

**RULES AND REGULATIONS FOR VENTANA
EFFECTIVE: DECEMBER 1, 2000**

1. **Introduction.** The Board of Directors (the "Board") of the Ventana Property Owners' Association (the "Association") acting pursuant to the powers set forth in the Association's Bylaws, Articles of Incorporation, the Declaration of Covenants, Conditions, Restrictions, and Easements for Ventana (a common interest community) (the "Declaration") (such documents being collectively being referred to as the "Association Documents") and the Colorado Common Interest Ownership Act (the "Act") has enacted the following Rules and Regulations effective as of the date set forth above. Unless the context otherwise indicates, capitalized words and terms shall have the meanings set forth in the Association Documents and, if not defined in the Association Documents, then as set forth in the Act. These Rules and Regulations supercede any previously adopted Rules and Regulations on the same subject matter, and may be changed by subsequently adopted Rules and Regulations.

2. **Raw Water Irrigation System.** Water has become one of Colorado's scarcest, and most expensive, resources. The original farm on which Ventana has been developed owned valuable irrigation water rights. Some of those rights have been preserved and ownership (represented by the Water Stock described in the Declaration) transferred to the Association, allowing irrigation of each Lot with non-potable water.

The Water Stock will give approximately three acre-feet of water to each Lot Owner per year (which is approximately 977,000 gallons) in an average year of water delivery from the irrigation companies. In order to plan for dry years, Ventana Lot Owners are limited to installing landscaping on their Lots within a landscape envelope not to exceed one acre in size. Furthermore, no Owner may have more than 20,000 square feet of irrigated turf grass within the landscape envelope. Additional landscaping guidelines and restrictions are set forth in the Design Guidelines for Ventana. Irrigation with potable water from the Town of Windsor will not be allowed, except under the limited circumstances described below.

Ventana draws its irrigation water from the Springer Ditch on the west side of the Property. The two primary water rights are from the Lake Canal (early river water) and the Windsor Reservoir (stored water for late season). In normal years, the early water is available in late April or early May, running into July. The Windsor Reservoir water is then drawn until the normal end of the water delivery season, usually late September. Delivery of water to the Association's raw water irrigation system is subject to interruption by the irrigation companies as circumstances may dictate. Arrangements have been made with the Town on Windsor for the Association to purchase additional treated water from the Town, if necessary, to augment the early and late season needs. This water will be piped into Ventana Pond from a metered fire hydrant.

Irrigation water is pumped from the Springer Ditch into Ventana Pond. A multi-phase pump system in the Pond then pressurizes the system to deliver the irrigation water to a 3/4-inch tap at each Lot. Lot Owners will alternate days for irrigation, such that one half of the Lots will irrigate on the same day. Irrigation will be allowed between the hours of midnight and 8:00 A.M. Special requests

August 13, 2003

Mike Sollenberger
Sollenberger Development
Building 5 The Shores Suite 102
Ft. Collins, CO 80525

RE: ARCHITECTURAL CONTROL

Dear Mike;

I am sending this letter to be used as my proposal to provide Architectural Review services for your subdivision in North Windsor. I see the work divided into three major groups. The first would be an orientation meeting or preliminary plan review at which time I would review with the land purchaser the expectations of the Covenants, the level of detailed drawings that will be needed to review their submittal package, and visual review of their preliminary plans as to the compliance of these plans with respect to the Covenants.

The second stage will be the review of the documents. I will first determine that the submission is complete. The Lot Owner will be notified as to the status whether it is complete or not. If the submission is incomplete it will be returned. A letter will be sent noting that the plans were incomplete and an itemized list of documents needed to complete the submission. A completed submission will be reviewed and a written response provided within seven days.

There are three potential responses; approved, approved with conditions, or denial. An approval or an approval with conditions will require the applicant to sign the letter for the records. Letters of approval will note that the Owner agrees to construct the home and grounds as submitted. A conditional approval will have the Owner signing a statement that they agree to the conditions of approval and construct the home and grounds in accord to the approval. Failure of an applicant to sign the letter of approval or conditional approval will convert the review to a denial if the letter is not signed and returned within fourteen calendar days.

The third phase of the project is the compliance stage. This will require a field visit to determine that the project is completed and is a substantial conformance to the approved plans. The property landscaping will be inspected at that time for conformance to the approved Landscape Plan as well.

There are four potential letters that will be sent to the property owners prior to occupancy. These letters will note: that the structures and landscaping are in substantial conformance to the approved plans; that the construction is completed and approved but the landscaping is not completed (a partial approval;) a re-inspection for landscape

WORK ORDER

DATE: December 22, 2003

CLIENT: Ventana Property Owner's Association
Norman Nuwash
916 Presado Way
Windsor, Colorado
970-482-1336

CONSULTANT: VF Ripley Associates, Inc.
401 West Mountain Avenue, Suite 201
Fort Collins, CO 80521
(970) 224-5828

PROJECT: Design Review for Ventana Residential Landscape Plans

SCOPE OF WORK: Provide design review services for individual residential landscape plans. Services will include review of individual landscape plans to insure conformance with the Ventana Property Owner's Association design review guidelines. The review service will include one review, written comments, a final cursory review (if needed) and a letter to the Property Owner's Association confirming that the landscape plan meets the design guidelines.

BILLING INFORMATION:

A payment of \$60.00 for the initial landscape plan review shall be paid when the plan is submitted. If additional comments and revisions are required, the applicant shall pay an additional \$50.00 for each subsequent round of review.

SUSPENSION/TERMINATION OF SERVICES:

If the Client fails to make payments when due or otherwise is in breach of the Agreement, the Consultant may suspend performance of services upon seven days (7) calendar days' notice to the Client. The Consultant shall have no liability whatsoever to the Client for any costs or damages as a result of such suspension caused by any breach of this Agreement by the Client. Upon payment in full by the Client, the Consultant shall resume services under this Agreement, and the time schedule and compensation shall be equitable adjusted to compensate for the period of suspension plus any other reasonable time and expense necessary for the Consultant to resume performance.

If the Client fails to make payment to the Consultant in accordance with the payment terms herein, this shall constitute a material breach of the Agreement and shall be cause for termination of the Agreement by the Consultant. Payment to the Consultant for services rendered and expenses incurred shall be due and payable regardless of any subsequent suspension or termination of this Agreement by either party.