

# **Blackstone Metro District**



*Blackstone*  
COUNTRY CLUB

## **RESIDENTIAL IMPROVEMENT GUIDELINES FOR ALL LOTS**

**(The Declaration of Covenants, Conditions and Restrictions are the  
controlling document for the community.)**

**2022**

## TABLE OF CONTENTS

I. INTRODUCTION .....	4
1.01 DEFINITIONS .....	4
1.02 THE DESIGN REVIEW PROCESS.....	5
1.03 PLANNING AHEAD.....	5
1.04 Basis for Guidelines. ....	5
1.05 Contents of Guidelines.....	5
1.06 Design Review Committee .....	5
1.07 Committee Address and Phone .....	5
1.08 Effect of Community and Supplemental Documents.....	5
1.09 Effect of Governmental and Other Regulations.....	6
1.10 Interference with Utilities .....	6
1.11 Goal of Guidelines .....	6
1.12 Completion of Landscaping .....	6
II. SPECIFIC TYPES OF IMPROVEMENTS-GUIDELINES .....	6
2.01 General .....	7
2.02 Accessory Buildings.....	7
2.03 Additions, Expansions and Ramps .....	7
2.04 Address Numbers .....	7
2.05 Advertising .....	7
2.06 Air Conditioning Equipment .....	7
2.07 Antennae.....	7
2.08 Awnings.....	8
2.09 Balconies.....	8
2.10 Barbecue/Gas Grills .....	8
2.11 Basketball Backboards.....	8
2.12 Birdbaths .....	8
2.13 Birdhouses and Bird Feeders.....	8
2.14 Carports .....	9
2.15 Clotheslines and Hangers .....	9
2.16 Cloth or Canvas Overhangs.....	9
2.17 Compost .....	9
2.18 Decks.....	9
2.19 Dog Houses .....	9
2.20 Dog Runs .....	9
2.21 Doors.....	10
2.22 Drainage .....	10
2.23 Driveway Extensions.....	10
2.24 Evaporative Coolers .....	10
2.25 Exterior Lighting .....	10
2.26 Fences .....	11
2.27 Fire Pits .....	11
2.28 Firewood Storage.....	11
2.29 Flagpoles and Flags.....	12
2.30 Garbage Containers and Storage Areas .....	12
2.31 Gardens – Flowers or Vegetable .....	12
2.32 Garden - Raised Vegetable Beds.....	12
2.33 Gazebos.....	12
2.34 Grading and Grade Changes .....	12
2.35 Greenhouses .....	12
2.36 Hanging of Clothes.....	13

2.37 Hot Tubs and Jacuzzis..... 13

2.38 Irrigation Systems..... 13

2.39 Jacuzzis..... 13

2.40 Kennels ..... 13

2.41 Landscaping..... 13

2.42 Latticework ..... 18

2.43 Lights and Lighting ..... 18

2.44 Microwave Dishes ..... 18

2.45 Overhangs/Sunshades/Awnings..... 18

2.46 Painting ..... 18

2.47 Patio Covers ..... 19

2.48 Patios-Enclosed ..... 19

2.49 Patios-Open..... 19

2.50 Paving, Paths, and Walkways..... 19

2.51 Pergolas and Arbors ..... 19

2.52 Play Structures, Trampolines, Sport Courts, and Sports Equipment..... 19

2.53 Playhouses ..... 20

2.54 Poles..... 20

2.55 Pools..... 20

2.56 Radio Antennae..... 20

2.57 Radon Mitigation ..... 20

2.58 Railings..... 20

2.59 Rooftop Equipment ..... 20

2.60 Roofing Materials ..... 20

2.61 Satellite Dishes ..... 21

2.62 Saunas ..... 21

2.63 Screen Doors ..... 21

2.64 Seasonal Decorations ..... 21

2.65 Sewage Disposal Systems ..... 21

2.66 Sheds ..... 21

2.67 Exterior Shutters ..... 21

2.68 Siding ..... 21

2.69 Signs..... 21

2.70 Skylights ..... 22

2.71 Solar Panels..... 22

2.72 Spas ..... 22

2.73 Sprinkler Systems..... 23

2.74 Statues or Fountains..... 23

2.75 Storage Sheds ..... 23

2.76 Sunshades..... 23

2.77 Swamp Coolers ..... 23

2.78 Swing Sets..... 23

2.79 Television Antennae ..... 23

2.80 Temporary Structures..... 23

2.81 Trash Containers, Enclosures and Pickup..... 23

2.82 Tree Houses..... 23

2.83 Underground Installations ..... 23

2.84 Utility Equipment..... 23

2.85 Vanes..... 23

2.86 Vents..... 23

2.87 Walls..... 24

2.88 Walls-Retaining..... 24

2.89 Weather Stations, Vanes, and Directionals ..... 24

2.90 Window Coverings..... 24

2.91 Window Replacement ..... 24

2.92 Wood Storage ..... 24

2.93 Work Involving Common Areas..... 24

III. PROCEDURES FOR COMMITTEE APPROVAL..... 24

3.01 General ..... 24

3.02 Drawings or Plans ..... 24

3.03 Submittal Requirements ..... 25

3.04 Review Fee ..... 25

3.05 Action by Board of Directors and Design Review Committee..... 25

3.06 Prosecution of Work..... 26

3.07 Variance Requests and Rights of Appeal..... 26

3.08 Questions ..... 26

IV. LANDSCAPING SUGGESTIONS ..... 26

4.01 General ..... 26

4.02 Slopes ..... 26

4.03 Soils/Drainage/Grading ..... 26

4.04 Soil Preparation ..... 27

4.05 Retaining Walls ..... 27

4.06 Climate..... 27

4.07 Screening Views and Directing Winds..... 27

4.08 Rockscapes ..... 27

4.09 Irrigation ..... 27

4.10 Paved Areas ..... 28

4.11 Shade ..... 28

4.12 Landscape Materials..... 28

4.13 Mulches ..... 28

4.14 Landscape Maintenance..... 29

4.15 Suggested Plant List ..... 30

ATTACHMENT A ..... 31

ATTACHMENT B ..... 33

ATTACHMENT C ..... 35

ATTACHMENT D..... 36

ATTACHMENT E ..... 38

ATTACHMENT F & G & H..... 39

ATTACHMENT I ..... 45

## I. INTRODUCTION

Blackstone will encompass a multitude of differing homes, neighborhoods, lifestyles, and natural, preserved environments.

The application of appropriate design principles creates community good will and establishes visually pleasing aesthetics for all residents and visitors. With these principles in mind, the Blackstone Metro District Board ("Board"), through its appointed Design Review Committee (the "DRC"), reviews and determines the acceptability of proposed changes to the exterior of your home or on your lot.

This Residential Guidebook is intended to help homeowners with the following:

- How to submit and obtain approval from the DRC for landscaping
- How to submit and obtain approval from the DRC for changes to a home
- Landscaping and Irrigation Standards
- General Community Standards
- Fencing Standards
- Park and Open Space Rules and Regulations

The DRC may at any time make recommendations for amendment, supplement, or other modification to the Board for any of the Regulatory Documents or this Residential Guidebook in conformance with the Regulatory Documents referenced in Section II, Definitions. Nothing herein shall relieve any Property Owner from compliance with any plumbing or building requirements, whether local, state, or federal.

**SPECIAL NOTE: HOMEBUILDER REPRESENTATIVES DO NOT HAVE AUTHORITY TO APPROVE SUBMITTALS. APPROVALS ARE ONLY GRANTED BY THE BLACKSTONE DESIGN REVIEW COMMITTEE (the "DRC").**

### 1.01 DEFINITIONS

- (a) **CO or TEMPORARY CO** – This refers to the Certificate of Occupancy or a Temporary Certificate of Occupancy issued by Arapahoe County, permitting occupancy of a residential unit.  
This refers to a Certificate of Occupancy or a Temporary Certificate of Occupancy issued by Arapahoe County permitting occupancy of a residential unit.
- (b) **DRC** - This is the Design Review Committee, members of which are appointed by the Board, and who serve at the pleasure of the Board, without limitation as to length of term.
- (c) **HOMEBUILDER** - Certain homebuilders have purchased lots in Blackstone and are bound by rules, regulations, and design review requirements per their Developer Covenants, Conditions, and Restrictions.
- (d) **REGULATORY DOCUMENTS**
- (i) Master Declaration of Covenants, Conditions, and Restrictions for Blackstone as recorded with the Arapahoe County, Colorado Clerk and Recorder's Office.
  - (ii) Rules and Regulations for Covenant Enforcement/Design Review.
  - (iii) Covenant Enforcement Design Review Fees and Charges.
- (e) **OPEN SPACE** - Open Space is defined as any property not platted as a lot or a right-of-way, and includes, but is not limited to, tracts, parks, easements, and other similar properties.
- (f) **PROPERTY OWNER** - The owner of property as listed on the conveyance document, whether residential, multi-family, commercial, or other type of real estate.

## 1.02 THE DESIGN REVIEW PROCESS

ANY CHANGE TO THE EXTERIOR OF THE HOME OR ON THE LOT MUST BE SUBMITTED TO THE BLACKSTONE DESIGN REVIEW COMMITTEE ("DRC"), AND APPROVAL OBTAINED BEFORE ANY WORK IS STARTED.

Please visit [Blackstone Metropolitan District – Welcome to the Blackstone Community!](#) to download the application and for management contact information including office address/ mailing address and email address.

## 1.03 PLANNING AHEAD

- (a) The DRC has up to 45 days to review a submittal from the date it was RECEIVED.
- (b) If you have NOT been notified, in writing (email), by the 45<sup>th</sup> day after the receipt date, the submittal is deemed to be DENIED. It is the responsibility of the Applicant to contact the DRC to determine the status of the submittal.
- (c) There are consequences for failure to obtain DRC approval before making changes to the exterior of your home or lot, and for not adhering to approved plans. This includes, but is not limited to, fines, removal of unapproved materials, and/or legal actions.

**1.04 Basis for Guidelines.** These Residential Improvement Guidelines are intended to assist homeowners living in the Blackstone Metro District Community in implementing landscaping and other home improvements to their property. The Declaration of Covenants, Conditions and Restrictions of the Blackstone Metro District as amended, requires prior approval before the construction, installation, erection, or alteration of any structure, attachment to any structure, or landscaping of any lot in Blackstone shall be made. For instance, any change to existing landscaping, new landscaping, or change to the final grade of property; the construction or installation of any accessory building, patio, deck, pool, or hot tub; the demolition or removal of any building or other improvement including changing paint colors must be submitted for prior approval. To assist homeowners, certain pre-approved designs for several types of improvements have been established to exempt certain improvements from the requirement for approval. This booklet contains the guidelines established by the Board of Directors with respect to residential property.

**1.05 Contents of Guidelines.** In addition to the introductory material, these Guidelines contain (A) a listing of specific types of improvements which homeowners might wish to make with specific information as to each of these types of improvements; (B) a summary of procedures for obtaining approval from the Design Review Committee; (C) Some helpful landscaping ideas and information.

**1.06 Design Review Committee.** The Design Review Committee consists of at least three (3) members, all of whom are appointed by the Board of Directors of the Blackstone High Plains Metro District and are to review requests for Design approval.

**1.07 Committee Address and Phone.** The address of the Committee will be same as the address of the management company. Refer to [District Management Team – Blackstone Metropolitan District](#) or [Section 1.02](#) above.

**1.08 Effect of Community and Supplemental Documents.** The Declaration of Covenants,

Conditions and Restrictions for the Blackstone Metro District is a document governing property within Blackstone. Areas or groups of lots become part of the Community Association by annexation pursuant to a document entitled Annexation of Additional Land. Copies of the Declaration of Covenants, Conditions and Restrictions including amendments are delivered to new home buyers when they purchase their homes and are available at any time from the Blackstone Metro District. Each homeowner should review and become familiar with the including amendments. Nothing in these Guidelines can supersede or alter the provisions or requirements of the Declaration of Covenants, Conditions and Restrictions and, if there is any conflict or inconsistency, the Declaration of Covenants, Conditions, and Restrictions as amended will control.

- 1.09 Effect of Governmental and Other Regulations.** Use of property and any improvements must comply with applicable building codes and other governmental requirements and regulations. **Approvals by the Committee are related to aesthetics only, and do not constitute assurance that improvement(s) comply with applicable governmental requirements/regulations or if any permits or approvals are required from applicable governmental bodies. No one should rely upon approval from the Committee as certifying structural integrity, safety, engineering, soil conditions, absence of natural hazards or any other matter. Neither the Board nor the Committee shall have any liability of any defects in the structural integrity, engineering, soil conditions, effects of natural hazards, or any other matters.** For general information about the City of Aurora requirements, homeowners may contact the City of Aurora Building Department at: 15151 E. Alameda Parkway, Aurora, Colorado 80012, (303) 739-7420, [www.auroragov.org](http://www.auroragov.org).
- 1.10 Interference with Utilities.** In making improvements to property, homeowners are responsible for locating all water, sewer, gas, electrical, cable television, or other utility lines or easements. Homeowners should not construct any improvements over such easements without the consent of the utility involved and homeowners will be responsible for any damage to any utility lines. All underground utility lines and easements can be located by contacting: **Utility Notification Center of Colorado 8-1-1 or 1-800-922-1987.**
- 1.11 Goal of Guidelines.** Compliance with these Guidelines and the provisions of the Declaration of Covenants, Conditions, and Restrictions of Blackstone Metro District as amended, will help preserve the inherent Design and aesthetic quality of the community. It is important that the improvements to property be made in harmony with and not detrimental to the rest of the community. A spirit of cooperation with the Design Review Committee and neighbors will go far in creating an optimum environment, which will benefit all homeowners. By following these Guidelines and obtaining prior written approval for improvements to property from the Committee, homeowners will be protecting their financial investment and will help ensure that improvements to property are compatible with standards established for Blackstone. If a question ever arises as to the correct interpretation of any terms, phrases or language contained in these guidelines, the Design Review Committee (DRC) interpretation thereof shall be final and binding.
- 1.12 Completion of Landscaping.** The Owner of each Lot (other than Developer or a Builder) shall install landscaping on such Lot within 90 days after acquisition of such Lot by such Owner if said acquisition occurs between March 1 and June 30; if such acquisition does not occur between such dates, then such landscaping shall be installed by such Owner by the following May 31.

## II. SPECIFIC TYPES OF IMPROVEMENTS-GUIDELINES

- 2.01 General.** The following is a listing, in alphabetical order, of a wide variety of specific types of improvements which homeowners typically consider installing, with pertinent information as to each. Unless otherwise specifically stated, drawings or plans for a proposed improvement must be submitted to the Management Company. All applications will be forwarded to the Design Review Committee and written approval of the Committee obtained before the improvements are made. The Declaration of Covenants, Conditions and Restrictions allows forty-five (45) days for the review of applications. Homeowners will be notified via email when their submission has been received by the Management Company, posted for review, and approved by the Committee. In some cases, where it is specifically so noted, a homeowner may proceed with the improvements without advance approval if the homeowner follows the stated guideline. In some cases, where specifically stated, some types of improvements are prohibited. If you have in mind an improvement not listed below, architectural review and approval is required.
- 2.02 Accessory Buildings.** Will not be permitted. Accessory buildings include items such as sheds and carports. **See Sheds. [Section 2.66.](#)**
- 2.03 Additions, Expansions and Ramps.** Approval is required and related to aesthetics. All applicable jurisdictional processes and permits must be completed prior to construction. Additions or expansions to the home such as: sunrooms, accessibility ramps, and square footage additions are an increase in the size of the building or a change to the exterior. All additions and expansions must be constructed with materials that match or closely resemble the materials used in construction of the exterior of the home and be a natural extension of the house. The addition or expansion colors must be the same as that of the residence. The design must be the same or generally recognized as a complementary Design style to the house. Refer to Section 1.06 of this Residential Improvement Guideline regarding compliance with all applicable building codes and governmental requirements and regulations.
- 2.04 Address Numbers.** Approval is required to install, replace, or relocate existing address numbers. The style of all new address numbers or number plates shall coordinate with the Design character of the house and be appropriate in size to builder installed numbers.
- 2.05 Advertising.** All trade signs, which includes, but not limited to, landscaping, painting, and roofing, may only be displayed while work is in progress and must be removed upon completion of the job. Realty signs, etc. **See Signs. [Section 2.69.](#)**
- 2.06 Air Conditioning Equipment.** Approval is required for all air conditioning equipment including evaporative coolers (swamp coolers) and attic ventilators. Units shall be located on the rear or sides of the house that are the least visible. No heating, air conditioning, air movement (e.g. swamp coolers) or refrigeration equipment shall be placed or installed on rooftops or extended from windows. Evaporative coolers require committee approval and considerations will include but are not limited to location and screening. **See Evaporative Coolers. [Section 2.24.](#)**
- 2.07 Antennae.** The Blackstone Metro District has adopted the following rules, regulations and restrictions for the installation and maintenance of exterior antennas in the community in compliance with the FCC Rule, which became effective October 4, 1996.
- (a) **Notification** - Satellite dishes larger than one (1) meter in size are not permitted. Before installation of any DBS (direct broadcast satellite) satellite dish that is one (1) meter or less in diameter, MMDS (multi-channel multi-point distribution service wireless cable)



antenna that is one meter or less in diameter or diagonal measurement, or television (TBS) antenna (collectively referred to as an “antenna”) is permitted, the Owner of the property where the antenna is being installed must notify the Blackstone Metro District in writing using a Design Request Form.

- (b) **Antenna Location** - The primary installation location for a DBS satellite dish and MMDS antenna shall be in a location in the backyard that is shielded from view from the street(s) and adjacent residences, provided such location does not preclude reception of an acceptable quality signal.

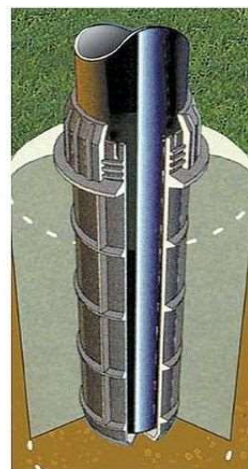
**2.08 Awnings. See Overhangs/Sunshades/Awnings- Cloth or Canvas. [Section 2.45.](#)**

**2.09 Balconies. See Decks. [Section 2.18.](#)**

**2.10 Barbecue/Gas Grills.** All barbecue grills, smokers, etc. must be maintained in the rear yard only, not visible from the front of the home. Any applicable governmental fire/smoke bans shall be adhered to.

**2.11 Basketball Backboards.** No basketball backboards shall be attached to the garage. Only portable basketball backboards shall be allowed and do not require approval if the following guidelines are met:

- (a) Portable units cannot be placed in the public right of ways, streets, or sidewalks.
- (b) The location must be at least half of the length of the driveway away from the street. This location constitutes proper placement, and the unit must be kept in this location or stored out of sight.
- (c) Removable sleeved or bolt-mounted backboards attached to concrete footings are considered portable and shall be permitted.
- (d) No backboards may be in the rear yards without prior approval. **See Play Structures, Trampolines, Sport Courts, and Sports Equipment. [Section 2.52.](#)**
- (e) No backboards may be installed on the exterior of the home.
- (f) All backboard posts must be black, and the backboards must be clear.
- (g) If the backboard becomes unserviceable or unsightly, it must be replaced or removed.
- (h) Examples:



**2.12 Birdbaths.** Approval is not required if placed in the “rear” yard and if finished height is not greater than five (5) feet including any pedestal. Placement in “front” or “side” yard is not allowed. **See Statues and Fountains. [Section 2.74.](#)**

**2.13 Birdhouses and Bird Feeders.** Approval is not required if installed in the rear yard and the

size is limited to one foot by two feet. No more than three in number, of each, shall be installed on any lot. A birdhouse or bird feeder, which is mounted on a pole, may not exceed six (6) feet in height.

- 2.14 Carports.** Will not be permitted.
- 2.15 Clotheslines and Hangers.** Retractable clotheslines are permitted. They shall be in the rear yard only. Retractable clotheslines may be attached to the back elevation of the house or timber posts and shall remain retracted unless in use. Retractable clotheslines may not be mounted or attached to lot fencing.
- 2.16 Cloth or Canvas Overhangs. See Overhangs/Sunshades/Awnings. [Section 2.45.](#)**
- 2.17 Compost.** Approval is required. Container must not be immediately visible to adjacent properties, completely enclosed on all sides, and odor must be controlled. Underground composting is not allowed.
- 2.18 Decks.** Approval is required. The deck must be constructed of redwood or composite type decking products approved by the Blackstone Metro District. The deck should be located so as not to obstruct or greatly diminish the view or create an unreasonable level of noise for adjacent property owners.
- (a) All decks with railings must have 24" pilasters at each corner and as applicable, 8' on center consisting of the same masonry material as the home.
  - (b) All deck columns located on the front of the house or on elevations facing a public open space, shall have a minimum cross-section of 5 ½".
  - (c) Decking that extends no greater than thirty (30") inches above grade of the lot, may utilize a lattice skirting provided the skirting is made of redwood minimum one-half (½") inches thick boards and stained or painted to match the remaining portion of the deck.
  - (d) Decks may not be more than 25% of the entire rear lot of the home. Construction shall not occur over easements, beyond the side plane of the home and must be set back a minimum of ten (10) feet from the property line.
  - (e) No decks with abutting rear lots lines shall be within 30 feet of each other at any point (Refer to the City of Aurora code for any additional requirements). Construction of decks over a sloped area is discouraged.
  - (f) Homeowners are reminded that as with redwood, some types of maintenance free decking products may also require periodic maintenance for proper care and to retain the products aesthetic conformity, including but not limited to, fading, warping, etc.
  - (g) Decks may be finished with clear semi-transparent sealer, stained to match a Cedar tone, an oil-based wood finish or a similar product that matches. The deck may also be painted to match the body or trim color of the home.
- 2.19 Dog Houses.** Approval is required. Doghouses are restricted to ten (10) square feet and must be in a fenced back yard or dog run. Doghouses must be installed at ground level and must not be visible above the fence. Doghouses must match the exterior colors of home. Limit of one doghouse per home/lot.
- 2.20 Dog Runs.** Approval is required. Dog Runs must be in the rear or side yard, abutting the home, and be substantially screened from view by planting fast-growing or mature trees or shrubs. Dog runs will be limited to 200 square feet. Fencing materials for dog runs shall match the approved fencing options in the guidelines. In some cases, written consent from adjacent neighbors may be requested. Tarpaulins and chain-link will not be permitted. Dog runs must always be maintained to include timely cleanup/removal of dog waste and

elimination of odors.

- 2.21 Doors.** Approval is not required for the replacement of an already existing main entrance door to a home or an accessory building if the material matches or is similar to existing doors on the house and if the color is generally accepted as a complimentary color to that of existing doors on the house. Complementary colors would be the body or trim color of the house or white. **Committee approval is required for the following:**
- (a) **Storm Doors.** Approval is required for storm doors. Colors to be utilized should be Antique Almond, White, Dirty Penny or a color that identically matches the body or trim color of the home. In all cases the color shall be complementary with the color scheme of the home.
  - (b) **Security Doors and Windows.** All security or security-type doors and windows must be approved prior to installation.
  - (c) **Garage Doors.** Garage doors shall reflect the Design style of the home (i.e. Craftsman style garage doors on a Craftsman style home). The design of the garage doors shall integrate with the overall design of the home. If windows are present in a garage door the style of the window shall match the character of the windows on the house.
  - (d) **Pet Doors.** Pet doors are only permitted to be installed at a ground level, back door that opens to an enclosed fenced area in the back yard. Pet doors are prohibited in the front of the house or above ground level.
  - (e) **Main Entrance Door.** Approval is required for the replacement of main entrance doors that do not match the existing doors on the house. The style of the main entrance door shall reflect the Design style of the house as specified in the Blackstone Design guidelines. The color must coordinate with the exterior color scheme of the residence.
- 2.22 Drainage.** The Declaration of Covenants, Conditions and Restrictions requires that there be no interference with the established drainage pattern over any property. The established drainage pattern means the drainage pattern as engineered and constructed by the homebuilder prior (or in some cases, immediately following) conveyance of title from the homebuilder to the homeowner. When installing your landscaping, it is very important to ensure that water drains away from the foundation of the house and that the flow patterns prevent water from flowing under or against the house foundation, walkways, sidewalks, and driveways into the street. The Committee may require a report from a drainage engineer as part of landscaping or improvement plan approval. Landscaping should conform to the established drainage pattern. Sump pump drainage should be vented a reasonable distance from the property line, on the owner's property, to allow for absorption. Adverse effects to adjacent properties will not be tolerated.
- 2.23 Driveway Extensions.** Approval is required. Permitted materials shall include concrete, flagstone, and pavers. The extension shall not extend beyond the public sidewalk.
- Note:** Construction of a pull-off area and/or driveway extension to the side of the driveway for the parking or storage of a vehicle is permitted with the following conditions and needs to get prior approval from the DRC.
- (a) No Flagstone will be allowed.
  - (b) Material used can only be of a neutral muted color.
- 2.24 Evaporative Coolers.** Approval is required. No rooftop or window mount installations are allowed. **See Air Conditioning Equipment. [Section 2.06.](#)**
- 2.25 Exterior Lighting.** See Lights and Lighting. **[Section 2.43.](#)**

- 2.26 Fences.** Approval is required and all fences shall have a professional quality installation. Prior to installing any fence on the back or side yard of a lot, the homeowner must first submit plans for such fence to obtain approval and must comply with the specific fence detail for the community. Survey or property pins must be found prior to construction of the fence. The Board of Directors may issue, from time to time, design guidelines, which address fencing requirements, including without limitation, approved types, heights, materials, locations, and other criteria governing fencing. Submission of a plan for a fence does not guarantee that a homeowner will obtain approval of such fence. If fence is approved, conditions may be imposed upon such approval relating to the design, location, or other matters. All fencing must comply with the following:
- (a) Lots along the golf course, with the 4' metal fence along the rear property line, must utilize the 4' metal fence.
  - (b) All lots that do not abut the golf course must utilize the 5' metal fence.
  - (c) All fencing must match the appropriate approved fence detail from Attachment A.
  - (d) Transitions between a 4' fence and 5' fence must comply with the Side Yard Fencing Detail in Attachment A.
  - (e) Fences may not extend past the front corners of the house as fences are not permitted in the front yards of lots.
  - (f) Gates may not be installed in fencing owned by the Metro District.
  - (g) Fencing along corner lots must be set back from the property line in accordance with City of Aurora standards. Any changes in fencing not installed on the property line or within the above setbacks will need to be submitted to the DRC for a "variance request", which may still not be approved.
  - (h) Wire mesh (16 gauge only) 1"x1", 2"x2", or 2"x4" may be used provided it is installed on the inside of the fence and cannot be higher than 3-feet. The wire mesh shall blend with the pre-existing fence and be black. Consult with adjacent property owners if wire mesh is to be installed on any portion of fencing that was installed by the neighbors.
  - (i) The disturbance of the existing property line pin cannot be disturbed, moved, or altered in anyway.
  - (j) Plot Plans along with clarification on placement will need to be included with the submittal.
  - (k) The established drainage pattern of the lot may not be altered by the installation of the fence. **See Drainage. [Section 2.22.](#)**

**2.27 Fire Pits, Fireplaces and Chimeneas. See Wood Storage. [Section 2.92.](#)**

- (a) **Portable:** Approval is not required for portable non-permanent fire pits, fireplaces and chimeneas. In all cases, portable fire pits, fireplaces and chimeneas must not create an unreasonable amount of smoke. Wood-fired fires shall not be located on decks and shall be no less than fifteen feet (15') from the home or any flammable materials. Wood fires shall be extinguished after use and shall not be allowed to smolder. All applicable governmental fire/smoke bans shall be adhered. Fire pits or fire tables utilizing propane tanks do not require approval. Placement and use cannot affect any adjoining neighboring properties.
- (b) **Permanent:** Approval is required for all permanent installations of fire pits, fireplaces and chimeneas. Gas fueled fire pits are recommended and must be installed and operated in accordance with all applicable local and state safety standards and guidelines. If the gas fire pit utilizes natural gas, applicable permits for the installation of the natural gas line must be obtained from the City of Aurora. All applicable governmental fire/smoke bans shall be adhered.

**2.28 Firewood Storage. See Wood Storage. [Section 2.92.](#)**

- 2.29 Flagpoles and Flags.** Approval is required. A flag is defined as a piece of cloth or similar material, typically rectangular, oblong or square, attachable by one edge to a pole or rope with a distinctive design. **See Window Coverings. [Section 2.90.](#)**
- (a) **Flagpoles:** Approval is not required for flagpoles mounted to the front of the residence. Under no circumstance may the height of the flagpole exceed the height of the roofline of the residence. Approval is required for any freestanding flagpole.
- (b) **Flags:**
- (i) No flag may exceed 3' x 5' in size.
  - (ii) No more than three (3) 3" x 5' flags are permitted on a lot.
  - (iii) Flags may not be placed on District-owned property unless approved in writing by the DRC.
  - (iv) Flags must be maintained in good condition, free from fading, fraying and may not be torn or ripped.
  - (v) Flags may not be illuminated without prior written approval from the DRC. Any request for lighting must detail the type and location of lighting. Lighting must be placed so as not to disturb Owners and/or residents of neighboring Lots.
  - (vi) The following type of commercial flags, including, but not limited to, those flags that pertain to the exchange or buying and selling of commodities and/or intending to make a profit may be erected on a Lot without the DRC's written approval. All other commercial flags required prior written approval.
    - 1) One (1) temporary flag for the purpose of advertising the Lot "For Sale" or "For Rent". "For Sale" or "For Rent" flags may remain on the Lot while the property is actively listed for sale or actively listed for rent.
    - 2) Two (2) temporary "Open House" flags indicating the Lot is available for inspection by interested parties. "Open House" flags may remain on the Lot while the property is actively being shown to prospective buyers, real estate agents and/or tenants.
- 2.30 Garbage Containers and Storage Areas. See Trash Containers, Enclosures, and Pickup. Section 2.80.**
- 2.31 Gardens – Flowers or Vegetable.** Approval is not required for planting annual or perennial flowers in pots or in existing planting beds. The addition of any other planting beds or perennials, such as shrubs, grasses, and trees require approval.
- 2.32 Garden - Raised Vegetable Beds.** Approval is required. Raised vegetable beds shall not exceed 25% of the rear or internal side yard area. Raised vegetable beds may not be located on corner lot side yards. Permitted materials for raised beds shall be wood timbers, brick, or decorative interlocking concrete block. All vegetable gardens shall be screened from view of adjacent homeowners and must be weeded, cared for, and maintained.
- 2.33 Gazebos.** Approval is required. A gazebo must be an integral part of the rear yard landscape plan and must not obstruct the adjacent property owner's view. Gazebos must be located within the established building setbacks for the lot. A gazebo must be similar in material and design to the residence. The color must be generally accepted as: complementary color to the exterior base/main color of the residence, match the exterior base/main paint colors of the residence, or be stained wood in a natural color. Both timber frame and metal structures are permitted.
- 2.34 Grading and Grade Changes. See Drainage. [Section 2.22.](#)**
- 2.35 Greenhouses.** Approval is required. Generally, greenhouses will be discouraged due to the extensive maintenance required. Approval will be based upon but not limited to general aesthetics, quality and permanence of materials used. Adequate screening will be

required.

**2.36 Hanging of Clothes. See Clotheslines and Hangers. [Section 2.15.](#)**

**2.37 Hot Tubs and Jacuzzis. Approval is required. See Gazebos. [Section 2.33.](#)**

- (a) The application must include the hot tub manufacturer's specifications including size, dimensions, and colors.
- (b) All hot tubs must be in the rear yard, must be adjacent to the dwelling unit, and must not break the side plane of the home. The hot tub must be within the established building setbacks for the lot.
- (c) All hot tubs must be integrated into an existing rear yard deck or patio or be part of an addition to the rear yard deck or patio.
- (d) Hot tubs must be installed in such a way that they are not immediately visible to adjacent property owners, and they shall not create an unreasonable level of noise. To not be immediately visible, 75% of the hot tub shall be screened with year-round landscaping or privacy barriers such as screen panels. Privacy barriers will be a minimum height of 4 feet tall.

**2.38 Irrigation Systems.** Underground automatic irrigation systems will not require approval. All homes must have an underground automatic irrigation system installed with the landscape. For recommended irrigation system treatment. **See Irrigation. [Section 4.09.](#)**

**2.39 Jacuzzis. See Hot Tubs and Jacuzzis. [Section 2.37.](#)**

**2.40 Kennels.** Breeding or maintaining animals for a commercial purpose is prohibited. **See Dog Runs. [Section 2.20.](#)**

**2.41 Landscaping.** Approval is required. **Each Lot shall install landscaping within 90 days after acquisition of such Lot by such Owner if said acquisition occurs between March 1 and June 30; if such acquisition does not occur between such dates, then such landscaping shall be installed by such Owner by the following May 31.** All landscape plan submittals must clearly and professionally demonstrate, to scale, the proposed landscape installation. The plot plan of the residence and yard must be provided. All organic materials (plants, shrubs, trees, etc.), building materials (stone, wood, edging, etc.), must be clearly labeled in detail. Homeowners are encouraged to visit the City's landscape requirements at [Landscape Reference Manual 4-5-16.pdf \(civiclive.com\)](#).

- (a) **Irrigation.** All landscaping shall include automatic irrigation. **See Irrigation Systems & Irrigation. [Section 2.37](#) and [Section 4.09.](#)**
- (b) **Plant Material Location and Sizes** Landscaping shall consist of trees, shrubs, ground covers, annual and perennial flowers, lawn grass/sod, mulches, and automatic irrigation. **In the case of shade or ornamental trees (deciduous), plantings cannot be installed closer than 6 feet (6') from the property line. In the case of evergreen trees (conifer), plantings cannot be installed closer than 10 feet (10') from the property line.** A list of recommended plant material, for Blackstone, can be found in **Section 4.15.** Select a variety of plant species including deciduous and evergreen trees and shrubs. All plant material shall be installed in the following minimum sizes:
  - (i) *Shade trees - 2½" caliper*
  - (ii) *Ornamental trees - 2" caliper*
  - (iii) *Evergreen trees - 6' height minimum*
  - (iv) *All shrubs - 5-gallon container*
  - (v) *Groundcover, annuals, and perennials - no restrictions*

- (c) **Lawn Grass/Sod and Plant Material Regulations** Refer to **Table A** for Lawn Grass/Sod Option Landscaping Requirements and **Table B** for Xeric Option Landscaping Requirements. As an alternative to traditional landscaping, xeriscaping is water conservation planning through creative landscaping. Please remember that xeriscaping requires as much maintenance as traditional landscaping. All xeriscape plans must incorporate the installation of a properly functioning irrigation system to help maintain the plantings.
- (d) **Artificial Turf Regulations.** Approval is required. Artificial turf is approved to be in rear yards only. The use of artificial turf shall be governed by the following standards:
- (i) Materials. Allowable face weight (pile weight) must be a minimum of 60 ounces per square yard. The pile height of the artificial turf shall be minimum of 1 inch, not to exceed 1 3/4 inches. Artificial turf shall be of a type known as cut pile infill and shall be manufactured from polypropylene, polyethylene, or a blend of polypropylene and polyethylene fibers stitched onto a polypropylene or polyurethane meshed or hole-punched backing. Hole-punched backings shall have holes spaced in a uniform grid pattern with spacing not to exceeding four inches by six inches on center.
  - (ii) Installation. Artificial turf shall be installed over a compacted and porous road base material and shall be anchored at all edges and seams. Seams shall be glued and not sewn. An infill medium consisting of ground rubber, ground coal slag, clean washed sand and ground rubber, or other approved mixture shall be brushed into the fibers to insure that the fibers remain in an upright position and to provide ballast that will help hold the turf in place and provide a cushioning effect.
  - (iii) Slope Restrictions. The installation of artificial turf on slopes greater than 6.6% shall require the approval of the city engineer and shall meet requirements of the City of Aurora Public Works Department.
  - (iv) General Appearance. Artificial turf shall be maintained to effectively simulate the appearance of a well-maintained lawn.

**Table A: Lawn Grass/Sod Option for Single-Family Front, Side and Rear Yard Landscaping Requirements**

**FRONT YARD REQUIREMENTS:**

	<b>Plant Materials and Quantity</b>	<b>Requirements</b>
1.	<b>Lawn Grass/Sod</b> <b>(NO ARTIFICIAL TURF PERMITTED.)</b>	<b>Minimum and Maximum Lawn Grass/Sod per Lot Size:</b> Small (3,700-5,999 SF) - 40% min. & 50% max. Standard (6,000-8,999 SF) - 30% min. & 40% max. Large (9,000-14,999 SF) - 25% min. and 40% max. Estate (15,000 plus SF) - 25% min. and 40% max.
2.	<b>Trees - Minimum of two:</b> (1 Shade tree and either 1 Ornamental tree or 1 Evergreen tree) <b>(Streetscape/Treescape NOT included.)</b>	<b>Minimum Sizes:</b> 2½ inch caliper – shade tree 2-inch caliper – ornamental tree 6-foot height - evergreen tree
3.	<b>Shrubs* per lot size:</b> Small (3,700-5,999 SF) – 8 shrubs Standard (6,000-8,999 SF) – 16 shrubs Large (9,000-14,999 SF) – 26 shrubs Estate (15,000 plus SF) – 36 shrubs  *Thorny plants shall not be located within 20 feet of public sidewalks.  Note: Perennials and ornamental grasses may be substituted for shrubs at 3 one- gallon perennial or ornamental grasses per one five-gallon shrub.	Shrubs - 5-gallon container Min. - Plant material shall conform with <u>American Standard for Nursery Stock, Ansi Z60.1</u> , current addition.  Planting beds should be separated from lawn grass/sod by edging. All shrubs and ground covers shall be located within planting beds.  Landscape fabric may be omitted under annuals, perennials, and groundcovers.

**SIDE YARD REQUIREMENTS:**

Side Yard w/No Public View – May be rocked, no plant material is required. Cannot be exposed soil as this leads to erosion.

Side Yard w/Public View - On corner lots exposed to public view, they shall be landscaped with lawn grass/sod, shrubs, and trees at the rate of one tree and 10 shrubs per 25 linear feet of side yard.

**REAR YARD REQUIREMENTS:**

In rear yards the use of lawn grass/sod shall be limited to no more than 45% of the area to be landscaped. Rear yards exposed to public view and rear yards at corner lots exposed to public view shall be landscaped to front yard standards (Table A).

Mulch areas or planting beds in rear yards must have plant material cover the mulch at a rate of 50% coverage at installation and 75% coverage at maturity.

Artificial turf is permitted in rear yards only. The artificial turf must be maintained and repaired so it has a new appearance. Refer to [Section 2.41\(d\)](#) for artificial turf standards.

**STREETSCAPE/TREESCAPE TURF OPTION REQUIREMENTS:**

Lawn Grass/Sod Option

The area between the sidewalk and street shall be planted with Kentucky bluegrass and have a canopy shade tree planted every foot (30').



**Table B: Xeric Option for Single-Family Front, Side and Rear Yard Landscaping Requirements**

**FRONT YARD REQUIREMENTS:**

	<b>Plant Materials and Quantity</b>	<b>Requirements</b>
1.	<b>Artificial Turf</b>	<b>Not applicable.</b>
2.	<b>Features:</b>	<b>One of the following is required (a, b, or c):</b> a. Wall - 1' - 2.5' max. high natural stone, stucco, or decorative CMU wall. b. Berms - low earth berm 2.5' max. height, slopes not to exceed 25%. c. Natural Boulders - 2' x 3' min. size, minimum of 3 boulders.
3.	<b>Rock and inorganic mulches:</b> <b>(Gravel, Rocks, Rubber Mulch, etc.)</b>	Rock mulch is limited to no more than 50% of the area to be landscaped.
4.	<b>Plant materials:</b> *To determine how many plants are necessary to provide 50% living plant coverages at installation: 1. Begin by calculating the square footage of the front landscape area (the areas in front of the house minus the driveway and any walkways). 2. Divide the front yard square footage in half and this will be the amount of required square feet that the plants must cover. 3. Each type of plant has an approximate square footage. Determine the total square footage of the proposed plants by adding their square footages together to calculate compliance with the 50% coverage requirement.  <b>Note:</b> The treescape is NOT within the front yard area calculations.	Living plants must cover 50% of the front yard landscape area at the time of planting. Living plants shall be in plant beds mulched with organic and/or inorganic mulches. <b>Note:</b> Plant Material include – evergreen trees, shrubs, perennials, ornamental grasses, and ground covers. Each plant type has an appropriate square footage size upon installation. Thorny plants shall not be located within 20 feet of public sidewalks.
5.	<b>Pavers:</b>	Brick and natural stone pavers are limited to not more than 40% of the landscape area.
6.	<b>Trees - Minimum of two:</b> (1 Shade tree and either 1 Ornamental tree or 1 Evergreen tree <b>(Streetscape/Treescape NOT included.)</b>	<b>Minimum Sizes:</b> 2½ inch caliper – shade tree 2-inch caliper – ornamental tree 6-foot height - evergreen tree

**SIDE YARD REQUIREMENTS:**

Side Yard w/No Public View – May be rocked, no plant material is required. Cannot be exposed soil as this leads to erosion.

Side Yard w/Public View - On corner lots exposed to public view, they shall be landscaped by combining visible side and front yard areas to comply with the front yard xeric requirements (50% living plant coverage).

**REAR YARD REQUIREMENTS:**

Lawn Grass/Sod is not required. The requirements for xeric landscaping shall apply in that the rear yard must contain 50% living plant materials. Rear yards exposed to public view shall be landscaped to front yard standards here in (Table B).

Artificial turf is permitted in rear yards only. The artificial turf must be maintained and repaired so it has a new appearance. Refer to [Section 2.41.\(d\)](#) for artificial turf standards.

**STREETSCAPE/TREESCAPE XERIC OPTION REQUIREMENTS:**

Xeric Option

The area between the sidewalk and street shall be planted with one deciduous canopy tree planted every thirty feet (30'). Fifty percent (50%) of the ground surface area in the streetscape/treescape shall be landscaped with living plant materials. The plants may not exceed a height of twenty-four inches (24").

For examples of Xeriscape plants, use the following link: [Top Plants Brochure 6-3-014 \(civiclive.com\)](#).

- (e) **Streetscape/Treescapes. See Landscaping. [Section 2.41](#), Table A and B.** In accordance with the City of Aurora ordinances, homeowners are responsible for the landscaping within their streetscape/treescape area (the area between the sidewalk and street curb). If a tree in the streetscape/treescape dies, it must be replaced in a timely manner. In some instances, the builder is required to install the "street trees". However, these trees are the property and maintenance responsibility of the homeowner. The only trees that may be planted in streetscape/treescapes are deciduous canopy shade trees. Ornamental trees and evergreen trees are not permitted in streetscape/treescape areas, because they have low branching structures that will grow to impede the public street sidewalk and create a hazardous situation. Homeowners are not permitted to plant ornamental or evergreen trees in streetscape/treescapes. Please refer to Table A and Table B for the allowed Traditional and Xeric planting options for streetscape/treescapes.
- (f) **Soil Prep/Mulch**
  - (i) **Compost** - *For landscaped areas being completed with sod/turf, soil preparation should be with a minimum of three (3) cubic yards per one thousand (1,000) square feet, and ten (10) pounds per one thousand (1,000) square feet of lawn area. These materials are to be tilled to a depth of six (6) to eight (8) inches into the soil. Acceptable organic matters include aged compost, wood humus from soft/non-toxic trees, sphagnum moss (excluding that from Colorado origin), or aged/treated manures.*
  - (ii) **Mulch** - *Organic mulches modify the extremes of soil temperature, improve soil by producing humus, reduce evaporation loss and weed growth, and slow erosion. Organic mulches are typically bark chips, wood grindings or pole peelings. The suggested minimum depth for mulch is three inches. Place mulch directly on the soil or on breathable fabric. Avoid using sheet plastic in planting areas. It is important to note that mulch should be covered by living plants - typically trees, shrubs, and groundcover beds. The use of berms and/or various non-living materials to break up larger planting bed areas is encouraged. Inorganic mulches include rock and various gravel products. Large expanses of rock mulch without substantial shrub or groundcover plantings are unacceptable.*
- (g) **Maintenance.** All residential properties must meet certain minimum landscape requirements. Once installed, the landscaping must be maintained in a neat and

attractive condition, including periodic pruning, removal of weeds and debris, and the replacement of any dead or dying landscaping.

- (i) Homeowners are responsible for the maintenance of their sidewalks and streetscape/treescaping (area between sidewalk and street adjacent to the lot).
- (ii) For the maintenance of plant beds, they shall be separated from turf and other areas by edging. All shrubs, ornamental grasses, perennials, and groundcovers shall be located within planting beds. Plants shall be mulched by either rock or wood mulch or a combination of both. Shredded cedar is the preferred mulch treatment around all plant material as it has moisture retention qualities unlike rock mulch that retains and radiates heat around plants.

**2.42 Latticework.** Approval is required for any type of trellis or latticework. A latticework trellis is an upright structure that is made for screening purposes or to support climbing plants. Trellises are permitted that do not exceed 6-feet in height. Trellises shall be compatible with the color and materials of other structures on the lot and the exterior of the house. Trellises may not be attached to Metro District owned fencing.

**2.43 Lights and Lighting. For holiday lighting, see Seasonal Decorations, [Section 2.64](#).** Approval is required for the use of motion detector spotlights, high-wattage spotlights or floor lights, ballasted fixtures (sodium, multi-vapor, fluorescent, metal halide, etc.). Owners may not install security spotlights and floodlights unless activated by a motion detector. One spotlight or floodlight may be installed on the front elevation and one on the rear elevation of the house. Approval is not required for exterior lighting if it is installed in accordance with the below guidelines:

- (a) Exterior lights must be conservative in design and be as small in size as reasonably practical.
- (b) Exterior lighting should be directed toward the ground whenever possible.
- (c) Exterior lights shall be of low wattage to minimize the glare to neighbors and other homeowners.
- (d) Any affixed permanent lighting must be set at a reasonable brightness level to not affect surrounding neighbors. Lighting tracks must be color matched to the home and installed under the roof eaves and must only be installed to direct light downward or towards the home on which it is installed.

**2.44 Microwave Dishes. See Antennae. [Section 2.07](#).**

**2.45 Overhangs/Sunshades/Awnings. Cloth or Canvas.** Approval is required. An overhang, sunshade, or awning should be an integral part of the house or patio design and are only permitted on the side and rear of the home. Overhangs, awnings, or sunshades must be the same as, or generally recognized as, a complementary color to the exterior of the residence. No metal or plastic awnings are permitted. A swatch of material to be used should be provided. Mechanical sunshades should only be down when patio is in use. The sunshade should be installed on the inside of the patio roof beam and out of site. A mechanism may be needed to anchor shades when extended. The shade and hardware must not be visible when shades are not in use. **See also, Patio Covers. [Section 2.47](#).**

**2.46 Painting.** Approval is not required if color and/or color combinations are identical to the original color established on the home. Any changes to the color scheme or color changes must be submitted for approval and must conform to the general scheme of the community. Color schemes may not exceed a maximum of four (4) complementary colors that blend and harmonize well together. Indicate on the paint application where each

color will be used. In accordance with the Design building requirements found in the Blackstone Country Club Community Design Standards, exterior colors shall be selected from historical, colonial, or earth toned color palettes which are primarily beige, gray, tan, and brown hues. No red or yellow houses will be permitted, and blue hues will only be considered on a case-by- case basis. Garage doors must be painted to match the body or trim color of the house and not the accent color. Color blocking is NOT permitted.

If you choose to use a different color on your home, you will need to submit the Design Request Form with your color samples and a general description and/or photos of the colors of the house on either side of your home. Please include paint color chips indicating the color name and paint manufacturer for each color chosen. Additionally, provide pictures of your current home color, pictures of the proposed color samples painted on the garage door at a minimum size of 24"x24", and an explanation of how the colors fit in with the neighborhood. The color samples should be painted on the home by the time of the application to avoid approval delays. If you would like to review the original color schemes or the most recently approved color schemes, please visit the district's website at [www.blackstonemetro.org](http://www.blackstonemetro.org).

- 2.47 Patio Covers.** Approval is required. Patio covers must be constructed of material consistent with the home and be similar or generally recognized as complementary in color to the colors on the house. Freestanding patio covers may be permitted as well as extensions of the roof.
- 2.48 Patios-Enclosed.** See Additions, Expansions and Ramps. [Section 2.03.](#)
- 2.49 Patios. - Open.** Approval is required. Open patios must be an integral part of the landscape plan and must be located so as not to create an unreasonable level of noise for adjacent property owners. Construction shall not occur over easements, beyond the side plane of the home and must be set back a minimum of five (5) feet from the property lines. In some instances, additional plant material, around the patio, may be required for screening purposes.
- 2.50 Paving, Paths, and Walkways.** Approval is required, for all walks, patio areas, or other purposes and for all materials used, including concrete, brick, flagstones, steppingstones, pre-cast patterned or exposed aggregate concrete pavers. Asphalt will not be allowed. See Driveway Extensions. [Section 2.23.](#)
- 2.51 Pergolas and Arbors.** An arbor is a free-standing arch, and a pergola is a feature with an open lattice roof that may or may not be attached to a building. Both features provide shade and or aesthetics with or without climbing plants. Arbors and pergolas shall be in rear yards or corner lot side yards. An arbor or pergola is permitted that is approved by the DRC which meets these guidelines:
- (a) Shall be constructed on the individual property at a max height of 10 feet
  - (b) Shall complement the house color and materials
  - (c) Shall be treated to prevent weathering
- 2.52 Play Structures, Trampolines, Sport Courts, and Sports Equipment.** Approval is required as identified below and an advisory letter shall be sent to the adjacent property owners notifying them of the request. Consideration will be given to adjacent properties so as not to create an undue disturbance. In some instances, additional landscaping may be required around play equipment for screening purposes.
- (a) **Play Structures:** Approval is required. All play structures must be in the rear yard and

must be setback a minimum of five feet from all property lines. All play structures shall be constructed with wood or composite products with a wood appearance. The use of rainbow-colored cloth/canvas tarps is discouraged. Play structure height shall not exceed 12-feet. If visibility is a concern, the play structure may require additional screening with approved plant materials. Play structures must be maintained in a good and sightly manner.

- (b) **Trampolines:** Approval is required. All trampolines must be in the rear yard and must be set back a minimum of five feet from all property lines. Trampolines must be firmly anchored to the ground for wind protection. Trampoline and netting height shall not exceed 12-feet. Above ground and in ground trampolines are permitted but may require additional screening with approved plant materials. Safety and liability are the homeowner's responsibility. Trampolines must be maintained in a good and sightly manner.
- (c) **Sport Courts:** Approval is required. Sport courts may only be in the rear yard and must be setback a minimum of seven feet from property lines. Sport courts may cover no more than 30% of the rear yard area. Sport court surfacing materials shall be standard concrete. No bright or intense court colors are permitted and must complement the natural surroundings (i.e. earth tones and muted colors). A maximum of one goal per lot is allowed. Hoop lightning or elevated court lighting is not allowed. Owners may be required to install additional plant materials to screen sport courts from adjacent lots.

- 2.53 Playhouses.** Committee approval is required if a structure is more than 24 square feet and/or over six feet high. The colors should match the house.
- 2.54 Poles.** See **Flagpoles and Flags**, [Section 2.29](#) and **Utility Equipment**, [Section 2.84](#).
- 2.55 Pools.** Approval is required. Pools must be placed in the rear yard and be an integral part of the deck or patio area. They should be in such a way that they are not immediately visible to adjacent property owners (i.e. screened with plant material). Above ground pools are prohibited. See **Hot Tubs and Jacuzzis**. [Section 2.37](#).
- 2.56 Radio Antennae.** See **Antennae**. [Section 2.07](#).
- 2.57 Radon Mitigation.** Approval is required. Radon mitigation systems shall comply with local building requirements. All external components must be painted to match the color scheme of the house.
- 2.58 Railings.** Approval is required. Railings for front porches, steps, decks, and patios shall comply with the City of Aurora requirements for height and baluster spacing. All railings shall be either black or bronze metal or wood materials that match the Design style of the house and trim color.
- 2.59 Rooftop Equipment.** Approval is required.
- 2.60 Roofing Materials.** Approval is required when changing or installing roofing materials. Roofs must be maintained in an attractive appearance and missing shingles; tiles or ridge caps must be replaced in a timely manner. Acceptable roofing materials include dimensional asphalt shingles, clay tile, slate tile, and cement-based tile. Other material options will be considered on a case-by-case basis. All buildings constructed on the properties shall be roofed with the same or greater quality than originally used. Any change in roof color must coordinate with the exterior color palette of the home and be shades of black, grey, tan, or brown. Metal flashing and rooftop vents shall be painted to match the surrounding roof

color. Shingles in the colors red, blue, green, and silver are not permitted. Repairs to an existing roof with the same building material that exist on the home, do not require prior approval.

- 2.61 Satellite Dishes. See Antennae. [Section 2.07.](#)**
- 2.62 Saunas. See Accessory Buildings. [Section 2.02.](#)**
- 2.63 Screen Doors. See Doors. [Section 2.21.](#)**
- 2.64 Seasonal Decorations.** Approval is not required if installed on a lot if one is keeping with the Community standards and that the decorations are removed within thirty (30) days of the holiday. The installation of seasonal decorations on any property owned and/or managed by the Blackstone Metro District must first have written consent of the Blackstone Metro District. Consideration for consent will be based upon, but not limited to the distance of where the seasonal decorations are considered being installed in relationship to the owner's lot, potential access concerns and making sure the seasonal decorations keep with the Community standards.
- 2.65 Sewage Disposal Systems.** Will not be permitted.
- 2.66 Sheds.** Not permitted.
- 2.67 Exterior Shutters.** Approval is required. Shutters should be of a similar material and of a color and design generally accepted as complementary to the exterior of the house.
- 2.68 Siding.** Approval is required.
- 2.69 Signs.** A sign is defined as a display, such as a letter board, for public view.
- a) No sign may exceed 3' x 4' in size.
  - b) No more than three (3) signs are permitted on a Lot.
  - c) Signs may not be placed on District-owned property unless approved, in writing, by the DRC.
  - d) Signs must be maintained in good condition, free from fading, and may not be torn or ripped.
  - e) Signs may not be illuminated without prior written approval from the DRC. Any request for lighting must detail the type and location of lighting. Lighting must be placed so as not to disturb Owners and/or residents of neighboring Lots.
  - f) The following types of commercial signs, including, but not limited to, those signs that pertain to the exchange or buying and selling of commodities and/or intending to make a profit, may be erected on a Lot without the DRC's written approval. All other commercial signs require approval from the DRC.
    - (i.) *One (1) temporary sign for the purpose of advertising the Lot "For Sale" or "For Rent". "For Sale" or "For Rent" signs may remain on the Lot while the property is actively listed for sale or actively listed for rent.*
    - (ii.) *Two (2) temporary "Open House" signs indicating that a Lot is available for inspection by interested parties. "Open House" signs may remain on the Lot while the property is actively being shown to prospective buyers, real estate agents and/or tenants.*
    - (iii.) *One (1) temporary sign identifying the person or company performing work on the Lot but only during the period that such work is in progress.*

**Option 1.** Sign may be placed in the front or side elevation window of the property if the elevation it is placed on is not adjacent to the golf course. If this option is chosen, one temporary outdoor marketing brochure box, maximum size of fourteen inches (14") high, ten inches (10") wide and three inches (3") deep, may be placed on a maximum size four foot (4') high, three inch (3") wide and deep stake or post, black, green, white, or brown in color only, in the front of the lot on the property that is for sale or lease. It must be installed within three (3) feet of the residential portion of the home's foundation (not the garage foundation) parallel with the street for which the address of the home is identified.

**Option 2.** Sign may be installed within three (3) feet of the residential portion of the home's foundation (not the garage foundation) parallel with the street for which the address of the home is identified. If this option is chosen, an outdoor marketing brochure box with the dimensions described above, may be attached to the post supporting the sign, only. The sign and any marketing brochure box must be removed immediately after closing.

All other signs, including address numbers and name plate signs must be approved. No lighted sign will be permitted unless utilized by the Developer and/or a Builder. Political signs during an election season may be placed in the front yard of the lot, no more than thirty (30) days prior to the election date. All political signs must be removed within 48 hours of said election. No signs may be placed on any common or limited common property without the written consent of the Master Blackstone Metro District. No trade signs of any kind are allowed on the lot or home, which include, but are not limited to: landscaping, painting, construction, and roofing. Notwithstanding the foregoing, reasonable signs, advertising, or billboards used by the Master Declarant in connection with the sale or rental of the lots, or otherwise in connection with development of or construction on the Lots, shall be permissible.

**2.70 Skylights.** Approval is required. Large bubble type skylights will be prohibited. Solar tube style skylights and parallel mounted skylights are permitted.

**2.71 Solar Panels.** Approval is required. Solar Panel Systems are used to absorb sunlight for electricity, or heat, as a component of a building's or home's overall energy system and a method of conserving energy. Solar PV Systems must be specifically approved by the DRC prior to installation and meet the guidelines below:

- (a) **Professional Installation** - All Solar PV Systems must be designed and installed by a professional licensed contractor. The solar panel submittal needs to be accompanied by a plan from the licensed contractor who will be installing the system.
- (b) **Mounting** - Solar PV Systems array must be flush mounted, that is, match the existing plane of the roof (parallel to roof line).
- (c) **Colors** - Any component of the Solar PV System must integrate into the design of the homes. The color of the Solar PV System components should generally conform to the color of the roof shingles to the extent practical.
- (d) **Balance of Systems** - Inverters and DC safety disconnects are typically mounted in the basement, garage, or near the electrical meter on the outside of a home. The safety disconnects are usually required by the local utility to be mounted next to the electrical meter. The Owner is required to obtain any City permit and electrical inspections required in connection with the Solar PV System. Conduit should be installed near a drainpipe or other existing runs from the roof to hide the conduit as much as possible.

**2.72 Spas. See Hot Tubs and Jacuzzis. [Section 2.37.](#)**

- 2.73 Sprinkler Systems.** See Irrigation Systems, [Section 2.38](#) and Irrigation, [Section 4.09](#).
- 2.74 Statues or Fountains.** Approval is not required if they are installed in the rear yard and are not greater than five (5) feet in height, including any pedestal. If the statue or fountain is proposed for the front yard approval is required, and the statue or fountain location should be close to the front or main entrance of the house.
- 2.75 Storage Sheds.** See Sheds. [Section 2.66](#).
- 2.76 Sunshades.** See Overhangs/Sunshades/Awnings- Cloth or Canvas, [Section 2.45](#) and Patio Covers, [Section 2.47](#).
- 2.77 Swamp Coolers.** Not permitted.
- 2.78 Swing Sets.** See Play Structures. [Section 2.51](#).
- 2.79 Television Antennae.** See Antennae. [Section 2.07](#).
- 2.80 Temporary Structures.** No structure of a temporary character, including, but not limited to, a house trailer, tent, shack, storage shed, or outbuilding shall be placed or erected upon any lot. During the actual construction, alteration, repair or remodeling of a structure or other improvements, necessary temporary structures for storage of materials may be erected and maintained by the person doing such work. The work of constructing, altering, or remodeling any structure or other Improvements shall be prosecuted diligently from the commencement thereof until the completion thereof. Temporary tents may be installed for short term recreation or specific events. Occasional use of tents for periods of 48 hours or less does not require approval. For permanent sheds, **See Sheds.** [Section 2.66](#).
- 2.81 Trash Containers, Enclosures and Pickup.** Trash containers shall not be visible from the front yard or street. Refuse, garbage, trash, lumber, grass, shrub or tree clippings, plant waste, compost, metal, bulk materials, scrap, refuse or debris of any kind may not be kept, stored or allowed to accumulate on any lot except in sanitary containers or approved enclosures. No garbage or trash cans or receptacles shall be maintained in an exposed or unsightly manner (except that a container for such materials may be placed outside at such times as may be necessary to permit garbage or trash pickup.) Trash may be placed on the street for pickup after 8:00 pm the night before and taken in by the evening on the day trash is to be picked up. Trash containers must be properly stored the evening of pickup. Trash container enclosures are not permissible. **See Compost.** [Section 2.17](#).
- 2.82 Tree Houses.** Will not be permitted.
- 2.83 Underground Installations.** Approval is required.
- 2.84 Utility Equipment.** Installation of utilities or utility equipment requires approval. Under the Declaration of the Covenants, Conditions and Restrictions, pipes, wires, poles, utility facilities must be kept and maintained, to the extent reasonably possible, underground or within an enclosed structure.
- 2.85 Vanes.** See Weather Stations, Vanes and Directional. [Section 2.89](#).
- 2.86 Vents.** See Rooftop Equipment, [Section 2.59](#) and Air Conditioning Equipment, [Section 2.06](#).



- 2.87 Walls. See fences. [Section 2.26.](#)**
- 2.88 Walls-Retaining.** Approval is required. No one shall alter, add, or change walls on their individual yards without prior approval. Retaining walls are not intended to be fences and must 'retain' where located. All proposed retaining walls shall be constructed with materials that coordinate with the exterior of the house, and rock, brick or interlocking modular units are the preferred materials. Creosote treated timber railroad ties are prohibited. The construction and installation of retaining walls shall not alter the established drainage pattern of the lot and all necessary permits must be obtained prior to construction. **See Retaining Walls. [Section 4.05.](#)**
- 2.89 Weather Stations, Vanes, and Directionals.** Approval is required. Weather stations, vanes, and directionals shall be reviewed on a case-by-case basis. The dimensions, location, and height must be submitted, and the distances from the home and property lines shall also be included. Visibility from adjacent properties will be taken into consideration.
- 2.90 Window Coverings.** Interior window coverings do not require approval but must comply with the following standards:
- (a) Temporary window coverings such as sheets, poster board, seasonal flags, school flags, or cardboard are not permitted.
  - (b) Window coverings must be materials designed for windows including drapes, shades, blinds, shutters, etc. All window coverings shall be hung even and neat.
  - (c) Window coverings located within a garage shall show white on the front elevation.
  - (d) All Windows and coverings shall be kept cleaned, uncluttered, and well maintained.
- 2.91 Window Replacement.** Approval is required. All new windows and window frame colors shall match the existing Design character of the windows and frame color existing on the house. Windows shall be trimmed with the same materials and design of the existing window trim. The window trim color must match the approved trim color of the house.
- 2.92 Wood Storage.** Will not be permitted.
- 2.93 Work Involving Common Areas.** Generally, driving vehicles including wheelbarrows across Common Areas, including the golf course, is not permitted. However, when circumstances warrant, the Board of Directors will consider requests provided that prior approval is obtained, and the homeowner advances funds as may be reasonably required by the Board of Directors to repair any damage. The actual restoration of the Common Area will be done by the Blackstone Metro District.

### III. PROCEDURES FOR COMMITTEE APPROVAL

- 3.01 General.** As indicated in the listing of specific types of improvements, there are some cases in which advance written approval is not required if the guidelines with respect to that specific type of improvement are followed. In a few cases, as indicated in the listing, a specific type of improvement is not permitted under any circumstances. **In all other cases, including improvements not included in the listing, advance or prior written approval is required before and "Improvement to Property" is commenced.** This section of the Guidelines explains how such approval can be obtained.
- 3.02 Drawings or Plans.** Homeowners are required to submit complete plans and specifications prior to commencement of any work on any improvement (said plans and specification to show exterior design, height, materials, color, location of the structure or addition to the

structure, plotted horizontally and vertically, location and size of driveways, general plan of landscaping, fencing, walls, windbreaks, and grading plan, as well as such other materials and information as may be required). **In most cases, the materials to be submitted will not have to be professionally prepared by an architect, a landscape architect or draftsman and a simple drawing and description will be sufficient. In the case of major improvements, such as room additions, structural changes, or accessory building construction, detailed plans, and specifications, prepared by a licensed architect, may be required. Whether done by you or professionally, the following guidelines should be followed in preparing drawings or plans.**

- (a) In some instances, elevation drawings of the proposed improvement will be required. The elevation drawings should indicate materials. The drawing or plan should be done to scale and should depict the property lines of your lot, all recorded easements and the outside boundary lines of the home as located on the lot. If you have a copy of an improvement location certificate (survey) of your lot obtained when you purchased it, this survey would be an excellent base from which to draw.
- (b) Existing improvements, in addition to your home, should be shown on the drawing or plan and identified or labeled. Such existing improvements include driveways, fencing, walks, decks, trees, bushes, etc.
- (c) The proposed improvements should be shown on the plan and labeled. Either on the plan or on an attachment, there should be a brief description of the proposed improvement, including the materials to be used and the colors. (Example: Redwood deck, 10 feet by 12 feet with 2 inch by 4-inch decking, Natural stain).
- (d) The plan or drawing and other materials should show the name of the homeowner, the address of the home and a telephone number where the homeowner can be reached.
- (e) The proposed improvements must take into consideration the easements, building location restrictions and sight distance at intersections.
- (f) Homeowners should be aware that many improvements require a permit from the City of Aurora Building Department. The Board of Directors reserves the right to require a copy of such permit as a condition of its approval.

**3.03 Submittal Requirements.** Once a plan has been developed, it shall be submitted to management. No copies will be returned. Format will be rejected. The plan must contain the following information:

- (a) Project Approval Request Form (Design Request Form)
- (b) Lot, Block, Filing Number and Owner's name, address, and telephone number.
- (c) Designer's name, address, and telephone number (if applicable).
- (d) Scale of 1 inch = 10 feet and north arrow. Improvements shall be measured in relation to the house and property lines with the distances shown on the plan.
- (e) All existing conditions including house, walks, driveways, patios, decks, walls, plants, trees, drainage ways, property lines, and any easements.
- (f) All proposed landscape planting improvements and landscape features such as walls, patios, structures, hot tubs, gazebos, water features, shrubs, trees, perennial and annual beds.

**3.04 Review Fee.** The Declaration of Covenants, Conditions and Restrictions authorizes the Design Review Committee to collect a fee for review the plans of proposed improvements. The Board of Directors reserves the right to charge a fee to cover the cost of any engineering, consulting, or other fees reasonably incurred by the Blackstone Metropolitan District in reviewing any proposed improvement.

**3.05 Action by Board of Directors and Design Review Committee.** The Board of Directors or its

designated representative will regularly review all plans submitted for approval. The Board of Directors and/or Design Review Committee may require submission of additional material and may postpone action until all required materials have been submitted.

- 3.06 Prosecution of Work.** A proposed improvement to property should be accomplished as promptly and diligently as possible in accordance with the approved plans and description. The work must be completed, in any event, within one year. The Board of Directors reserves the right to inspect the work and the right to file a notice of noncompliance where warranted.
- 3.07 Variance Requests and Rights of Appeal.** A homeowner may appeal to the Board of Directors in the event a submittal request has been denied, provided such appeals are submitted within thirty days after the applicant received notice. Homeowners have the right to appeal a denial by preparing a variance request. Variance requests are a written document that explains the necessity for non-compliance with the design guidelines. Variances shall be submitted to management and will be forwarded to the board of directors for review. Homeowners will be notified of the boards findings after a determination has been made.
- 3.08 Questions.** If you have any questions about the foregoing procedures, please visit [Contact Us – Blackstone Metropolitan District](#) and contact management.

#### IV. LANDSCAPING SUGGESTIONS

- 4.01 General.** The purpose of this section of the Guidelines is to help you prepare an appropriate landscaping plan for your homesite. Careful landscape planning and design of your site will greatly enhance the ultimate appearance of the community. The information set forth in this section is suggestive only and not mandatory.
- 4.02 Slopes.** In some cases, there may be relatively steep slopes on an owner's property. It is important to note that if slopes are not landscaped severe erosion and silting may occur. Therefore, it is recommended that the homeowner landscape slopes as soon as possible after moving in. Slopes and banks should be planted with drought tolerant plants. Terracing, or surfacing with stone or other free draining materials can lessen erosion of slopes. Loose aggregate or wood chips are not recommended on slopes unless measures are taken to prevent erosion or displacement by wind and/or water. Slopes can also be seeded with ground covers, shrubs, and bushes to prevent erosion. Rock gardens are another technique to help prevent slope erosion and create a landscape amenity. Slopes given proper design treatment can become an attractive, interesting part of the landscape.
- 4.03 Soils/Drainage/Grading.** Your home may be constructed on "expansive soils". The prime characteristic of expansive soils is that they swell when water is introduced. The soil, in essence, acts as a sponge. When this expansion takes place, extreme pressures are exerted on foundations and other man-made structures, which are placed in the ground. The result can be severe structural damage to your home.

It is our intent to remind you that a potential hazard exists when proper drainage is not maintained and/or when water is introduced to these "expansive soils" adjacent to your foundation.

Residents should investigate the existing drainage conditions and preserve and

accommodate the drainage situation, which exists on their site at the time they purchased their home from the builder or other previous homeowner. See guidelines under "Drainage" in the listings of specific types of improvements. Minor drainage modifications may be made to your lot providing you do not alter the engineered drainage pattern of the lot existing at the time the lot was conveyed to you from the builder or the previous homeowner. Grading can be used to create berm, slopes and swales which can define space, screen undesirable views, noise, and high winds. It is suggested that berm slopes not exceed 3 feet of horizontal distance to 1 foot of rise or vertical height (3 to 1 slopes) to permit greater ease of mowing and general maintenance.

- 4.04 Soil Preparation.** Soil conditions may vary throughout the project. Individual soil testing is suggested for each lot to determine the exact nature of the soil and the desired level of amendment needed such as mulch, sand, and fertilizer to optimize plant growth. Local nurseries may help in determining the proper quantity and type of soil amendment. A general guide for amendment of all turf area soils is a minimum of three (3) cubic yards per one thousand (1,000) square feet, and ten (10) pounds per one thousand (1,000) square feet of lawn area. These materials are to be tilled to a depth of six (6) to eight (8) inches into the soil. Acceptable organic matters include aged compost, wood humus from soft/non-toxic trees, sphagnum moss (excluding that from Colorado origin), or aged/treated manures. Topsoil is not considered an acceptable organic matter.
- 4.05 Retaining Walls.** Retaining walls are not intended to be fences and must 'retain' where located. New or old creosote treated timber railroad ties are prohibited. Rock, brick or interlocking modular units, that complement the color of the house, are preferred materials for the walls. Retaining walls may be used to accommodate or create abrupt changes in grade. Such walls should be properly anchored to withstand overturning forces. Stonewalls should be made thicker at the bottom than at the top to achieve stability. To avoid destructive freeze-thaw action, all retaining walls should incorporate weep holes into the wall design to permit water trapped behind them to be released. Walls should not be located to alter the existing drainage patterns and should provide for adequate drainage over or through (by means of weep holes) the wall structure.
- 4.06 Climate.** Typical climatic conditions of this area include low precipitation, low average humidity, variable winds, and a wide temperature range.
- 4.07 Screening Views and Directing Winds.** Plant materials can frame pleasant vistas such as views of the mountains. Less desirable views of adjacent land (e.g. highways) can be screened with dense coniferous plantings, earth mounds, fences, or walls. High velocity winds can be effectively directed by dense planting.
- 4.08 Rockscapes.** Boulders and cobbles present an attractive alternative landscape element if used sensitively within the overall landscape composition. Large expanses of rock mulch without substantial shrub or groundcover plantings are unacceptable. Stone or gravel mulch with harsh, unnatural, or high contrast colors shall be prohibited, including the use of black granite, white marble, and lava rock.
- 4.09 Irrigation.** The semi-arid climate makes watering necessary. It is recommended that watering be done in the early morning or evening. One of the most common tendencies is to over-saturate your lot. We urge each homeowner to conserve water and as a result minimize problems on their own lots as well as on adjacent property owner's lots caused by over-watering. This can be accomplished by watering at shorter cycles more often during

the day.

Several systems can be used to water your lawn: automatic sprinkler systems and portable sprinklers. The following are some facts to consider in selecting the type and location of the sprinkler system you are going to use A) Size and shape of areas to be watered. B) Type of turf or ground cover. C) Available water supplies and pressure. D) Environment of the area- wind, rain, temperature, exposure, and grades. E) Low spraying irrigation devices may help to minimize wasted water due to wind. F) Installation of an irrigation system directly adjacent to front sidewalks may eventually cause undermining and deterioration to concrete and paved areas. G) Type of soil and its ability to accept water. Local nurseries or do-it-yourself sprinkler stores have detailed information concerning the type and installation of irrigation systems. H) Drip irrigation systems are recommended for tree and shrub area.

- 4.10 Paved Areas.** Paving may be used to define areas of intense activity and circulation patterns, such as patios, walks, and steps. Materials that can be used to create attractive patterns and textures are brick, flagstones, steppingstones, pre-cast patterned or exposed aggregate concrete paver. These materials are often more desirable than asphalt or poured concrete. It is suggested that paving materials be earth tones colors. Sufficient slope should be maintained in all paved areas to insure proper drainage. Asphalt is not permitted.
- 4.11 Shade.** Shade trees should be placed relatively close to the house, but no closer than 5-feet, where they can shade walls or outdoor activity areas. Avoid shading a solar collector or inhibiting the effectiveness of passive solar design measures. For example, broad-leaved deciduous trees screen out the intense summer sun, but allow winter warmth to penetrate. Trees and shrubs in general should not be planted within existing drainage swales to block designated drainage patterns.
- 4.12 Landscape Materials.** Deciduous trees-and evergreen trees provide summer shade or can be used as a windbreak. Evergreens provide good backdrops for displaying ornamental trees and contrasting flowers as well as providing a visual screen.
- (a) Shrubs such as junipers may be used as specimens or in masses. Shrubs can also be used in combination with trees as windbreaks or to add color and texture to the landscape. Low growing, spreading shrubs may be used as groundcover treatment and present an attractive method of reducing water consumption.
  - (b) Ornamental trees such as flowering crabapples provide accent, color, and additional interest to the residential landscape and may be a more appropriate scale for small areas of a lot.
  - (c) Groundcovers such as creeping mahonia play an important role in consolidating the surface of fine-grained soils to prevent erosion and sedimentation. They may be useful in place of a lawn, especially on steep banks where they will also require less water than turfgrass.
  - (d) Vines may be used as a groundcover or as a shading element over a trellis or as a screen when planted adjacent to a fence.
  - (e) Garden flowers may be used as elements of seasonal color. Perennials and annuals should be considered.
  - (f) Vegetable gardens may be integrated with planting beds and used ornamentally.
- 4.13 Mulches.** Mulches modify the extremes of soil temperature and improve soil by producing humus and reducing evaporation loss. Suggested minimum depth for mulches is three

inches. Mulches are typically used in shrubs and groundcover beds and may consist of a variety of organic materials such as ground bark, wood chips, pole peelings or chipper chips. Natural wood mulch has environmental advantages to plant material and its use is strongly encouraged.

- 4.14 Landscape Maintenance.** Good consistent maintenance is essential for healthy plant materials. The following are some suggested maintenance considerations and ways of minimizing maintenance problems: A) Plant regarding climate. Consider ultimate size, shape, and growth rate of species. B) Locate plants and irrigation heads out of the way of pedestrian-bicycle traffic and car bumpers. C) Provide simple guying systems for trees for a minimum of two years and wrap trees most susceptible to sun scald with burlap or paper during fall or winter months. D) Make provisions for efficient irrigation; drain and service sprinkler systems on regular basis and conduct operational checks on a weekly basis to insure proper performance of the system. E) Provide good soil mixes with sufficient organic material, 30% per tilled depth is desirable. F) Use mulch at least three inches deep to hold soil moisture and to help prevent weeds and soil compaction. G) Provide required fertilization, weed and pest controls etc., as required for optimum plant growth. H) Prune woody plants when needed. Never prune more than 1/3 of foliage. I) Space groves of trees or single trees to allow for efficient mowing. J) Locate plants with similar water, sun, and space requirements together.

**4.15 Suggested Plant List.** For your convenience, the following Blackstone community preferred list of trees, flowers, grasses, and shrubs is provided.

In accordance with The Colorado Tree Coalition and the City of Aurora regulations, the following trees shall be prohibited from being planted: Silver Maple, Willow species, Siberian Elm, Russian Olive, Aspen, Cottonwood, Tamarisk, and Ash species.

**\*\* Identifies Blackstone community “character” plants and the use of them is highly encouraged.**

**Deciduous Canopy (Shade) Trees**

Autumn Blaze Maple  
Burr Oak  
Chanticleer Pear  
Crimson Spire Oak  
Hackberry  
Horse Chestnut  
Kentucky Coffeetree  
Linden, American, or Littleleaf  
Ohio Buckeye  
Red Oak  
Shademaster Honeylocust  
Swamp White Oak  
Western Catalpa

**Deciduous Ornamental Trees**

Amor Maple  
Canada Red Cherry  
Crabapple Species  
Downy Hawthorn  
Glnnala Maple  
Redbud  
Rocky Mountain Maple  
Russian Hawthorn  
Serviceberry

**Evergreen Trees**

Austrian Pine  
Bristlecone Pine  
Colorado Spruce  
Juniper Species  
Limber Pine Pinon  
Pine  
\*\*Ponderosa Pine

**Perennials**

Agastache  
Bee Balm  
Black-eyed Susan  
Colorado Penstemon  
Coneflower  
Coreopsis, Moonbeam  
Daylily, Stella D'oro  
Gaillardia, Blanket Flower  
Hyssops, mint family, herb  
Iceplant  
Maiden Grass  
May Night Salvia  
Muhly Grass  
Prairie Dropseed  
Red Switchgrass  
Sedum, Autumn Joy

Shasta Daisy  
Veronica  
Yarrow

**\*\*Grasses**

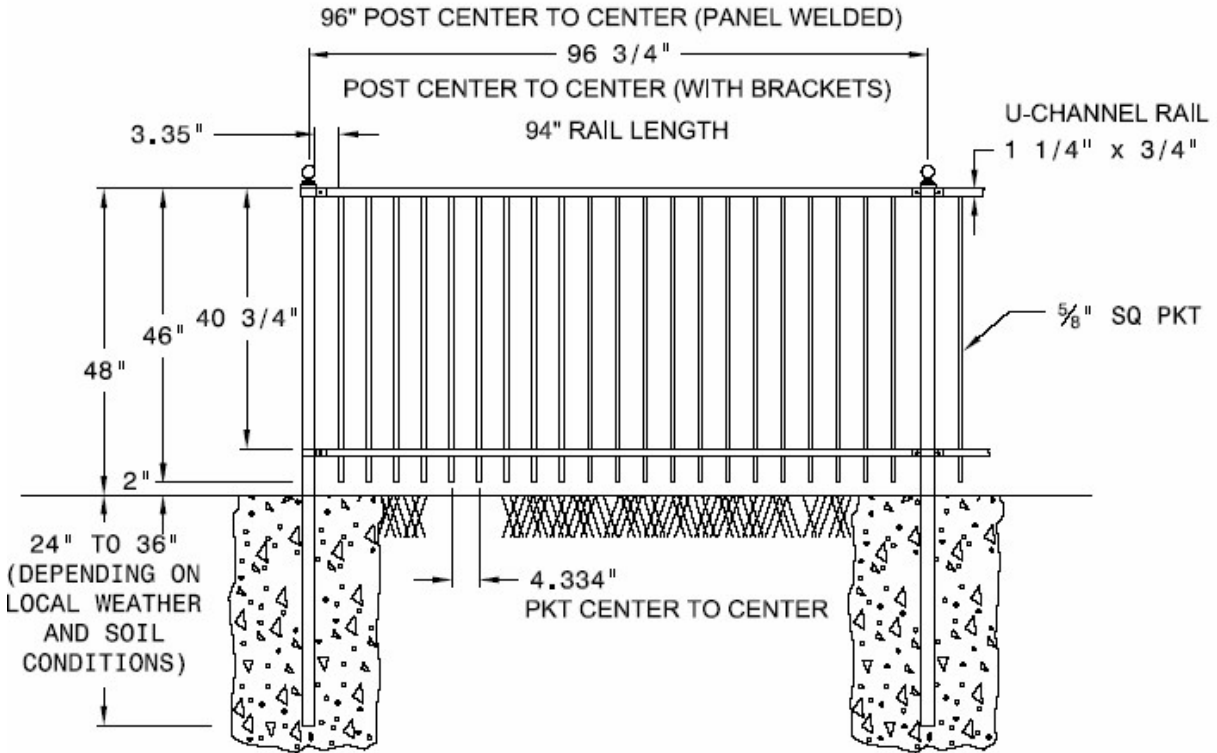
Big Bluestem  
Blue Avena Grass  
Bluestem  
Fountain Grass  
Grama Grass Buffalo  
Grass Feather Reed  
Grass Fescue

**Shrubs**

Bar Harbor Juniper  
Blue Chip Juniper  
Blue Mist Spirea  
Blue Stern Willow  
Broadmoor Juniper  
Buffalo Juniper  
Buffaloberry  
Butterfly Bush  
\*\*Chokeberry  
Compact American Cranberry  
Creeping Mahonia  
Curl-Leaf Mountain Mahogany  
Dogwood Kelsey's  
Dogwood Mountain Box  
Gambel Oak  
Golden Currant  
Gooseberry, Whitestem  
Great Plains Leadplant  
Grow-Low Sumac Isanti  
Hughes Juniper  
Mountain Ninebark  
Mugho Pine  
\*\*Native Potentilla  
Ninebark  
Plum Artic Blue  
Plume American  
\*\*Rabbitbrush  
Red Coralberry  
Red Twig Dogwood  
Rhus Aromatica Rock  
\*\*Saskatoon Serviceberry  
Spirea Sagebrush  
Tam Juniper  
Threelaf Sumac  
Vibrunum Lantana 'Mohican'  
Waxflower

**ATTACHMENT A:  
FENCE DETAILS  
4' METAL FENCE**

NOTE: THE 4' FENCE CAN ONLY BE USED ON LOTS ALONG THE GOLF COURSE THAT HAVE A 4' FENCE ON THE REAR PROPERTY LINE.



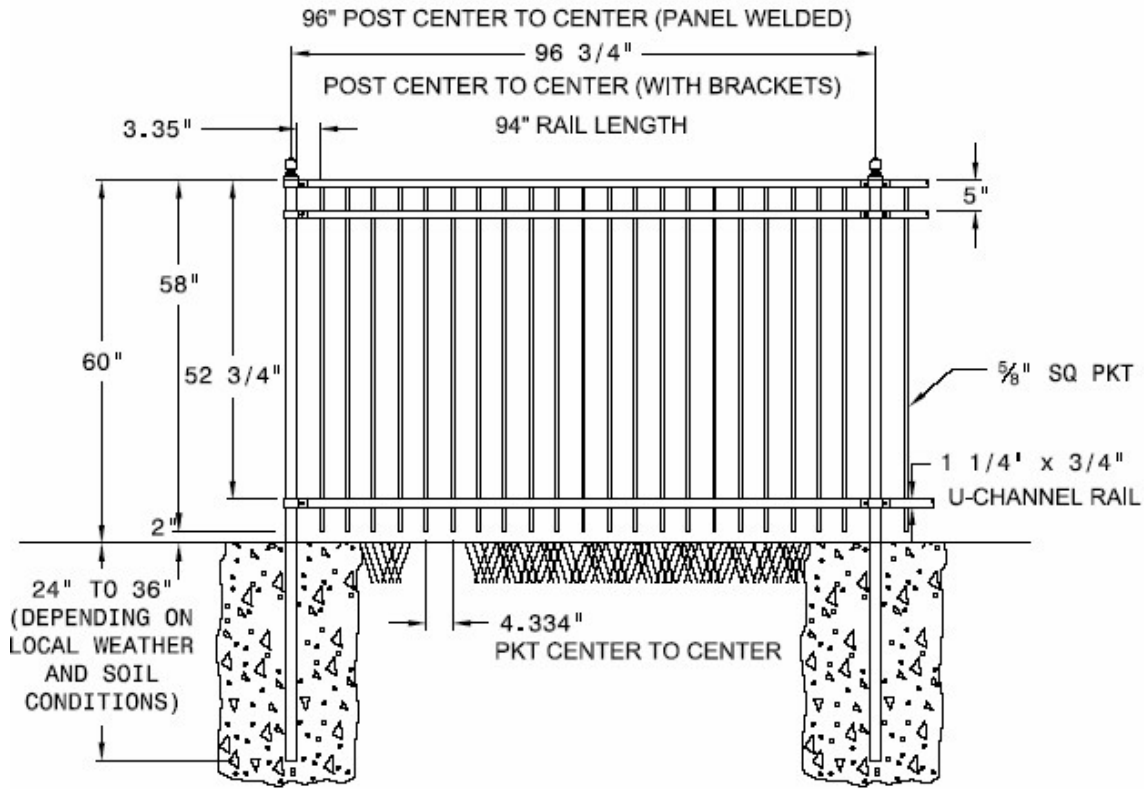
**AMERISTAR®**

1555 N. Mingo  
Tulsa, OK 74116  
1-800-321-8724  
www.ameristarfence.com



### 5' METAL FENCE

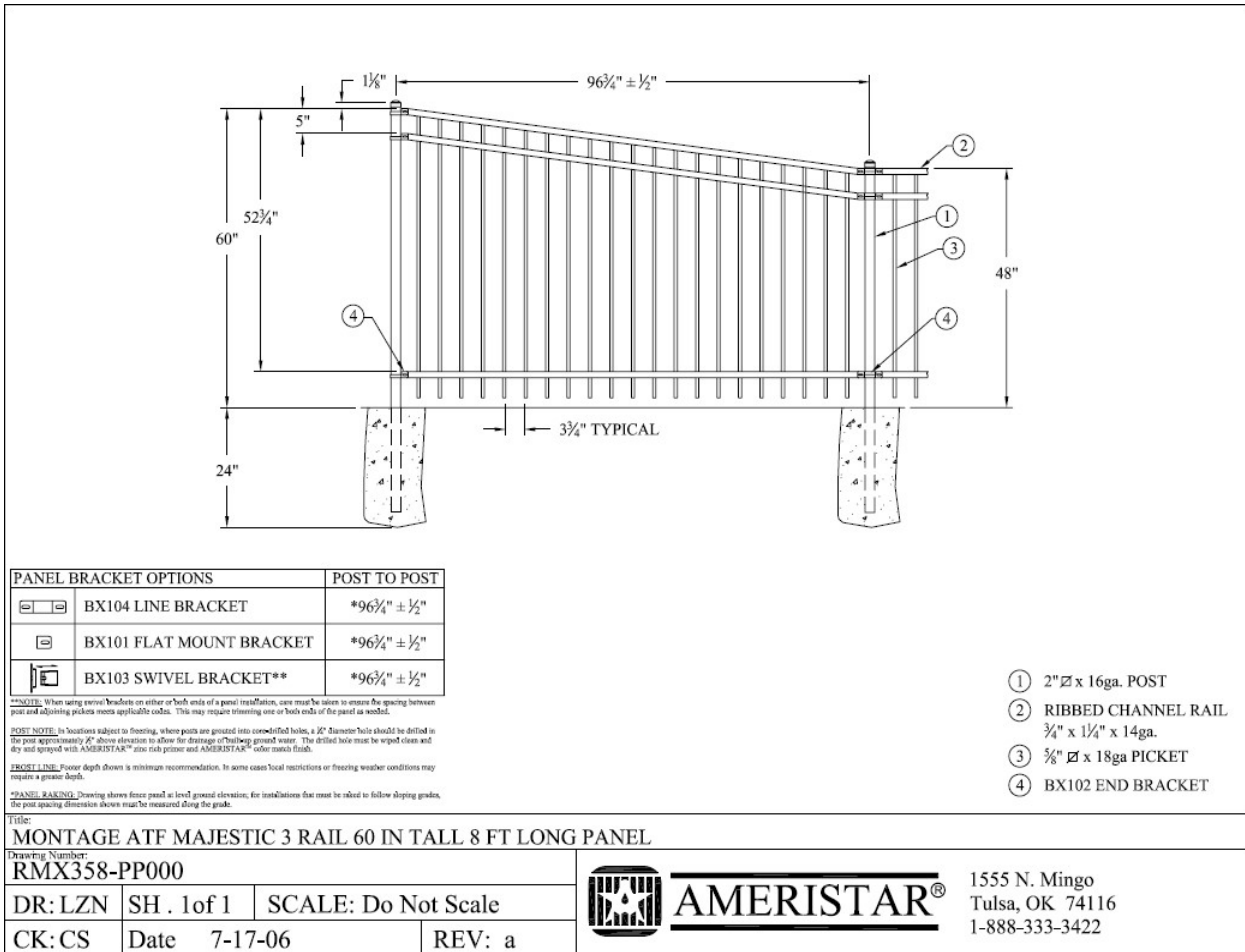
NOTE: THE 5' FENCE WILL BE PERMITTED ON ALL LOTS OTHER THAN THE LOTS ALONG THE GOLF COURSE WITH THE 4' HIGH FENCING REQUIREMENTS.



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1555 N. Mingo  
Tulsa, OK 74116  
1-800-321-8724  
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### 5' FENCE TRANSITION TO 4' FENCE



**ATTACHMENT B:**

**EXAMPLES OF DEAD OR DYING TREES, IMPROPER TREE PLANTING & DEAD/DYING LAWNS**

**Signs That a Tree is Dying.** The signs that a tree is dying are many and differ greatly depending on their type. A lack of leaves or a reduction in the number of leaves produced on all or part of the tree is a sure sign. Other signs include the bark becoming brittle and falling off the tree, limbs dying and falling off, or the trunk becoming spongy or brittle. Look for signs of a dying tree in the following areas:

- A. Leaves:** Deciduous trees lose all their leaves each winter as opposed to evergreen trees who never lose all their leaves at once. Deciduous trees may be dying if they drop their leaves or if their leaves turn brown and brittle during the growing season. If an evergreen tree is dying it will start to show red or brown needles, and once the top third of the plant has needles that are red or brown the tree is dying.
- B. Branches:** A branch that has lost all its bark means that that branch is dead. A branch that starts to lose its bark is dying. Branches will break off when dead in extreme cases, and the tree will die when too many of its branches break off.
- C. Bark:** Bark becomes loose and starts to fall off a dying tree. Brittle bark is also a bad sign.
- D. Roots:** When a tree is dying its roots may turn slimy and host fungus and insects or it may

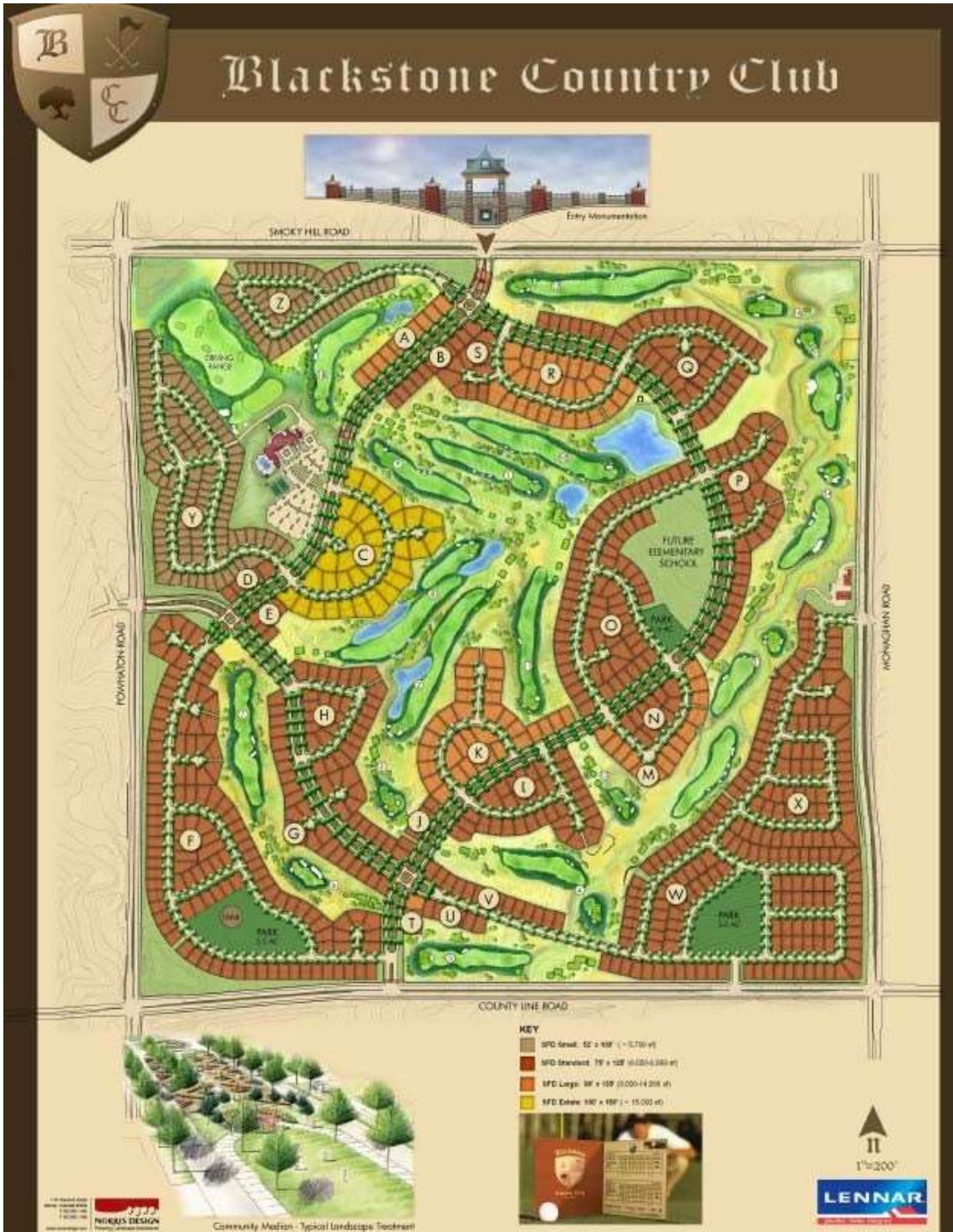
become brittle and break, allowing the tree to fall over.



**Examples of Dead/Dying or Improperly Maintained Lawns:**



**ATTACHMENT C:  
SMALL, STANDARD, LARGE OR ESTATE LOT CLASSIFICATION**



**ATTACHMENT D:  
DESIGN REVIEW REQUEST FEES & FORM**

**BLACKSTONE METROPOLITAN DISTRICT**

c/o: Westwind Management Group, LLC  
27 Inverness Drive East, Englewood, CO 80112  
Phone: 303-369-1800

**Architectural Design Review Submittal Fees**

	<b>Fee</b>	<b>First-Resubmittal</b>	<b>Second-Resubmittal</b>
<b>New Home &amp; Yard Improvements</b>			
Design Review (New Home Build)	\$200	\$0	\$200
Landscaping – Entire Lot	\$75	\$0	\$75
Landscaping – Front or Back Only	\$75	\$0	\$75
<b>Other Requests (List represents common types of requests and should not be considered complete.)</b>			
Addition/Replacement of single bush/tree	\$45	\$0	\$45
Addition of bushes/shrubs/trees/mulch	\$45	\$0	\$45
Awning/Roof Addition	\$45	\$0	\$45
Basketball Hoop	\$45	\$0	\$45
Deck/Patio Installation/Addition/Extension	\$45	\$0	\$45
Fencing – New Installation	\$45	\$0	\$45
Hot Tub/Spa/Pool	\$45	\$0	\$45
House Painting/Storm/Security Door	\$45	\$0	\$45
Playground Equipment	\$45	\$0	\$45
Retaining Wall	\$45	\$0	\$45
Roof Replacement	\$45	\$0	\$45
Satellite Dish	\$45	\$0	\$45
Solar Panels/Device	\$45	\$0	\$45
Trellis/Gazebo	\$45	\$0	\$45
Water Feature	\$45	\$0	\$45
Window Well Covers	\$45	\$0	\$45

1. Most types of improvements, Full Landscape/Design submittals, and new house builds all require an application fee to be paid. If you are installing and submitting them at separate times, you are required to pay the fee for each application submitted.
2. Applications requiring payment may be physically delivered to management’s office, sent via mail to management, or submitted via email with payment of the fee through the District website at [Pay Dues & Assesments – Blackstone Metropolitan District](#). (**Note:** you will need to include your account number AND DRC Fee in the PO Number box when submitting payment for your fee electronically. Payment must be received before a review can be processed. Please make all checks payable to Blackstone Metro District.
3. Please note that applications can take up to 45 days to process from the date that they are received. Applications are processed in the order in which they are received.
4. Should additional information be needed in order to review your submittal, review can take up to 45 days after all necessary information is received.

# BLACKSTONE METROPOLITAN DISTRICT

c/o: Westwind Management Group, LLC  
 27 Inverness Drive East, Englewood, CO 80112  
 Phone: 303-369-1800

## Design Review Request Form

In an effort to provide and protect each individual homeowner's rights and property values, it is required that any homeowner or group of owners considering improvement(s) and/or modification(s) to their home or property submit an "Application for Home Improvements and Modifications" to the Design Review Committee (DRC). If any change is made that has not been approved, per the governing documents, the Metropolitan District may require an owner to change or remove the improvement. **The form must be filled out entirely and all fees, plans, sketches, drawings, illustrations, photographs, dimensions, and material samples required must be provided at time of submittal in order for application to be processed.**

### Homeowner Information

Name:	Date:	Lot/Block:
Property Address	Email:	
Home Phone No.	Work Phone No.	
Mailing Address (if different)	Alternative Contact Person/Number	

### Please circle Type of Request:

- |                      |                        |                |              |                     |            |
|----------------------|------------------------|----------------|--------------|---------------------|------------|
| Back-yard Landscape  | Architectural Design   | Awning         | Dog Run      | Exterior Lighting   | Fence      |
| Front-yard Landscape | Firewood Storage       | Gazebo/Pergola | Greenhouse   | Paint Color Change  | Trees      |
| Retaining Wall       | Play Equipment         | Patio/Deck     | Pool/Spa     | Playhouse/Swing Set | Roofing    |
| Room Addition        | Satellite Dish         | Skylight       | Solar Device | Storage Areas       | Sport Hoop |
| Garden               | OTHER: Describe Below: |                |              |                     |            |

### Description:


**Please include a sample of all improvements and payment of any required fee(s)!** For more information, please review the Design Guidelines or contact Management.

### PAINTING: Picture of house with existing colors and digital samples of new colors must be submitted.

Portions of house to be painted:	Body Color(s) (includes all siding):
Trim Color (includes soffits, fascia boards, & window trim):	Accent Color (includes shutters, window hoods, & exterior doors):

### GAZEBO/PERGOLA and or Play Equipment: Plot map must be included with Application showing location of building on map.

Materials to be used:	Height of item(s):	Dimension of item(s):
Square footage of item(s):	Location/placement of item(s):	

**Proposed Start Date:** \_\_\_\_\_ **Estimated Completion Date:** \_\_\_\_\_

*In signing this application, I certify that all the information provided by me in connection with my application, whether on this document or not, is true and complete. I understand that any misstatements, falsification, or omission of information shall be grounds for denial of this application. I further understand that the DRC has forty-five (45) days upon receipt to review my application and I agree not to begin improvements or modifications until I am notified, in writing, of their decision. I understand that I must complete my improvement/modification within one (1) year after the date of approval and that I must complete the improvements/modifications in accordance with the terms and conditions of the approval. I understand that failure to complete the improvements/modifications in conformance with the conditions of the approval or within one (1) year after the date of approval shall constitute non-compliance and resubmittal will be required. I understand that approval does not substitute for any County/State required permits and that I am responsible for adhering to all Local/County/State requirements. I understand that the DRC may enter onto my property for exterior inspection at a mutually agree upon time in conformance with Declaration.*

\_\_\_\_\_

Owner Signature

\_\_\_\_\_

Date:

**ATTACHMENT E:  
NOTICE OF COMPLETION FORM**

Blackstone Metropolitan District

**NOTICE OF COMPLETION**

Please return "Notice of Completion" upon completion of your approved project.  
(Keep enclosed copy of approval for your records)

**Property address:** \_\_\_\_\_

**Homeowner's name:** \_\_\_\_\_

**Type of improvement:** \_\_\_\_\_

Notice is hereby given that the approved exterior modification work on the above-described property was COMPLETED on \_\_\_\_\_, 20\_\_\_\_, in accordance with the approval received from the Design Review Committee, including any stipulations, and pursuant to the owner's plans and submittal package.

I also certify that I am the owner of the property as listed above.

I understand that the Design Review Committee has sixty days from the date of receipt of this notice to inspect the improvement(s), and to ensure adherence to the plans submitted for approval.

**Owner's Signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**ATTACHMENT F & G & H:  
VIOLATIONS PROCEDURE & PENALTIES & COMPLAINT REVIEW PROCESS  
AMENDED AND RESTATED RESOLUTION OF THE BOARD OF DIRECTORS OF  
BLACKSTONE METROPOLITAN DISTRICT**

**REGARDING POLICIES, PROCEDURES AND PENALTIES FOR THE ENFORCEMENT OF THE  
GOVERNING DOCUMENTS**

WHEREAS, Blackstone Metropolitan District (the "**District**") is a quasi-municipal corporation and political subdivision of the State of Colorado; and

WHEREAS, pursuant to the terms and conditions of the "Protective Covenants for Blackstone and Mandatory Resident Social Memberships", recorded at Reception No. B5158103, Arapahoe County, Colorado, on October 20, 2005, and amended by that First Amendment, recorded at Reception No. B6170752, Arapahoe County, Colorado, on December 5, 2006 and that Second Amendment, recorded at Reception No. B7135187, Arapahoe County, Colorado, on October 19, 2007, as may be further amended from time to time, and as assigned to the District in that certain Assignment of Rights Under Protective Covenants for Blackstone and Mandatory Resident Social Membership, recorded at Reception No. D0086092, Arapahoe County, Colorado on September 1, 2010 (collectively, the "**Covenants**"), the District is authorized to promulgate design and/or architectural standards, rules, regulations and/or guidelines (collectively, the "**Guidelines**"); and

WHEREAS, pursuant to the terms and conditions of the Covenants, the District is authorized to adopt, enact, amend, modify and re-enact rules and regulations concerning and governing the Property (as that term is defined in the Covenants) (the "**Rules and Regulations**" and, collectively with the Covenants and Guidelines, the "**Governing Documents**"), and to establish and enforce penalties for the infraction of the Rules and Regulations, including the levying and collection of fines; and

WHEREAS, pursuant to § 32-1-1001 (1)(j)(I), C.R.S., the Board is authorized to fix and from time to time increase or decrease, fees, rates, tolls, penalties, or charges for services, programs, or facilities furnished by the District which, until such fees, rates, tolls, charges and penalties are paid, shall constitute a perpetual lien on and against the property served; and

WHEREAS, on September 17, 2014, the Board adopted the Resolution Regarding Policies, Procedures and Penalties for Enforcement of the Governing Documents, establishing policies, procedures and penalties for violations of the guidelines, rules and regulations and other policies and procedures of the District, as the same may be amended and supplemented from time to time (the "**Prior Resolution**"); and

WHEREAS, the Board desires to amend and restate the Prior Resolution to establish new policies, procedures, and penalties for violations of the Governing Documents.

NOW THEREFORE, the Board hereby adopts this Resolution and the following policies and procedures:

I. Intent of District. This Resolution is adopted to ensure the protection of the health, safety and welfare of the residents and property owners of the District, to preserve property values, enhance the quality of life for all District residents, and provide a fair and consistent enforcement process of the Governing Documents.



II.Enforcement Policy. The District may enforce the Governing Documents through administrative proceedings or judicial action, and any non-compliance with the Governing Documents by any owner, renter or guest will be the responsibility of the owner of the respective property subject to this Resolution (“the “**Owner**”). This Resolution is intended to serve as guidance to the Board and the District’s authorized representative(s) (the “**District Representative**”) and does not limit or restrict the authority of the Board. The Board may intervene at any time with respect to any authority granted to or action undertaken by the District Representative. In addition, this Resolution shall not supersede the procedures for approval, disapproval, or notice of noncompliance related to improvements as set forth in the Governing Documents.

III.Investigation. Upon receipt of a written complaint alleging a violation of the Governing Documents, if additional information is necessary, the District Representative may conduct an investigation to determine whether a violation of the Governing Documents has occurred.

IV.Enforcement Process for Continuous Violations. Upon determining that a “**Continuous Violation**” (defined as a violation that is ongoing, uninterrupted by time and may take time to cure) has occurred, the District Representative and Board shall take the following steps:

- IV.01 Advisory Letter. If the District Representative determines that a Continuous Violation of the Governing Documents exists, either through the investigative process as set forth above, or through independent inspections or observations of the District Representative, the District Representative will send an “Advisory Letter” to the Owner by first-class United States mail to the address of the Owner on record according to the records of the County Assessor (“**Owner’s Address**”), notifying the Owner of: (i) the restriction violated and the nature of the Continuous Violation, (ii) that the Owner must have the Continuous Violation corrected within 10 calendar days after the date of the Advisory Letter, and (iii) that failure to timely cure the Continuous Violation may result in potential fines or other sanctions. If, in the discretion of the District Representative, the Continuous Violation requires more than 10 days to cure, the District Representative may extend the cure period or require the Owner to commence such cure within 10 days after the date of the Advisory Letter and diligently prosecute the same to completion. The District Representative may, in its sole discretion, determine that an Advisory Letter is not necessary or appropriate and may instead immediately send a Notice as provided in Paragraph 8 below.
- IV.02 Notice of Complaint and Opportunity to Be Heard. If an Owner fails to cure (or provide adequate proof that he or she is diligently seeking to cure, if applicable) a Continuous Violation within 10 days of the date of the Advisory Letter, or if the District Representative determines, in its sole discretion, an Advisory Letter is not necessary or appropriate, the District Representative shall send a notice of complaint and opportunity to be heard (“**Notice of Continuous Violation**”) to the Owner at the Owner’s Address notifying the Owner of the Continuous Violation and of the potential fines that may be imposed if the Continuous Violation is not cured. The Notice of Continuous Violation shall further state that the Owner is entitled to a hearing on the merits of the matter provided that such hearing is requested in writing by the Owner within 10 days of the date of the Notice of Continuous Violation.
- IV.03 Notice of Ongoing Violation. If after 10 days of the date of the Notice of Continuous Violation, the Owner has not requested a hearing, cured the Continuous Violation or made arrangements to cure the Continuous Violation and communicated such arrangements to the District Representative in writing, the District Representative shall

send a notice of ongoing violation ("**Notice of Ongoing Violation**") to the Owner's Address demanding that the Owner cure the ongoing Continuous Violation and that a fine has been imposed on the Owner's account pursuant to the fine schedule set forth in Paragraph 7 below. A second Notice of Ongoing Violation shall be sent 10 days thereafter if the Continuous Violation is not cured or arrangements to cure the Continuous Violation are not communicated to the District Representative in writing and the prior fine paid. The second Notice of Ongoing Violation shall advise the Owner of the imposition of an additional fine, pursuant to the fine schedule set forth in Paragraph 7 of this Resolution.

- IV.04 Continuous Violation. In the event that a Continuous Violation continues to exist uninterrupted 10 days after the date of the second Notice of Ongoing Violation, the District may in its discretion, in addition to any other remedy, send the Owner a notice of daily fines ("**Daily Fine Notice**") and thereafter impose a fine of up to \$100 for each day that a Continuous Violation so continues.

V.Enforcement Process for Repetitious Violations. Upon determining that a "**Repetitious Violation**" (defined as a violation that occurs at a set point in time and does not require time to cure, such as the parking of a restricted vehicle in the community or leaving trash cans out beyond the time allowed) has occurred, the District Representative and Board shall take the following steps:

- V.01 Advisory Letter. If the District Representative determines that a Repetitious Violation of the Governing Documents has occurred, either through the investigative process as set forth above, or through independent inspections or observations of the District Representative, the District Representative will send an "Advisory Letter" to the Owner by first-class United States mail to the Owner's Address, notifying the Owner of: (i) the restriction violated and the nature of the Repetitious Violation, and (iii) that any subsequent violations of the same restriction within 45 days of the date of the Advisory Letter may result in the imposition of fines. The District Representative may, in its sole discretion, determine that an Advisory Letter is not necessary or appropriate and may instead immediately send a Notice as provided in Paragraph 5b and/or 8 below.
- V.02 Notices of Repetitious Violations. If an Owner subsequently violates the same covenant or rule within 45 days of date of the Advisory Letter, each such instance shall constitute a separate Repetitious Violation for which fines may be imposed pursuant to the fine schedule set forth in paragraph 7. Upon the occurrence of each subsequent Repetitious Violation, the District Representative shall send the Owner a notice advising the Owner of the Repetitious Violation and of the fine to be imposed ("**Repetitious Violation Notice**"). The first such Repetitious Violation Notice shall further state that the Owner is entitled to a hearing on the merits of the matter provided that such hearing is requested in writing by the Owner within 10 days of such first Repetitious Violation Notice. The District may impose additional fines with each Repetitious Violation Notice sent after the first Repetitious Violation Notice without the necessity of providing the Owner with the opportunity for a hearing thereafter.

## VI.Hearings

- VI.01 If a hearing is requested by the Owner pursuant to paragraph 4.b or 5.b above, the District Representative shall notify the Owner of the date, time, and place of the hearing at least 10 days prior to the hearing. Hearings regarding violations of the Governing

Documents shall be conducted by the Board, or a tribunal consisting of District residents or other persons as selected by the Board.

VI.02 In the event an Owner fails to request a hearing within 10 days of the date of the Notice of Continuous Violation or the first Notice of Repetitious Violation, as applicable, or fails to appear at a requested hearing, the Board or the tribunal or person designated by the Board to conduct the hearing may make a decision with respect to the violation based on the complaint, results of the investigation and any other available information without the necessity of holding a formal hearing. Failure to request a hearing or to appear at a requested hearing will result in the Owner being deemed to have admitted and acknowledged the violation and the Owner will thereafter be subject to all fines and penalties assessed in connection with the violation. After offering an Owner the opportunity for a hearing in the Notice of Continuous Violation or the first Notice of Repetitious Violation, as applicable, regardless of whether the Owner then requests a hearing or not, the District need not offer the opportunity for a hearing for any additional fines to be imposed for failure to cure a Continuous Violation or for subsequent instances of a Repetitious Violation.

VI.03 Decision. If the Board or the tribunal or person designated by the Board to conduct the hearing has made a finding that an Owner is in violation of the Governing Documents, the District Representative shall send notice of violation ("**Notice of Decision**") to the Owner's Address. The Notice of Decision shall set forth the fine imposed, if any, and any additional fines that may be imposed if the Continuous Violation remains uncured or if subsequent instances of Repetitious Violations occur. The District may revoke or suspend the Owner's privileges, impose fines in accordance with the fine schedule set forth below and take such other actions as it may deem necessary or appropriate to assure compliance with the Governing Documents. No hearing shall be required for the imposition of any such additional fines.

VII.Fine Schedule. The following fine schedule is adopted for all violations of the Governing Documents.

**Continuous Violations:**

Notice of Continuous Violation:	\$50.00
First Notice of Ongoing Violation:	\$75.00
Second Notice of Ongoing Violation:	\$100.00
Daily Fine Notice:	Up to \$100.00 per day

**Repetitious Violations:**

First Notice of Repetitious Violation:	\$25.00
Subsequent Notices of Repetitious Violations	\$50.00 per each offense

VIII.Violations or Offenses that Constitute a Present Danger. If a violation concerns a serious or immediate risk to the health, safety, or welfare of person or property, the District Representative shall seek to obtain prompt action by the Owner to correct the violation and avoid any reoccurrence, and the procedural requirements under this Resolution may be waived by the Board and a hearing scheduled as soon as possible. The Board may impose sanctions as necessary to abate any threat to health, safety or welfare of any person or property.

IX. Waiver of Fines and Other Amounts. The District may determine enforcement actions on a case by case basis and take other actions as it may deem necessary or appropriate to assure compliance with the Governing Documents. The District Representative may, in its sole discretion, waive all or any portion of any fines and other amounts levied under this Resolution. Additionally, the Board may condition waiver of any fine or other amount(s), upon the Owner coming into and staying in compliance with the Governing Documents.

X. Other Enforcement Means. The provisions of this Resolution shall be in addition to all other enforcement means which are available to the District through the Governing Documents, or by law. Application of this Resolution does not preclude the District from using any other enforcement means, including, but not limited to the recording of liens, foreclosure, and any other legal or equitable remedies available to the District.

XI. Legal Action. Any violation of the Governing Documents may, in the discretion of the Board, be turned over to legal counsel to take appropriate legal action either in lieu of, or in addition to, the imposition of any fines or other penalties under this Resolution, and Owners shall be responsible for all attorneys' fees and costs incurred in enforcing this Resolution and in collecting amounts due and owing the District.

XII. Foreclosure of Lien. All amounts imposed pursuant to this Resolution shall, until paid, constitute a statutory, perpetual lien on and against the property served, and any such lien may be foreclosed in the manner provided by the laws of the State of Colorado for the foreclosure of mechanic's liens, pursuant to § 32-1-1001(1)(j), C.R.S., such lien being a charge imposed for the provision of services and facilities to the property. Said lien may be foreclosed at such time as the District in its sole discretion may determine. The lien shall be perpetual in nature (as defined by the laws of the State of Colorado) on the property and shall run with the land.

XIII. Deviations. The District may deviate from the procedures set forth herein if, in its sole discretion, such deviation is reasonable under the circumstances.

XIV. Amendment. The policies, procedures and fine schedule set forth in this Resolution may be supplemented and/or amended from time to time by the District, in its sole and absolute discretion.

XV. Payment. Payment for all fines shall be by check or equivalent form acceptable to the District, made payable to "Blackstone Metropolitan District" and sent to the District within 30 days of the date of the notice sent from the District to the Owner notifying the Owner of the imposition of the fine.

XVI. Severability. If any portion of this Resolution is declared by any court of competent jurisdiction to be void or unenforceable, such decision shall not affect the validity of any remaining portion of this resolution, which shall remain in full force and effect. In addition, in lieu of such void or unenforceable provision, there shall automatically be added as part of this Resolution a provision similar in terms to such illegal, invalid or unenforceable provision so that the resulting reformed provision is legal, valid and enforceable.

XVII. Prior Resolutions. This Resolution shall supersede and replace in its entirety the Prior Resolution addressing the enforcement of the Governing Documents adopted by the Board.

XVIII. Effective Date. This Resolution shall become effective immediately and shall supersede in its entirety any prior resolution.

***Signature page follows.***

ADOPTED this \_\_\_\_ day of \_\_\_\_\_ 2022.

**BLACKSTONE METROPOLITAN DISTRICT,**  
a quasi-municipal corporation and political  
subdivision of the State of Colorado

Officer of the District

ATTEST:

APPROVED AS TO FORM:

WHITE BEAR ANKELE TANAKA & WALDRON  
Attorneys at Law

General Counsel to the District

Signature Page to Resolution Concerning Enforcement Policies and Procedures

**ATTACHMENT I:  
LEGAL REVIEWS/SIGN OFF**