtyard and planter walls are either directly attached to the residence or an integral part of its design.
- 5.2.2 Walls may be needed to accommodate grade changes. These walls are generally reinforced concrete or masonry. Exposed surfaces of such walls must be faced with materials compatible to the residence, including stone, manufactured stone or textured colored concrete. Minor changes in grade, not requiring retaining walls, should be constructed of native boulders or stone and other appropriate landscape materials. Railroad ties and/or reinforced heavy timber are not acceptable for walls or any other site elements.

5.3. Fencing

Low profile fencing on lot lines is permitted with approval of the Architectural Review Committee. Low profile stone fences, low split rail and other materials that define the area but are safe for animals are encouraged. Barbed wire, galvanized chain link , wooden snow fences and pipe fences are not allowed. No boundary fences on the exterior lot lines of any lot, or around the perimeter of a building envelope shall be permitted without approval of the ARC. The following fences are permitted on any Lot, provided they are within the building envelope:

- a. A dog run, the size, construction and location of which shall be approved by the ARC.
- b. A children's play area.

5.4 Trash disposal - Exterior Service Areas

Trash disposal areas, outdoor work areas, mechanical equipment and outside equipment (including antennae and satellite dishes) are to be screened from off-site views by the use of architectural features or plant materials. Where feasible these areas are to be integrated into the main buildings.

Bear proof trash container storage is mandatory. All trash containers shall be stored in an enclosed area. The central garbage collection dumpster is bear proof and should always be closed with the lock in place. Spa equipment shall be located behind walls or in underground vaults to contain noise. Solid noise absorbing covers for equipment may be required after installation if it is discovered that the equipment is audible from adjacent properties.

5.5 Screening of Equipment

All roof, wall or ground mounted mechanical and electrical equipment shall be screened from view with permanent and attractive structures, which complement the design of the house. No permanent flag poles are allowed.

5.6 Antennae and Satellite Dishes All aerial masts, antennae and similar equipment are prohibited. Location of satellite dishes must be approved by the ARC.

5.7 Exterior Metal

All exterior metal, including flashing, ducts, vents and doors shall be either color anodized, painted or coated a color to compliment with the color of the house.

5.8 Awnings

The design and color of fabric awnings whether as a part of the original design or as a later addition, must be approved by the ARC. All awnings or sunshades must be retractable and appropriately concealed when in a retracted position. Awnings shall be of a single, muted color, which is fully compatible with the colors of the house. No striped awnings are permitted.

5.9 Mailboxes.

ARR has a central mailbox area. You may also get a P.O. box in Red Lodge.

5.10 Play Structures

All play structures are required to be approved by the ARC for design and placement prior to installation. Wood structures with natural stained finishes are encouraged. Metal equipment is required to be of subtle coloring that causes the structure to blend into the surrounding environment. Stain and/or paint colors require the approval of the ARC and shall be submitted at the time of the plan submittal. All play/sports equipment (i.e. trampolines, swing sets, etc.) is to be placed so as to minimize the visual impact from neighboring properties and roadways. Screening of play/sports equipment may be required. Generally, play equipment shall be located in rear yards.

LANDSCAPE GUIDELINES

6.1 Goals

The goal of Aspen Ridge Ranch is to maintain the natural, rural look of the property. Landscaping is only allowed within the building envelope. With limited precipitation, the selection and placement of plantings to make our yards naturally beautiful while preserving precious water is a challenge. These "landscape guidelines" should help you and your landscape architect design lovely and hardy yards in the Ranch.

6.2 Design of New Landscapes

The homes at Aspen Ridge Ranch will be greatly enhanced by high quality, responsible landscapes. The key to our landscape design is to utilize native plant species as much as possible and not overlay the natural setting with an alternative landscape style from another region. Use of native plant materials will also assist in conservation of water – an important element in this semi-arid climate. All landscape designs must be drawn on paper and presented to the ARC for approval.

The landscape design should be compatible with both the architectural style of the individual house and natural stands of preserved vegetation. Environments can vary greatly within a small area. Enclosed patios are more protected than an open area subject to wind. Thus it is critical to consider the physical environment of each area to be landscaped.

No trees or natural vegetation, or other surface feature of a lot, shall be removed from the lot, except those

that would unreasonably interfere with the actual construction or an improvement. Rock is discouraged as a ground cover in landscaped areas.

6.3 Recommended Reference Materials

The most successful landscapes at the Ranch will be those that match the native landscapes with plants that thrive with the relatively harsh climatic conditions. It is recommended that the Owner work with a landscape professional and utilize the information in the publication, “**Creating Natural Landscapes**” that is provided along with the Owners’ Manual.

6.4. Wildlife

Animal life at the Ranch can be problematic to your landscape. Deer, black bear, fox, mountain lion, coyote, elk, moose and small mammals rely on plant life for food. Deer love certain types of bushes but don’t eat others. Certain plants that will attract birds and butterflies and may be good additions to a garden, but ones with berries may attract bears. Giving consideration to these elements will assist in having a successful yard that can be beautiful in spite of the challenges that wildlife brings.

6.5 Features

Sculptures, statuary and water features proposed to be constructed or installed on any lot shall be approved by the ACC.

6.6 Irrigation

The Ranch does not provide irrigation for individual lots. The water rights owned by the Aspen Ridge Ranch are used only for farmland, horse pastures and ponds. Irrigation of individual lots must come from the Owner’s well or catchment system. No owner may use water that flows through any of the irrigation ditches on the Ranch.

Irrigation Systems. Winds can make even coverage with spray zones difficult. In shrub and tree areas, alternatives such as drip, bubblers and micro sprays may be more suitable and water efficient. Selecting the correct controller is an important tool of water efficient irrigation design. Winter watering during warm periods in dry climates is critical to the survival of young plants. Catch basins from downspouts are encouraged but must be approved by the ARC for type, color and location.

7. AMENDMENTS

The ARC may, from time to time with the approval of the Board, adopt, amend and/or repeal rules and regulations to be incorporated into, or supplement the Design Guidelines and/or to interpret, or implement the provisions of the Design Guidelines. Generally, no improvement to property existing at the time of such amendment will be deemed in violation. All such rules and regulations or amendments, as they may from time to time be adopted, amended or repealed, will be appended to and made a part of the Design Guidelines. Each Owner is responsible for obtaining from the ARC a copy of the most recently revised Design Guidelines prior to beginning design of any improvement to his/her property.

8. REBUILDING OF DESTROYED HOMES

Any dwelling residence or other structure or improvement which may be destroyed in whole or in part by fire, windstorm or from any other cause or Act of God may be rebuilt and reconstructed in an identical fashion so long as the Owner complies with plan submittal and approval requirements. Rebuilding shall be completed within 18 months of the time the damage occurred. If the buildings are not to be rebuilt, the lot shall be fully cleaned and restored within six months of the time the damage occurred.

9. INTERIOR CONSTRUCTION

Any Owner may remodel, paint or redecorate the interior of any Improvement without approval. However, modifications to the interior of screened porches, patios, and similar areas visible from the outside shall be subject to approval.

10. VARIANCES FROM GUIDELINES

The owner may request applications for variances from these guidelines from the ARC, which shall determine, in its sole judgment, if said requests shall be granted. Committee action will be reported to the owner

in writing.

11. CONFLICT

If there is a conflict between these Design Guidelines and the Covenants, the provisions of the Covenants shall control.

12. MAINTENANCE AFTER CONSTRUCTION

Proper maintenance of building exteriors, site improvements and landscaping is essential to maintaining the appearance of our Ranch and to the property value for each home. Refer to the Covenants for maintenance requirements subsequent to the completion of construction of your residence.

12, ENFORCEMENT

It is the duty of the Architectural Review Committee and the Aspen Ridge Ranch Association to enforce these guidelines. The Declarant (Haughey Loo Inc., dba Aspen Ridge Ranch) shall also be responsible for enforcement until such time as the Aspen Ridge Ranch Association takes on this responsibility.

NON-LIABILITY

In addition to limitations on liability set forth in the Covenants, neither the Aspen Ridge Ranch Association, the ARC, nor any member of either body will be liable to any owner nor any other person for any damage, loss or prejudice suffered or claimed on account of:

5.5.1 Approving or disapproving any plans, specifications and other materials, whether or not defective.

5.5.2 Constructing or performing any work, whether or not pursuant to approved plans, specifications and other materials.

5.5.3 The development or manner of development of any land within the Ranch.

5.5.4 Executing and recording a form of approval or disapproval, whether or not the facts stated therein are correct.

5.5.5 Performing any other function pursuant to the provisions of the Covenants and/or the Design Guidelines.

5.5.6 Any other act, omission or failure to act with respect to any matter, if such action or failure was in good faith.