

**ASPEN MESA ESTATES
EAGLE COUNTY, COLORADO**

HORSE RESTRICTIONS

ASPEN MESA ESTATES HOME OWNERS ASSOCIATION
RULES GOVERNING HORSES

1. These rules and provisions have been adopted to govern the keeping of horses on all lots in Aspen Mesa Estates which have established the right to keep horses through the procedures set forth in the Deed Restrictions, as amended, governing Aspen Mesa Estates.
2. The owner of every property, which is permitted to have horses, shall be responsible for complying with the rules governing the keeping of horses. Repeated or continuing noncompliance may be the basis for a revocation of the right for an owner to be permitted to keep horses. Furthermore, noncompliance may be the basis for the imposition of fines, should a fine schedule be adopted and distributed to all owners.
3. The property owner shall be liable for and responsible for any damage caused by livestock which is not contained on the owner's property. The property owner shall be liable for and responsible for costs or expenses of Aspen Mesa Homeowners Association which are reasonably incurred as the result of such non-containment. The Owner also shall be liable for the costs of attorney's fees incurred by the Association in attempting to obtain compliance with these rules.
4. All weeds shall be kept under control when horses are present on the deeded horse properties. No weeds on the Colorado Noxious Weed List will be permitted.
5. Vegetation must be maintained in fenced areas. Grass cover must not be completely grazed off, excluding a small confinement area (1000 square feet or less).
6. Prior to the keeping of horses, the owner, or owner's designated person, shall submit for approval a Proposed Site Plan for Horses ("Proposed Plan") which designates and locates the lot lines, structures, leach field, existing fences, proposed fences, and set-back lines from the property lines. Such Site Plan need not be a survey or Improvement Location Certificate, but shall be to scale and accurately represent the foregoing items. This Site Plan will be submitted to the Architectural Control Committee and will be reviewed within 30 days of receipt.
7. A Proposed Plan will be reviewed for compliance with these rules, and applicable provisions of the covenants. If the Proposed Plan is approved, then the owner may construct or install any fencing (in accordance with Architectural Guidelines regarding fences) or other approved items. Installation of non-approved items shall be treated as noncompliance with the Approved Plan, as set forth in #8 below.
8. Upon completion of all fencing and approved items in the Proposed Plan, an owner shall request a physical inspection for final approval of the Proposed Plan. Upon inspection and approval of the items, the Proposed Plan shall be marked "Approved" by the Association, and shall be designated the "Approved Plan". The Approved Plan shall govern the continued keeping of horses upon the lot for which approval was given. Noncompliance with the Approved Plan shall be the basis for revocation of the Approved Plan and with it, loss of the right to maintain horses on the lot until the owner comes into compliance with the Approved Plan, or goes through a new approval process.
9. The Association may enforce these rules by imposition of fines, revocation of the Approved Plan and right to maintain horses, and/or legal or equitable remedies.

10. No Proposed Plan will be approved if any portion of the fenced area of containment is over a portion of the leach field. Regardless of any Proposed or Approved Plan, no fenced area shall be used by anyone for containing horses, any portion of which is over a leach field.
11. Fences shall be sufficiently sturdy to contain livestock. Fences may not exceed five feet in height, must be constructed of wood or wood imitation. There shall be no wire fencing. Only split rail fencing, or round rail fencing is allowed.
12. Manure must be gathered daily and stored in a covered container until disposal. Containers shall be emptied at intervals not greater than weekly. No manure may be spread or broadcast upon the lot. The Proposed Plan will designate the type of containers, and the disposal schedule.
13. The Proposed Plan shall contain a provision for shelter to protect the animals from inclement weather and provide shade.
14. The Proposed Plan should address fly and odor control as it may impact surrounding properties.
15. All livestock must have current vaccinations. Proof of such current vaccinations shall be provided annually to the Association, and at the time of original submission of the Proposed Plan.
16. Livestock shall at all times be properly fed, watered, and cared for.
17. Horses shall be contained in the approved, fenced area at all times unless on a lead and under the control of a person, or being ridden by a person.
18. These rules may be modified from time to time as deemed appropriate by the board of directors.
19. The Board of Directors may appoint an individual or committee to perform the review and approval process set forth above. In the event of a violation or noncompliance, only the Board shall have authority to take enforcement action.

ATTACHMENT "A"

ARCHITECTURAL CONTROL GUIDELINES, ADDENDUM

HORSES

PLEASE KEEP IN MIND THAT THE FOLLOWING GUIDELINES APPLY ONLY TO LOTS WHICH HAVE GONE THROUGH THE APPROVAL PROCESS OUTLINED IN ASPEN MESA ESTATES RESTRICTIONS AND COVENANTS AND ARE READY FOR STEP TWO, ARCHITECTURAL APPROVAL.

1. UP TO 75% OF EACH LOT MAY BE FENCED.
2. FENCES MUST BE AT LEAST 15 FEET FROM THE PROPERTY LINE.
3. THE FENCED IN AREA MAY NOT ENCOMPASS A WOODED (PINION/CEDAR) AREA. "WOODED AREA" IS OPEN TO INTERPERTATION, ie, 3 OR 4 TREES DOES NOT MAKE A WOODED AREA.
4. WITH THE EXCEPTION OF THE GATE, THE FENCE MUST BE WOOD. A SINGLE STRAND OF ELECTRIC FENCING WILL BE ALLOWED DIRECTLY ABOVE THE TOP RAIL TO PRESERVE THE FENCE.
5. INRE #4, THIS IS NOT A HARD AND FAST RULE. WE UNDERSTAND THAT NEW PRODUCTS ARE AVAILABLE AND THE BOARD IS OPEN TO LOOKING AT THESE NEW PRODUCTS ON A CASE BY CASE BASIS.
6. TO RETAIN THE CHARACTER OF THE SUBDIVISION, AT THIS TIME, WE WILL ONLY APPROVE A SPLIT RAIL TYPE OF FENCE.
7. THE FENCE MAY NOT BE HIGHER THAN 5 FEET HIGH. THIS FENCE IS TO KEEP THE HORSES IN, NOT THE DEER OUT.
8. STRUCTURES (BARN, STABLES, ETC.) MUST BE 20 FEET FROM THE PROPERTY LINE.
9. STRUCTURES MUST MATCH THE PRIMARY HOME, INCLUDING SIDING MATERIAL, ROOF MATERIAL AND COLORS.

PRIVACY/DEER FENCING

1. EACH HOMEOWNER MAY FENCE OFF UP TO 25% OF THEIR LOT FOR THE PURPOSE OF PROTECTION OF LANDSCAPE FROM DEER. GENERALLY THIS ENTAILS A SEVEN FOOT HIGH FENCE.
2. THE SAME CONSTRUCTION GUIDELINES APPLY FOR DEER FENCING AS FOR HORSE FENCING.
3. PRIVACY FENCING WILL BE HANDLED ON A CASE BY CASE BASIS.

PLEASE KEEP IN MIND THAT THESE ARE GUIDELINES. EACH INDIVIDUAL APPLICATION WILL BE JUDGED ON IT'S OWN MERITS. IF THE PROPOSED PADDOCK AREA DOES NOT IMPACT VISUALLY ANY NEIGHBORS OR COMMON AREAS, THE BOARD WILL REMAIN FLEXIBLE IN CONSTRUCTION MATERIALS.