

## **EXHIBIT B**

### **DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR CRESTWOOD VILLAGE**

#### **BUILDING STANDARDS AND REQUIREMENTS** **("DESIGN STANDARDS")**

##### **1. Permitted Height of Residences.**

No portion of a Residence erected on any Lot shall exceed one story in height above ground level at any point on the front of the Residence or two (2) stories in height above ground level at any point on the back of the Residence without the prior written consent of the Design Review Committee.

##### **2. Setback of Residences.**

(a) **Setback Lines.** All Residences and other Improvements shall be located on each Lot as approved by the Design Review Committee and in full compliance with setback lines shown on the Plat, as set forth herein or established by the Design Review Committee. The Design Review Committee may establish new building setback lines on any Lot with the express written consent of the Lot Owner, provided such new setback lines comply with Laws.

(b) **Projections.** Notwithstanding the setback lines shown on the Plat or those established by the Design Review Committee, cantilevered upper stories, balconies, bay, or bow windows, cornices, eaves, chimneys, downspouts and decorative elements may project no more than two feet over the front or side building setback lines for each Lot, and unenclosed, covered porches and vestibules not more than one story in height may project up to six feet beyond front building setback lines. No provisions herein shall be construed to permit any portion of any structure to project beyond the boundary of the Lot upon which it is erected.

(c) **Sight Lines.** No fence, wall, structure or plant materials which obstruct sight lines at elevations between two and six feet above the streets shall be placed or permitted to remain on any corner lot within the triangular area formed by the street right-of-way lines and a line connecting them at points twenty-five feet from the intersection of the street lines, or in the case of a rounded property corner, from the intersection of the extension of street right-of-way lines. The same sight-line limitations shall apply to any Lot within ten feet from the intersection of the right-of-way property line with the edge of a driveway. Trees shall be permitted to remain within such areas if the foliage line is maintained at a height sufficient to prevent obstruction of sight lines.

### **3. Required Size and Type of Residence.**

(a) No Residence shall be constructed upon any Lot unless it has a total finished floor area of at least 1,350 square feet on the main floor.

(b) The Design Review Committee reserves the absolute and incontestable right to determine whether any Residence violates the foregoing prohibition and whether the finished floor area of any Residence meets the minimum requirements provided for in this Section and hereby also reserves the right to approve deviations of up to ten percent (10%) from the aforementioned building sizes and to modify any of the finished floor area requirements set forth in this Section. The Design Review Committee's determination(s) in this regard shall be final. The Developer, in its absolute discretion, may allow variances from the minimum square footage requirement.

### **4. Outbuildings.**

No detached outbuilding, including sheds, barns, garages, gazebos, enclosed play houses and storage facilities, shall be erected upon, moved onto or maintained upon any Lot. Storage shall be permitted under a deck provided such area is screened as otherwise authorized herein.

### **5. Fences.**

(a) No fence shall be constructed, maintained or altered on any Lot unless the location, design, configuration, height, material and color are prior approved in writing by the Design Review Committee. Fence designs shall conform to styles shown on attached Exhibit B-1 or an alternate style approved in writing by the Design Review Committee.

(b) No fence shall extend closer than five feet to a side lot line or more than fifteen feet from the back wall of the Residence.

(c) No fence shall be constructed or maintained on any Lot nearer to a front or side street than the rear corners of the Residence (as defined by the Design Review Committee).

(d) Any fence installed next to an existing fence for an attached Residence must be joined to the existing fence.

(e) Fences shall not exceed 36" in height and shall be black wrought iron or steel, provided, however that cedar privacy fences not exceeding 72" in height or 12' in length may be located at the back of buildings in line with the party wall. Unless approved otherwise, cedar fences shall be untreated and allowed to weather, treated with protective sealer in "Natural Cedar Tone" color or equivalent, or painted the body color of the Residence.

(f) Fence alignments shall be parallel or perpendicular to the back wall of the Residence.

(g) Notwithstanding the foregoing, no fence shall be located so as to constrict a minimum 10' passageway between buildings or closer than 10' from the centerline of any existing trail or any trail shown on the Final Development Plan of Crestwood Village.

## **6. Surface Drainage.**

Final grading of each Lot shall adequately handle all run-off water in a reasonable manner which is in accordance and fully compatible with the grading of adjacent Lots, the master grading plan approved by the City, any related site grading plan furnished by the Developer and any specific site grading plan for the Lot approved by the Developer. No landscaping, berms, fences or other structures shall be installed or maintained that impede the flow of surface water. Water from sump pumps shall be drained away from adjacent Residences (actual and future). No changes in the final grading of any Lot shall be made without the prior written approval of the Design Review Committee and, if necessary, the City. The Developer shall have no liability or responsibility to any Builder, Owner or other party for the failure of a Builder or Owner to final grade or maintain any Lot in accordance with the master grading plan or an approved lot grading plan or for the Developer not requiring a lot grading plan and compliance therewith. The Developer does not represent or guarantee to any Owner or other person that any grading plan for the Lots that the Developer may approve or supply shall be sufficient or adequate or that the Lots will drain properly or to any Owner's or other person's satisfaction.

## **7. Roofs.**

Roof materials, colors and brands shall be specifically approved in writing by the Design Review Committee. Roofs shall be covered with wood shingles or shakes; clay or concrete tile; slate; or asphalt composition shingles in one of the following brands: Celotex brand, Presidential line, 30 year (or higher), color: Weathered Wood; Tamko brand, 30 year (or higher), color: Weathered Wood; GAF Timberline brand, 30 year (or higher), color: Weathered Wood Blend. Any other roofing material requires specific written approval. Flat roofs and tar and gravel roofs are specifically prohibited. Bronze colored flashing shall be used in valleys. Roofs shall have a minimum pitch of 6/12 unless otherwise approved in writing by the Design Review Committee.

## **8. Exterior Wall Materials.**

Exterior walls of all Residences and all appurtenances thereto shall be of stucco, brick, natural stone, manufactured stone, wood or composite shingles, wood or composite lap siding, wood or composite sheet siding (such as LP "Smart Panel" brand siding), plate glass, glass block, wood trim, composite trim (such as LP "Smart Board"), any other materials specifically approved by the Design Review Committee, or a combination thereof, provided, however that sheet siding materials are restricted for use on side and rear elevations of a Residence only. Sheet siding may be limited to a maximum of 50% of the wall surface on side and rear elevations deemed highly visible from public streets by the City, the Developer or the DRC.

## **9. Exterior Colors.**

Exterior body and trim colors shall be selected from the following list of Sherwin Williams paint colors. Exterior trim on all sides of the building shall be painted a different color than the siding material. Doors may be painted in alternate colors subject to approval by the Design Review Committee. The exterior colors of each Residence within a common building shall be the same. Adjacent buildings shall be painted in different color combinations. Exterior color selections shall be submitted at least fifteen days before painting is scheduled, and shall be approved in writing by the Design Review Committee prior to application.

- (a) Body: Stone Lion SW7507  
Trim: Shoji White SW7042
- (b) Body: Keystone Gray SW7504  
Trim: Origami White SW7636
- (c) Body: Intellectual Gray SW7045  
Trim: Worldly Gray SW7043
- (d) Body: Dovetail SW7018  
Trim: Agreeable Gray SW7029

## **10. Architectural Detailing**

Architectural detailing shall be consistent on all sides of a Residence. Trim details which are used on the front of the house should also be employed on the sides and rear. Window trim shall be a minimum of 4" wide; fascia boards shall be a minimum of 6" wide.

## **11. Windows and Doors.**

All windows and exterior doors shall be constructed of glass, wood, fiberglass, colored metal, vinyl, or any combination thereof or any other materials specifically approved by the Design Review Committee. Mirror finishes on window glass are specifically prohibited. Unpainted metal or bright finished window frames, screens or accessories shall not be permitted.

## **12. Gutters and Downspouts.**

Exposed metal gutters and downspouts shall be painted to match the trim or body color of the Residence.

## **13. Chimneys.**

No metal or other pipe shall be exposed on the exterior of any fireplace or fireplace flue (other than a minimum amount of exterior metal or piping from a direct vent fireplace). All fireplace flues on chimneys shall be capped with a black or color-conforming low profile metal rain cap.

#### **14. Paint, Stain.**

Exterior materials, except roofs, brick, stone, and similar components shall be covered with a workmanlike finish of two coats of high quality paint or stain, however certain natural siding materials which are intended to weather (such as cedar shingles) may be exempted from this requirement.

#### **15. Exposed Concrete Foundations and Walls.**

The exterior surface of all concrete foundations and walls which are exposed more than 12 inches above final grade shall be painted the same color as the Residence or covered with siding materials compatible with the structure.

#### **16. Landscaping.**

A detailed landscape plan must be submitted to and approved by the Design Review Committee prior to installation. A minimum expenditure of \$2,000 for landscaping per Residence (excluding sod and irrigation systems) is required. Front yard landscaping shall include at least one ornamental tree, a minimum of 1.5" caliper in size or 6' in height. At least one large evergreen or shade tree, a minimum of 2.0" caliper in size, shall be planted in each back yard. Landscaping on each lot shall conform to the Master Landscape Plan for the Neighborhood.

All yards and the unpaved portions of street right-of-ways and easements contiguous thereto shall be fully sodded or planted with ground covers or covered with mulch. Removal of any living tree with a trunk larger than 6" in diameter (measured 6" above ground level) must be approved in writing by the Design Review Committee. An underground irrigation system shall be installed to irrigate all turf areas. **Irrigation controllers and shut-off valves shall be located on the outside of the house.**

Landscape beds, berms and plantings with shrubs or perennial plants are prohibited within street right-of-way adjacent to Lots.

Required irrigation, sod and landscape installation shall be completed prior to first occupancy of the Residence, or, before occupancy of the Residence shall occur, the Owner shall escrow funds for landscape improvements in an amount and manner determined by the Design Review Committee to assure such installation when weather permits.

All vegetable gardens shall be located behind the rear corners of the Residence and at least ten feet away from the boundary of the Lot. No vegetable garden(s) shall exceed 100 square feet in size on any Lot except with the prior written consent of the Design Review Committee. Vegetable gardens shall be screened from view from neighboring Residences.

The Developer, the Association and/or the City shall have the right (but not the obligation) to install one or more trees within the public right-of-way adjacent to each lot or within any Public Landscape Easement or landscape easement dedicated to the Association ("L/E"). The type and location of said trees shall be selected by the Developer or the Association or the City in its sole discretion. Removal or replacement of said trees shall be the sole responsibility of the Lot Owner.

**17. Driveways and Sidewalks.**

All driveways and sidewalks shall be concrete. Large expanses of driveway surfaces are discouraged. No driveway shall be constructed in a manner as to permit access to a street across a rear lot line. Asphalt, gravel or natural sidewalks are specifically prohibited. Driveway approaches within public street right-of-ways shall be made of concrete and shall be no more than twenty-four (24) feet in width (excluding radii).

**18. Garages.**

All Residences on lots in Crestwood Village shall have private garages for not less than two cars. Carports are specifically prohibited.

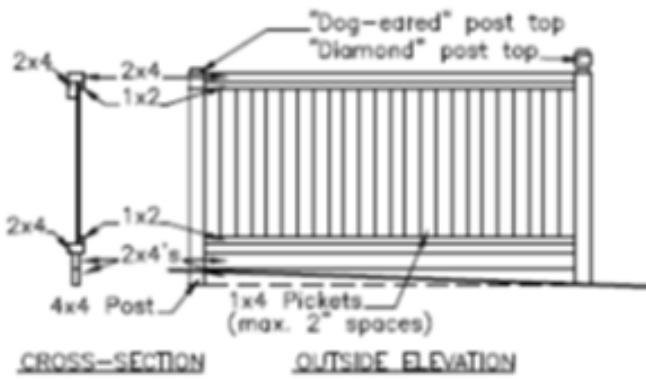
**19. Recreational and Play Structures.**

Basketball goals, play structures, soccer nets, trampolines and swing sets are not permitted.

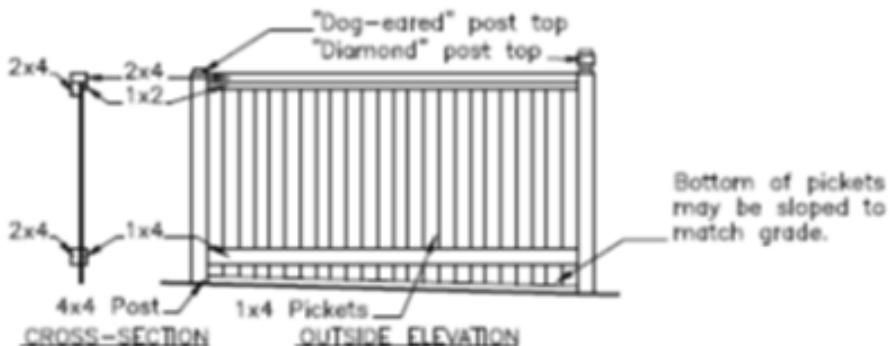
**20. Change in Materials.**

Notwithstanding any provision requiring or prohibiting specific building materials or products, any building materials or products that may be or come into general or acceptable usage for dwelling construction of comparable quality or style in the area as determined by the Design Review Committee in its absolute discretion, shall be acceptable upon written approval by the Design Review Committee in its absolute discretion. In the event the City or other government agency with jurisdiction and authority requires specific building materials not authorized above or requires that Owners have additional choices of building materials not authorized above, the Design Review Committee shall have the right, in its absolute discretion, to establish and regulate in writing the specific types, colors or other aesthetic features of such new or additional building materials.

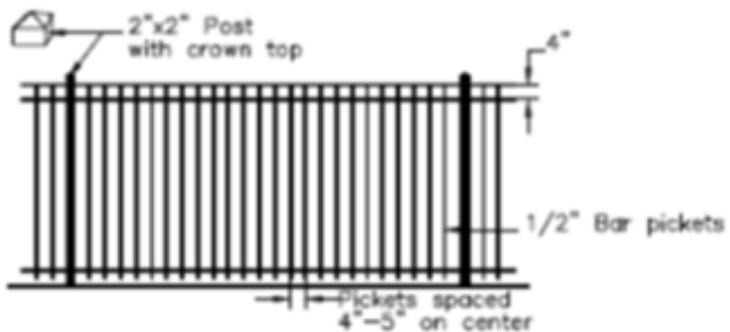
**EXHIBIT B-1**  
**DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR**  
**CRESTWOOD VILLAGE**  
**APPROVED FENCE STYLES**  
(See Exhibit B for additional information)



**Standard Picture Frame**



**Modified Picture Frame**



**Black Metal**  
(Wrought Iron or Powder-Coated Steel)