

**RULES AND REGULATIONS
OF
THE CASTLE PINES VILLAGE HOMES ASSOCIATION
CASTLE PINES VILLAGE, COLORADO
(Revised December 17, 1998)**

**RULES AND REGULATIONS
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I. INTRODUCTION

These Rules and Regulations of the Castle Pines Village Homes Association are adopted in a spirit of cooperation and to create and maintain an environment, which is conducive of the protection of the unique and valuable character of the Castle Pines Village community. All residents, property owners, developers, contractors and visitors must observe these Rules. These Rules are in conjunction with and do not supersede the Amended and Restated Castle Pines Village Declaration and Agreement Creating Covenants, Conditions, Restrictions and Easements, as amended; Castle Pines Village Planned Unit Development Guide; The Architectural Design Guide; the Amended Articles of Incorporation; the Amended Bylaws of the Castle Pines Village Homes Association; and the Builder's Information Outline.

II. ADMINISTRATION AND ENFORCEMENT

1. In General: These Rules will be administered and enforced by the Board of Directors which may delegate any right or duty it possesses under these Rules to any committee or administrative office as the Board in its discretion may deem appropriate.

2. Committees and Administrative Offices, Creation, Authority, Termination: The Board may, by resolution, create and authorize any committee or administrative office as it may deem appropriate to aid the Board in carrying out its rights and duties under these Rules. The Board, when creating any committee or administrative office, shall establish its purpose(s), rights, duties, powers, officers and duration, which may be indefinite. The Board may, by resolution, amend the purpose(s), rights, duties, powers, officers and duration of any committee or administrative office or terminate any committee or administrative office prior to the expiration of the committee's or administrative office's initial term, as extended. Each committee and administrative office may advise and make recommendations to the Board, which, in turn, may advise and make recommendations to the committee or administrative office.

3. Committee Members and Administrative Officers, Appointments, Terms: Except as otherwise provided in the Rules, the Board shall appoint, at its sole discretion, the members of each committee and the holders of all administrative offices created by the Board.

4. Creation of Enforcement Committee: The Board hereby creates a committee to be known as the Enforcement Committee. The purpose of the Committee will be to determine whether a violation of Association Rules has occurred and to initiate appropriate action to correct all such violations. The committee will be composed of one or more members, one of whom will

whom will be the Castle Pines Homes Association Manager. The committee will review all complaints brought to it by owners or administrative offices who by previous means were unable to resolve the dispute in question. The committee will then determine whether the facts alleged in the complaints would constitute a violation of Association Rules, and if so, the Enforcement Committee will hold a hearing to determine whether a violation of the Association Rules has occurred. The committee will take action provided in this document, including, the imposition of assessments or fines, if there is a cost involved to correct the violation, as the committee deems appropriate, upon each owner that the committee finds to have violated these Rules. The initial duration of the Enforcement Committee will be indefinite.

5. Limitations on Liability: Except as otherwise provided in these Rules, no person may be held personally liable for any act or omission made or omitted in good faith by them as a member of the Board, as a member of any committee created by the Board, or as an administrative officer appointed by the Board. Neither the Board or any committee, including the Enforcement Committee, or any administrative office will be liable for its failure to prevent, detect or cure any violation under these Rules.

III. GENERAL RULES AND REGULATIONS

1. Owner Responsibility: Each Owner is responsible to ensure that the Owner, including children, guests, developers and contractors/builders working for Owner, complies with these Rules; and each Owner is subject to the actions provided in Article XI.

2. Noxious or Offensive Activities: No person will allow any noxious and offensive activity, including noises, to be conducted upon the Owner's Parcel, nor will any Owner allow any activity of any kind upon the Owner's Parcel to become an unreasonable annoyance or nuisance to any other Owner or Resident.

3. Insurance Risk: No person will allow any activity or condition upon the Owner's Parcel, nor any activity by the Owner nor any Affiliate of Owner (any person other than an Owner, whose right to be within Castle Pines Village arises out of that person's relationship with the Owner) upon the Common Area, which would increase the rate of insurance on any Association property, without the prior written approval of the Board.

4. Littering, Dumping: No person will allow any littering, dumping, dropping, or abandoning any amount of any type of material within the boundaries of Castle Pines Village, except in approved garbage receptacles.

5. Wildlife: No person will interfere with or disturb any wildlife within Castle Pines Village. Any wildlife considered to be a "varmint" or pest causing natural resource damage or public endangerment will be controlled by the responsible authority.

6. Signs: No person will allow any sign of any kind on the Owner's Parcel

which is visible from any other Parcel, common area, or the golf course, except signs permitted under the Development Guide and approved by the Design Review Committee.

7. Outside Storage: No furniture, fixtures, appliances, or other similar items not in reasonably current use may be stored in any manner visible from any other Parcel, common area, or the golf course.

8. Wells: No well for the production of, or from which there may be produced, water, oil or gas, may be dug or operated within Castle Pines Village, except water wells and related Facilities operated by public agencies, by duly certified public utility provisions.

9. Temporary Structures: No Owner will allow any mobile home, tent, shack, outbuilding, or other temporary structure to be kept upon the Owner's Parcel nor on any street within Castle Pines Village, except as approved by the Design Review Committee.

10. Approved Pets: Household pets which are commonly kept as pets, such as dogs house cats and birds, may be kept as household pets within Castle Pines Village without prior approval so long as they meet state and county requirements. Before any other type of animal may be kept as a household pet, the Owner must first obtain written approval from the Board of Directors. Animals may only be kept in such numbers and in such a manner so as not to create a nuisance or health hazard. No animal or any structure associated with any animal may be kept in any location, which is visible from any other parcel, common area or the golf course except as approved by the Design Review Committee. Horses, cattle, sheep, chickens, and other livestock are prohibited.

11. Animal Control: Any animal kept by an Owner when not in a controlled area on their own property must be on a leash or similar restraint under direct control of the handler or Owner. Any animal, which creates any nuisance by continual barking, causing damage to other people's property or otherwise disturbing persons or other animals must be controlled. Any domestic animal that is running loose in Castle Pines Village, not under direct leash control and off its Owner's property, may be removed by County Animal Control. Owners must immediately use a "pooper scooper" or other method to clean up after their pets when they are off of their personal property.

12. Antennae: No exterior antennae, including satellite or microwave receiving units, are permitted within Castle Pines Village except as approved by the Design Review Committee.

13. Automobile Repair: No person will allow any automobile or other vehicle repair or similar work to be performed on the Owner's Parcel in any area visible from any other Parcel, common area or the golf course, nor upon any common area or street, except in emergency situations, in which event the Owner will remove the vehicle to a permitted area as soon as possible.

14. Camping and Picnicking: No camping or picnicking is allowed within the common areas of Castle Pines Village except in area designated for such activities.

15. Garage Doors: All garage doors should be kept closed except while a vehicle is actually entering or exiting the garage, during periodic maintenance, repair of the door or garage area, or during periodic cleaning of the garage area.

16. Garage Sales: No Owner will allow any garage, patio, porch, lawn or similar sale to be held on the Owner's Parcel.

17. Interference with Electronic Devices: No Owner will permit any activity to be conducted on the Owner's Parcel which interferes with any television, radio, home computer or similar electronic device operation within Castle Pines Village.

18. Laundry: No Owner will permit any laundry or other items to be dried or hung outside of any building.

19. Swing Sets, Recreational Equipment: No Owner will allow any swing set or other recreational equipment to be located on the Owner's Parcel in any area unless location and color are approved by the Design Review Committee. All equipment must be screened as much as possible from any other Parcel, Common Area, and Golf Course.

20. Trash Collection: Trash pick-up is on Monday and Thursday. Trash must be bagged, boxed, etc. with handles, so that everything can be picked up. Plastic containers are not to be used. Trash should not be put out prior to 6:00 a.m. of the morning of pickup except as approved by the Director-Emergency Services.

21. Tree Removal: No person shall remove any tree within Castle Pines Village except as approved by the Design Review Committee.

22. Mistletoe: Owners will not permit the dwarf mistletoe (*Arceuthobium* spp.) to remain on any lot. Upon discovery of the existence of dwarf mistletoe on any lot, the association will give notice and an opportunity to cure for thirty days as required by 6(d) of the declaration. Upon failure of the Owner to cause dwarf mistletoe to be removed within such thirty day cure period, the association may enter the Lot, cause the dwarf mistletoe to be removed, and assess the account of the Owner for the reasonable costs of such removal.

23. Tree Damage: If an Owner is found to have caused tree damage, the Enforcement Committee or Board may impose a fine upon the Owner for each such violation equal to \$100.00 times the number of inches in the diameter of the main trunk of the damaged tree, measured four feet above ground level. If the diameter of the damaged tree measured four feet above the ground level is less than one inch, or if the damaged tree is less than one foot tall, the fine will be \$100.

24. Holiday Decorations: A tasteful, temporary decoration or display, if it is clearly incidental to and customarily and commonly associated with any national, local, or religious celebration, is allowed within the community. Such display is exempt from any setback regulations of this community, but such display shall be erected no more than 45 days prior to and removed no more than 21 days after the celebration in question.

IV. TRAFFIC AND ACCESS RULES AND REGULATIONS

1. Adoption of Colorado Motor Vehicle Code: The Board hereby adopts the "Uniform Motor Vehicle Law" and the "Uniform Safety Code of 1935", as both may from time to time be amended for the regulation of vehicle and pedestrian traffic within Castle Pines Village, except to the extent that such codes conflict with any provisions of these rules.

2. Speed Limits and Unsafe or Off-Road Operations: Except where posted otherwise, the speed limit on all streets within Castle Pines Village is 25 MPH unless road and/or weather conditions dictate a lower speed to maintain safe control of any vehicle. No person may operate any vehicle in an unsafe manner, nor may any person operate a vehicle off the established roadway of Castle Pines Village. The penalty can be a hearing, fine and a lien against property if fine is not paid.

3. Speeding Fines: Speeding by 1-9 miles per hour will result in a warning at the officer's discretion should there have been the imminent danger of damage to person or property. Speeding 10-19 miles per hour would warrant a \$56.00 assessment and exceeding the speed limit by 20-24 miles per hour would warrant a \$112.00 assessment. These recommendations are based upon the first offense within any one-year period. On a second offense within one year, the recommended assessment would be doubled and the recommended assessment would be tripled for the third offense within a one-year period.

Individuals would have a choice of paying the assessment to the Homes Association within ten (10) days or AUTOMATICALLY be scheduled for an Enforcement Committee hearing. The Enforcement Committee could, if it so desired and there were extenuating circumstances, increase the recommended amount at its sole discretion. Any non-resident who received three tickets within a one-year period of time shall have his/her driving privileges revoked within the Castle Pines Village.

4. Driver's License: Any person operating any vehicle within Castle Pines Village must have a valid motor vehicle operator's license with endorsements for the type of vehicle being operated.

5. License and Insurance: Any vehicle that is required under the laws of the State of Colorado to be licensed and/or insured must meet such requirements to be operated within Castle Pines Village.

6. Identification: Each vehicle of any nature within Castle Pines Village must display either a permanent vehicle identification sticker or a temporary gate pass obtained from the Castle Pines Village Emergency Services Division.

7. Special Events Parking: Any authorized individual who intends to hold any special event which is likely to require the parking of several vehicles will provide the Director of Emergency Services with parking plans for review and approval at least 72 hours before the

special event. The Director may modify any plans submitted and may conditionally approve any plans the Director deems necessary or appropriate.

8. Vehicle Noise: The use of vehicle horns or similar devices is prohibited except in emergency situations. The operation of vehicles, which create excessive noise, is prohibited, except in construction of a home site.

9. Off-Road Driving: The use of any vehicle, including trail bikes, snowmobiles and similar recreational vehicles on other than established roadways within Castle Pines Village is absolutely prohibited. Mowers and other ground maintenance equipment are exempt from the provisions of this section when operated for the normal intended purpose of such equipment.

10. Off-Road Recreational Vehicles: No snowmobiles or other self-powered, off-road recreational vehicle may be operated within Castle Pines Village except for ingress or egress in emergency circumstances.

11. Motorcycles: Any person operating a motorcycle within Castle Pines Village must possess a valid motor vehicle operator's license properly endorsed for operation of motorcycles. No motorcycle may be ridden within Castle Pines Village for recreational purposes, provided that the motorcycle may be ridden to and from the residence of any Owner or Resident.

12. Bicycles: Bicycles may be operated only on established roadways and DESIGNATED bikeways.

13. Parking: No vehicle may be parked on any roadway within Castle Pines Village except as authorized by the Director of Emergency Services.

14. Vehicle Parking and Storage: No recreational vehicle, camper coaches, trail bikes, snowmobiles, camper trailers, boats, boat trailers, utility trailers, or vehicles other than passenger vehicles or pickup or utility trucks with a capacity of one ton or less may be parked, stored, or kept within Castle Pines Village except in a closed garage.

V. PUBLIC SAFETY AND FIRE PREVENTION RULES AND REGULATIONS

1. Insurance: Each Owner will secure and maintain insurance for the Owner's Parcel and all improvements located upon the Owner's Parcel, in amounts and insuring against risk and

hazards in accordance with prudent standards, but not less than the full replacement value of the improvements.

2. Fireplaces: The fireplaces must be cleaned and serviced on a regular basis. No coal or other fuel which emits a similar amount of smoke, erupting wood, or charcoal may be used for heating, cooking, or for any other purpose within Castle Pines Village, unless approved by the Board. Except for charcoal, which may be used for outdoor cooking, in receptacles of common size specifically adapted to be used to burn charcoal.

3. Emergency Security Alarm: All Owners are encouraged to keep in force a maintenance contract with a licensed alarm company. Owners will be encouraged to have a current signed agreement on file with the Board for monitoring the Owner's premises or a waiver relinquishing the Association's liability regarding such monitoring service.

4. Knox Box: Effective January 1, 1996, Emergency Services will not maintain any homeowners' keys. All keys will be returned to the homeowner. Knox Boxes are required at all homes constructed commencing after September 1, 1995. Knox Boxes are an encouraged option to homeowners for homes constructed commencing before September 1, 1995. Additional information on Knox Boxes may be obtained through the Emergency Services Department.

5. Fire Hazards: No Owner will permit any condition on the Owner's Parcel or common area which creates a fire hazard or which is in violation of any permanent or temporary fire prevention regulations of any governmental authority.

6. Propane Gas, Oil Tanks: No Owner will permit any liquid propane, gasoline (Except in 5 gallon safety containers), oil or other similar substances to be stored or kept in any tanks or other storage devices within Castle Pines Village. The provisions of this section will apply at all times and to any such materials kept for any purpose, including construction. Any such tanks, or other storage devices to be installed must be approved by the Design Review Committee and the Castlewood Fire Department. Fuel tanks used for family outdoor cooking appliances are excepted.

7. Outside Burning: No Owner will permit any outside fires except barbecues, outside fireplaces, and braziers. All outside fires must be kept within facilities approved by the Castle Pines Village Emergency Services Division. The Director of Emergency Services may issue temporary restrictions on outside fires of any type as conditions may require.

8. Fire Hazard Prevention: Each Owner will remove from the Owner's Parcel all dead branches, brush, and other material which could create a fire hazard, and each Owner will perform such other tasks, as requested by the Board, to remove or eliminate material which constitutes or creates a fire hazard. The Board will remove such material and take similar actions with respect to the Common Area. No fire is permitted within ten feet of any bush, tree or other flammable materials.

9. Hunting: Hunting and trapping are absolutely prohibited within Castle Pines Village. Any Owner or resident who has knowledge of any violation of this provision must report

report such violation to the Emergency Services Division. State wildlife and other state authorities and Castle Pines Village Emergency Services' Officers are exempt from the provision of this section when performing official duties as directed by the state authorities acting pursuant to Colorado law or as authorized by the Board.

10. Firearms: No person may carry any type of firearm including handguns, rifles, shotguns, air rifles, pellet guns, B-B guns, slingshots, bow or any other weapon, either concealed or visible, within Castle Pines Village. Owners transporting firearms to and from the Owner's home must do so by transporting the firearms unloaded, within a vehicle, out of reach of any occupant and out of public view. Castle Pines Village Emergency Services' Officers and other government officials authorized to carry firearms while acting within such official duties are exempt from the provisions of this section.

11. Discharge of Weapons: No person may discharge any handgun, rifle, shotgun, air rifle, pellet gun, B-B gun, slingshot, bow, or any other weapon anywhere within Castle Pines Village. Emergency Services officers and other government officials authorized to carry firearms while acting within such official duties are exempt from the provisions of this section while in the performance of official duties.

12. Vacations or Absences: Homeowners are encouraged to maintain all emergency security alarm systems, fire suppression systems and roof fire suppression systems on all homes within Castle Pines Village in good working order at all times and armed whenever no responsible person is present on a parcel. Any Owner intending to leave his home for more than twenty-four hours is encouraged to notify Emergency Services of such intention and request that Emergency Services provide special monitoring of the Owner's Parcel during such period. The Emergency Services Division, the Homes Association manager and the Board of Directors will not be held liable for any vandalism, etc. at any time.

VI. THE COMMON AREA RULES AND REGULATIONS

1. Use of Common Areas: Except as otherwise approved by the Board and shown on an approved master plan, the common area will not be altered, no structure may be constructed upon the common area, and no item is allowed to be placed or stored in the common area.

2. Pedestrian Walkways: Free use of walkways and free circulation of foot traffic within Castle Pines Village will be maintained at all times. No Owner will allow any obstruction of any walkway located upon the Owner's Parcel, nor any obstruction of any walkway located upon the common area.

3. Trails: No horses, mules, burros, or other such animals may be kept or ridden on any road or trail within Castle Pines Village.

4. Common Area Storage: No storage is allowed in the common area without the prior consent of the Board except in any common area the Board may designate as a storage area.

5. Ponds: Swimming, wading or similar activities are not allowed in any community pond, unless authorized in writing by the Board of Directors. No Owner, nor affiliate of any Owner will skate, play, or otherwise be upon any frozen pond.

6. Recreational Activities: Any recreational activities are prohibited in common areas and streets except as permitted by the Board.

VII. MAINTENANCE RULES AND REGULATIONS

1. Maintenance of Improvements: Each Owner will maintain all improvements upon the Owner's Parcel, including walkways and paving, in the same or a superior condition, and each Owner will promptly make all necessary or appropriate repairs and replacements to any such improvements. Outside contractor work is prohibited on Sunday and on the seven (7) National Holidays.

2. Landscaping Deadline: Landscaping must be installed by Owner within 180 days from date of Certificate of Occupancy on property. Any exception to this rule must be an extension of time granted by the Design Review Committee, in writing.

3. Maintenance of Landscaping: Each Owner will maintain the landscaping upon the Owner's Parcel in the same or superior condition. Each Owner will diligently maintain, cultivate, husband, protect, and preserve all shrubs and trees upon the Owner's Parcel, including installation of any needed erosion control measures which may arise. Dead trees and dead scrub oak, etc. to be removed by Owner. Spraying of trees on Owner's property is at Owner's expense, and Owner will promptly take appropriate corrective action to control ipps beetle, mistletoe, etc.

4. Maintenance of Common Area: The Common Area will be maintained by the Homes Association.

5. Maintenance of Unimproved Parcel: Each Owner is responsible for trash and/or maintenance of his and/or her parcel of land.

VIII. EMERGENCY SERVICES

1. General: The Board hereby creates an administrative office to be known as the Castle Pines Village Emergency Services Division. Purposes of Emergency Services' officers are to provide emergency services for Castle Pines Village, investigate and report violations of Association Rules, and to enforce the provisions of these Rules. Where a different entity is given primary responsibility for the enforcement of certain provisions of these Rules, the Emergency

Emergency Services officers will cooperate as requested with that other entity to enforce those provisions.

2. Director of Emergency Services: The Board will appoint a Director of Emergency Services. The Director will prepare an annual budget for the division, which will be submitted to the Homes Association manager for review and approval by the Board of Directors.

3. Access and Vehicle Identification Program: The Emergency Services' officers will control and monitor access to Castle Pines Village. Emergency Services' officers will staff entrance gates to Castle Pines Village per schedules prepared by Director of Emergency Services and approved by the Board. The Director will establish a vehicle identification program under the following guidelines.

a. Permanent Vehicle Identification Stickers: The Emergency Services officers will issue a permanent vehicle identification sticker only for each vehicle regularly used within Castle Pines Village by any Owner or any Resident. If the Owner or Resident ceases regular use of the vehicle, including transferring ownership to another, the Owner or Resident will remove the permanent vehicle identification sticker from the vehicle. In the event that any permanent vehicle identification sticker is destroyed or removed from a vehicle, the Emergency Services will issue a replacement.

b. Temporary Gate Passes: Emergency Services will issue temporary gate passes to any individual who has been authorized access. Any request may be made in writing, in person, or by telephone. Any request will identify the individual authorized access by the Owner. If an unauthorized person requests access to Castle Pines Village, the Emergency Services' officer manning the entrance may contact the Owner to determine whether the Owner wishes to authorize such person's access.

c. Special Events: Any Owner or any individual authorized by an Owner who intends to hold any party or other special event will notify Emergency Services of the event a reasonable time before the event. The notice will include all such information or guest lists, nature of event, directions, parking, expected arrival and departure times, and any other relevant matters.

4. Patrol: Emergency Services will patrol Castle Pines Village in such manner and at such intervals as directed by the Director of Emergency Services.

5. Suspected Violations, Stopping and Questioning: The Emergency Services' officers are authorized to stop and question any person within Castle Pines Village whom he has reasonable grounds to suspect has violated these Rules, or whom the officer has reasonable grounds to believe has committed a crime within Castle Pines Village. Emergency Services' officers may receive complaints of suspected violation of the Rules or the commission of a crime within Castle Pines Village from any Owner, Resident, or Developer. The officer will report the matter to the Director. If the Director determines that reasonable grounds exist to suspect a crime has been committed, the Director will refer the matter to the proper governmental authorities.

6. Violations in Presence of Special Officers: When a violation of these Rules occurs in the presence of a Special Officer, the Special Officer shall issue a citation to the offender. A copy of the citation will be sent to the enforcement committee. Additionally, the Special Officer may, regarding speeding violations, follow the process set forth in Article IV, Section 2 regarding an assessment ticket or a citation. A copy of any assessment or citation, indicating the action, will be transmitted to the Homes Association manager. Any person who receives a citation under this Section will be given the opportunity for a hearing pursuant to Article X.

7. Cooperation: The Emergency Services' officers will cooperate with any governmental authority having jurisdiction over Castle Pines Village in any matter relating to Castle Pines Village.

8. Special Monitoring: Upon request of an Owner, Emergency Services' officers will provide special monitoring of the Owner's Parcel while no responsible person is present upon the Owner's Parcel for a significant period of time. If requested, special monitoring will include increased patrol surveillance, door and window checks, and grounds check. Neither the Association, the Board, the Director of Emergency Services nor any Emergency Services' officer will be liable for any loss or damage to the Owner's Parcel or any other property on the Owner's Parcel during any period of special monitoring.

9. Limitation on Liability: Any duty of the Board, the Enforcement Committee, any other committee or administrative office and the Emergency Services' officers, including the Director and any Assistant Director or Directors, to prevent loss, damage or other injury to Owners and Residents in Castle Pines Village, whether to their person or property, is owed to all Owners and Residents as a whole and not to any particular Owner or Resident.

IX. DESIGN REVIEW

1. In General: The Design Review Committee is the committee created by Article 25 of the Declaration. The Design Review Committee will have five members, including at least one resident Owner. Its general purpose will be to ensure that all development in Castle Pines Village complies with the requirements of the Development Guide, the Declaration, the Architectural Design Guide and the Builders' Information Outlines. The Design Review Committee will be responsible for the review and approval or rejection of all improvements within Castle Pines Village. The Design Review Committee must inspect any improvement to determine whether the improvement is proceeding according to an approved Improvement Plan. If the committee determines that any improvement is not proceeding according to an approved plan, it may require corrective action be taken by the Owner, and, if not implemented, refer the matter to the Enforcement Committee for further review and enforcement as outlined in Section X of these Rules. Any appeal of a decision of the Design Review Committee concerning a violation of Association Rules shall be made to the Enforcement Committee as provided in Section X.

2. Gardens: All gardens other than those devoted solely to flowering plants or similar

similar decorative foliage will be screened so as not to be visible from any other Parcel, the common area, or the golf course, except as permitted by the Design Review Committee. Any Owner who intends to construct, plant, or cultivate any garden of a significant size which would or could be visible from any other Parcel, common area, or the golf course must submit a description of the garden in reasonable detail to the Design Review Committee for approval prior to beginning any such garden.

3. Fences: All property lines will be kept open. No fences or plantings simulating fencing or having the effect of closing any property will be permitted except as approved by the Design Review Committee.

4. Exterior Lighting: There will be no exterior lighting installed after the original lighting is approved by Design Review. If a Homeowner wants to install exterior lights after C.O., he and/or she must submit their lighting plan to Design Review Committee for approval before installation.

5. Awnings: The design and color of all awnings must be approved by the Design Review Committee prior to installation. All awnings must be stored out of sight from November 1 to March 31.

X. HEARINGS AND APPEALS

1. In General: Except as otherwise provided in these Rules, all hearings permitted or required under these Rules will be held in accordance with the provisions of this Article and the Bylaws.

2. Location and Time: The Board will designate the place and time for all appeals and the Enforcement Committee will designate the place and time for all hearings, which will be open to all Owners and Residents.

3. Procedure and Evidence: No formal rules of procedure or evidence need be applied in hearings, but each entity holding a hearing may adopt procedures which that entity deems best suited to facilitate the purpose of the hearing considering all of the relevant circumstances. Any Owner directly interested in the subject matter of a hearing must be given prior written notice and an opportunity to appear at the hearing and be heard, which opportunity includes the right, subject to reasonable restrictions, to have other persons appear and be heard on the Owner's behalf. Any Owner or Resident not directly interested in the subject matter of a hearing may, at the discretion of the entity holding the hearing, be given an opportunity to appear and be heard. Each entity holding a hearing or otherwise taking any action shall establish a method for voting on matters before the entity.

4. "Directly Interested" Defined: Any Owner is directly interested in the subject matter of a hearing to determine whether a violation of these rules has occurred held by the Enforcement Committee if the Owner could be subject to the penalties provided in Article XI of these Rules. An Owner is directly interested in the subject matter of a hearing regarding the

approval of Improvement Plans held by the Design Review Committee if the Owner submitted the Improvement Plans to the Design Review Committee for approval.

5. Notice: All notices given under these Rules shall be mailed to all directly interested parties no less than 7 days nor more than 30 days before the date of said hearing. All notices will be posted in a public place.

6. Special Provisions for Enforcement Hearings: Any Owner or any entity authorized to do so may file a written complaint with the Committee. The complaint will identify the Owner alleged to have violated these Rules, identify the complainant, and describe in reasonable detail the Rule or Rules violated and the factual basis supporting the allegations. The complaint will be signed by the Owner, Owners, official or entity filling the complaint. The Committee will review each complaint received, and if the Committee finds that the facts described in the complaint could constitute a violation of these Rules, it will, within a reasonable time, send a copy to the Owner who is alleged to have violated the Rules, call a hearing to determine whether a violation has occurred and send the notices required by this document.

The Committee will establish rules of procedure for any hearing held under this section. Either the complainant or the Owner or Owners alleged to have violated these rules may request that the vote be by secret ballot. If the Committee finds that a violation of the Rules has occurred, it will take appropriate action or actions as provided herein and file a report describing in reasonable detail the violation, the Committee's determination, the action or actions taken, and the basis of the action or actions. A copy of the report will be given to the Owner or Owners found to have violated these Rules; a copy will be delivered to the Board to be retained in the Board's records, as well as the Enforcement Committee's records.

7. Presumptive Fines: The following are the presumptive fines, which is the amount of fine which is commonly levied for the violation. The Enforcement Committee, upon a written finding of specific extraordinary circumstances may vary the presumptive fine. All fines are imposed under the authority of Colo. Rev. Stat. 38-33.3-3002(1)(k) and may only be levied in a reasonable amount, after notice and an opportunity to be heard.

**Amended and Restated Castle Pines Declarations and Agreement
Creating Covenants Conditions, Restrictions and Easement**

11 (a)	Alteration construction on, placing or storage on Common Area	\$100*
12	Construction without DRC approval	100*
13(a)	Commercial enterprise, noxious or offensive trade	50
13(b)	Trucks, etc. on properties	50
13(c)	Excavation	100

13(d)	Display. of unapproved sign	50*
13(f)	Keeping unapproved animal	50
13(f)	Horse on road or trail	100
13(g)	Unapproved drainage	100*
13(h)	Garbage and trash storage	50
13(i)	Outside storage	50
13(i)	Construction storage violation	100*
13(j)	Keeping mobile home, tent, swing set, large recreational equipment	100*
13(l)	Clotheslines	50
13(m)	Parking of automobile on street	50
13(m)	Parking in wrong places	50
13(m)	Automobile repair	50
13(n)	Exterior antenna without DRC approval	100*
13(n)	Interfering, with television or radio reception	50
13(o)	Exterior work without DRC approval	100*
13(p)	Exterior fires	50
13(p)	Creation of fire hazard	100*
13(q)	Removal of trees without DRC approval (per caliper inch)	100*
13(r)	Failure to perform necessary maintenance on a lot	50*
13(s)	Failure to maintain landscaping in good condition	100*
13(s)	Failure to cooperate with fire protection programs	100*
13(s)	Failure to comply with DRC requirement for screening gardens	50*
13(t)	Failure to maintain insurance in accord with standards	100*
13(u)	Installation of exterior horn, etc.	50*
13(v)	Installation of unapproved lighting	50*
13(w)	Obstruction of walkways	50*
13(x)	Camping or picnicking	50

RULES AND REGULATIONS

III(2)	Noxious or offensive activity	100*
III(3)	Increase of insurance risks	100*
III(4)	Littering or dumping	50*
III(5)	Interference with wildlife	100*
III(6)	Signs	see 13 (d)
III(7)	Outside storage	see 13 (i)
III(9)	Temporary structures	100*
III(10)	Unapproved pet	see 13 (f)
III(10)	Number of animals creating nuisance	50*
III(11)	Animal uncontrolled	50*
III(11)	Animal creating nuisance	50*
III(11)	Animal running loose	50*
III(12)	Antennae	see 13(n)
III(13)	Automobile repair	see 13(m)
III(14)	Camping and picnicking	see 13(x)
III(15)	Open garage door	50

III(16)	Garage sale	100
III(17)	Interference with electrical device	100*
III(18)	Outside clothes drying	see 13 (I)
III(22)	Mistletoe	
III(23)	Tree damage	100*
IV(2)	Speeding	100
IV(2)	Unsafe operation of vehicle	100
IV(2)	Operation of vehicle off-road	100
IV(3)	No operator's license	50
IV(4)	Failure to license vehicle	100
IV(4)	Failure to have insurance	100*
IV(5)	Failure to display vehicle identification sticker	50
IV(7)	Excessive noise	50
IV(8)	Off road use of vehicles	100*
IV(9)	Off-road use of snowmobile, etc.	100*
IV(11)	Operation of bicycle off established roadways	50
IV(12)	Parking on road	see 13(m)
IV(13)	Vehicle parking	see 13(b)
V(1)	Failure to obtain insurance	see 13(t)
V(2)	Failure to clean and service fireplace	50
V(2)	Use of unapproved fuel	100*
V(3)	Failure to file current alarm monitoring contract	50*
V(4)	Creation of fire hazard	100*
V(5)	Storage Of propane or other fuels	100*
V(7)	Outside burning	see 13(b)
V(8)	Fire hazard in 20 feet of trees. etc.	100
V(9)	Hunting	100
V(9)	Discharge of weapon	100
VI(1)	Altering common area	see
13(a)		
VI(2)	Obstruction of walkways	see 13(w)
VI(3)	Horses, etc. on trails	see 13(f)
VI(4)	Storage on common area	see 13(i)
VI(5)	Swimming in community ponds	50
VI(6)	Skating, etc. on ponds	50
VI(7)	Unapproved recreational activities	50
VII(1)	Failure to maintain improvements	see 13(r)
VII(2)	Failure to maintain landscaping	see 13(s)
VII(4)	Failure to remove trash	50*

RULES FOR CONTRACTORS AND SERVICE PERSONNEL

1.	Working during non-designated hours	100
2.	Speeding	100
3.	Dumping	100*
4.	Failure to restore lots	100*

4.	Failure to clean streets	100*
8.	Washing of trucks on streets	100*
10.	Failure to report cutting of utility line	100
11.	Loud radio or noises	50
14.	Leaving vehicle overnight	50
15.	Non-workers on construction site	100*
16.	Pets on site.	100
18.	Misuse of pass	100*
19.	Open fires	100
20.	Any other violations	100

**The Enforcement Committee may consider imposing additional sanctions such as seeking an injunction or money damages through the courts or denial of permission for contractor to be on the property.*

8. Appeals: Any Owner directly interested in a matter may petition for an appeal of any ruling by submitting within 3 days after the ruling, a written request to the Board, requesting an appeal and setting forth the specific grounds for the appeal. Upon receipt of the copy of the petition, the entity whose ruling is being appealed will stay further action pending acceptance or rejection of the petition by the Board unless the entity finds that irreparable damage would occur because of the stay, in which event the entity may take limited action necessary to prevent the irreparable damage. If a majority of the Board has agreed in writing to accept the appeal within 7 days after the petition, the appeal will be accepted and the stay of further action will continue upon such terms and conditions as the Board may from time to time prescribe. If a majority of the Board has not agreed in writing to accept the appeal within 7 days after the petition, the appeal will be rejected and the stay of further action will be lifted. The Board will establish appropriate procedures for handling such appeals in accordance with the Bylaws of the Castle Pines Village Homes' Association, Inc. The decision of the Board will be final on all parties involved.

XI. ENFORCEMENT OF RULES

1. In General: If the Enforcement Committee or the Board, after appeal, determines that an Owner or affiliate of Owner has violated these Rules, the Committee of the Board may take any one or more the Following actions:

a. Order the Owner to cease and/or correct the violation, at the discretion of the Committee or Board, including instructing the Owner as to such actions as are necessary to cease or cure the violation and the time limit for the correction.

b. Post the name of each Owner who has been determined as having violated Association Rules in a public place or places within the Common Area of Castle Pines Village.

c. Cause the violation to be corrected in accordance with applicable law and assess the costs of such upon the Owner, which assessment will be immediately due and payable.

d. Repair any damage to the environment or to any real or personal property or any improvements, including any property or improvements of the Owner, which the Enforcement Committee or the Board finds to have been caused by the violation, and/or take such actions as the Enforcement Committee or Board deems necessary or appropriate to prevent any foreseeable future damage to the environment or to such property which the Enforcement Committee or the Board finds would occur and would be caused by the violation if not prevented, and assess the costs of such upon the Owner, which assessment will be immediately due and payable.

e. Obtain injunctive relief against the continuation of any violation. The costs for obtaining such relief is assessable to the violator.

f. Suspend the right of the Owner and/or affiliate of the Owner to use Association property, including Common Areas, on such conditions and for such time as the Enforcement Committee or Board specified; or

g. Take no action.

2. Lien: Any fine assessed for violations of the Rules and Regulations or any assessment imposed upon the Owner for costs incurred by the Association to cure a violation or repair or prevent damage caused by a violation, including attorney's fees and court costs, which is not immediately paid by the Owner will be treated as a special assessment against the Owner which was in default for more than 90 days on the date of the hearing, and the Enforcement Committee or the Board may enforce the obligations created under this Article in the same manner as any other special assessment in default, including the filing of a claim of lien against the Owner's property as provided in Article 8(b) of the Declarations.