

## **Cottonwood Creek Estates Covenants Summary**

THIS SUMMARY HAS BEEN PREPARED FOR THE CONVENIENCE OF PROSPECTIVE PURCHASERS OF LOTS AND IS NOT A SUBSTITUTE FOR READING THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF COTTONWOOD CREEK ESTATES. PURCHASERS ARE ADVISED TO REVIEW ALL HOMEOWNERS ASSOCIATION DOCUMENTS BEFORE BUYING A LOT.

Single Family Residence Subdivision

- No second dwelling (not allowed by water permit)
- Minimum two car attached garage with one driveway

All public roads will be maintained by El Paso County

Included in special taxing districts - Ellicott Fire District and Ellicott Recreational Metropolitan District

Served by Mountain View Electric Association (electricity)

### Cottonwood Creek Homeowners Association. inc.

- Colorado nonprofit corporation
- Limited expense common interest community under the Colorado Common Interest Ownership Act (CCIOA)
  - Average Common and Special Assessments may not exceed statutory calculated amount (no more than \$400/year, with CPI adjustment)
  - Assessments are used to fund the water usage reporting requirements under the Decree and Plan for Augmentation (see below), covenant enforcement and management of the Association
- COMMON INTEREST COMMUNITY DISCLOSURE (C.R.S. § 38-35.7-102a,s amended by SB 89 (eff. Jan 07)

THE PROPERTY IS LOCATED WITHIN A COMMON INTEREST COMMUNITY AND SUBJECT TO THE DECLARATION FOR SUCH COMMUNITY. THE OWNER OF THE PROPERTY WILL BE REQUIRED TO BE A MEMBER OF THE OWNER'S ASSOCIATION FOR THE COMMUNITY AND WILL BE SUBJECT TO THE BYLAWS AND RULES AND REGULATIONS OF THE ASSOCIATION. THE DECLARATION, BYLAWS, AND RULES AND REGULATIONS WILL IMPOSE FINANCIAL OBLIGATIONS UPON THE OWNER OF THE PROPERTY, INCLUDING AN OBLIGATION TO PAY ASSESSMENTS OF THE ASSOCIATION. IF THE OWNER DOES NOT PAY THESE ASSESSMENTS, THE ASSOCIATION COULD PLACE A LIEN ON THE PROPERTY AND POSSIBLY SELL IT TO PAY THE DEBT. THE DECLARATION, BYLAWS, AND RULES AND REGULATIONS OF THE COMMUNITY MAY PROHIBIT THE OWNER FROM MAKING CHANGES TO THE PROPERTY WITHOUT AN ARCHITECTURAL REVIEW BY THE ASSOCIATION (OR A COMMITTEE OF THE ASSOCIATION) AND THE APPROVAL OF THE ASSOCIATION. PURCHASERS OF PROPERTY WITHIN THE COMMON INTEREST COMMUNITY SHOULD INVESTIGATE THE FINANCIAL OBLIGATIONS OF MEMBERS OF THE ASSOCIATION. PURCHASERS SHOULD CAREFULLY READ THE DECLARATION FOR THE COMMUNITY AND THE BYLAWS AND RULES AND REGULATIONS OF THE ASSOCIATION

### Construction Time Frames

Homes and accessory buildings must be completed within twelve (12) months from issuance of a building permit.

Landscaping must be completed within nine (9) months after the home is completed.

- Landscaping plans must be approved in advance by the Architectural committee
- Natural landscapes are encouraged
- Must give consideration to water usage under well permits
- All Lots must be regularly mowed (field mowed)

### Wells

- Drilling to the Laramie-Fox Hills Aquifer of the Denver Basin
- Subject to the Decree and Plan for Augmentation recorded on July 21, 2005 at Reception No. 2051 10260, records of El Paso County, Colorado.

Usage of wells must be reported annually by the Association to the State Engineer

- The State has defined water usage for the subdivision
- Totalizing flow meter required

Water rights are conveyed by deed at closing

- 141 acre feet per lot (0.47 acre feet per year for 300 years) (about 12,700 gallons per month) (1 AF = 325,851 gallons)
- Usage breakdown:
  - 0.27 af annually household use
  - 0.060 af annually outside use (garden and landscape)
  - 0.011 af annually for horses
- 2,300 square feet maximum lawn, garden, flower beds . . .

### Septic

- Requirements established by percolation testing
- Non-evaporative system with leach field required with El Paso County Health Department approval

### Drainage Easements

Drainage is a naturally occurring element of the land

- Easements to be maintained by lot owner
  - o No obstruction, improvements or change in drainage patterns
  - o Keep clear of debris, dirt, leaves . . . .
- Grading plan with approval from the Architectural Committee and County
- Fencing cannot impede drainage

### Setbacks

Must conform to County requirements and requires the following setbacks:

- Front lot line: 75 feet
- Rear lot line: 75 feet
- Side lot lines: 50 feet
- Corner 50 feet

### Minimum Floor Area

Gross living area not less than:

- 1,700 square feet for ranch style or single-story dwelling
- 2,200 square feet for two-story dwelling

### Maximum Building Height

Buildings shall not exceed 35 feet

### Exterior Colors

Naturally appearing earth tones in wood, stucco, brick or stone

- No exposed concrete block, plywood sheathing or composition sheathing

### Fencing

Must be approved by the Committee in advance of construction.

Dog runs and other similar enclosures must be approved by the Architectural Committee in advance of construction

### Utilities

All utility service lines must be underground

- Well
- Septic
- Electric
- Propane tanks

### Garages

Minimum two car attached garage

RV parking allowed with privacy fencing (RV parking structure not required)

One driveway allowed to garage

Driveway material will be black asphalt, concrete or decomposed crushed gravel.

### Accessory Buildings

Must be designed to match house and approved in advance by the Architectural Committee

### Mailboxes

Location and configuration to be designed with the U.S. Postal Service

### Animals

Four domesticated cats / dogs in the aggregate

- Electronic fences encouraged
- Pets may not be allowed to run loose off the Lot

Two horses allowed

- Barn, stable, loafing shed or other enclosed structure required and must be approved in advance.
- Grazing of horses outside enclosures is limited to a maximum of two (2) hours per day

### Approval Process and Guidelines

Please see Article 3 of the Declaration for details on obtaining Architectural Committee approval.