

**PERRY PARK EAST HOMEOWNERS ASSOCIATION  
RESTATED SUPPLEMENTAL RULES AND REGULATIONS  
Effective as set forth herein**

**1. Introduction.**

The Executive Board (the “Board”) of Perry Park East Homeowners Association, Inc. (the “Association”), acting pursuant to the powers set forth in the Association’s Bylaws, Articles of Incorporation, and the 1992 Amended Protective Covenants for Perry Park East, Filings 1 & 2 (the “Declaration”) (such documents collectively being referred to as the “Association Documents”), and the Colorado Common Interest Ownership Act (“CCIOA”), has enacted the following Supplemental Rules and Regulations effective as of the date set forth herein. 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 CCIOA. This Policy supersedes any previously adopted Policy on the same subject matter.

**2. Purpose of Rules and Regulations.**

2.1 Rules and regulations are adopted by the Association pursuant to the authority granted by CCIOA, the Declaration, and the other Association Documents to carry out and enforce the 1992 Amended Protective Covenants.

2.2 The Board recognizes that the 1992 Amended Protective Covenants grants the Association, the Board, and the Architectural Control Committee (the “Committee”) the authority to exercise judgment and discretion to act in the best interest of the residents of Perry Park East. Section 2.2 of the Bylaws provides that the Board may adopt and amend rules and regulations that are not inconsistent with the Declaration, the Bylaws, or state law. The Board finds that it is necessary and desirable to adopt rules and regulations to guide the members of the Association in complying with the 1992 Protective Covenants, and to assist the Board and the Committee in enforcing said covenants.

2.3 The purpose of these Restated Supplemental Rules and Regulations is to restate and clarify rules and regulations that have been adopted by the Association and its Executive Board to date, and to set forth the legal basis for said rules and regulations.

**3. Rules and Regulations.**

**3.1 Fences (originally adopted November 20, 2008)**

3.1.1 Authority. Article IV, Section 1 of the Declaration provides the Committee with the authority to approve all improvements within Perry Park East. Article V, Section 13 of the Declaration sets forth restrictions on fencing. Article V, Section 3 of the Declaration sets forth limitations on the location of buildings and structures within lots.

3.1.2. Fencing Rules and Regulations. For the purposes of fence size and location, fenced property area will not exceed 500 sq. ft. and will not be more than 30 feet from the house structure and will not be visible from the road or surrounding neighbors. Height shall not exceed 4 feet.

Dog runs must not exceed 200 sq. ft. Location cannot be more than 10 feet from the house.

Special uses such as basketball, tennis, swimming pool, or other special uses need to submit to the Architectural Control Committee for approval. Visual mitigation is required.

### 3.2 **Pets** (originally adopted February 23, 2009)

3.2.1 Authority. Article IV, Section 12 of the Declaration sets forth restrictions on animals. Article IV, Section 9 of the Declaration provides that nothing shall be done or permitted on any tract which may be or become an annoyance or nuisance to the neighborhood.

3.2.2. Pet Rules and Regulations. In accordance with Douglas County Animal Control regulations, no more than four adult dogs or cats (more than four months old) are permitted per residence.

3.2.3 At-Large and Barking Dogs. In the event that a neighbor's dogs are either barking or at-large, any resident or owner may call and file a complaint with the Douglas County Animal Control office and with the Perry Park East Homeowners Association. The Board shall inform the pet owners that a complaint has been made for a barking or at-large dog. The first violation will be subject to a warning. After the first warning, subsequent violations may result in imposition of a fine for liquidated damages of up to \$25 per occurrence that is sustained. The Board may also seek injunctive relief and/or damages for continued violations if the violation continues after warning and imposition of a fine for liquidated damages.

3.2.4. Pet runs. Pet owners are encouraged to consider a dog run or small fenced area in compliance with the covenants and these rules and regulations.

3.2.4. Emergency. Nothing in this policy prohibits the Board from bringing immediate legal action to enforce these rules and regulations or the covenants in the event of a dangerous or emergency situation.

### 3.3 **Number and Location of Buildings** (originally adopted October 10, 2011).

3.3.1 Authority. Article IV, Section 1 of the Declaration provides the Committee with the authority to approve all improvements within Perry Park East. Article V, Section 2 of the Declaration sets forth restrictions on dwelling size. Article V, Section 3 of the Declaration sets forth limitations on the number and location of buildings and structures within lots.

3.3.2 Number and Location of Buildings. All main living structures shall be a maximum of two levels above the ground.



### 3.4 **Outdoor Lighting** (originally adopted October 10, 2011).

3.4.1 Authority. Article IV, Section 1 of the Declaration provides the Committee with the authority to approve all improvements within Perry Park East. Article IV, Section 9 of the Declaration provides that nothing shall be done or permitted on any tract which may be or become an annoyance or nuisance to the neighborhood.

3.4.2 Outdoor Lighting. The Board finds that excessively bright outdoor lighting is incompatible with the rural character of the neighborhood and may be a nuisance to neighbors. Outdoor lighting shall use a maximum of 40 watt incandescent bulbs or the equivalent light output (not more than 600 lumens per bulb) for other types of bulbs such as fluorescent or LED bulbs, in accordance with "Dark Sky Movement," (darksky.org).

### 3.5 **Out-Building Size & Finish** (originally adopted November 20, 2013).

3.5.1 Authority. Article IV, Section 1 of the Declaration provides the Committee with the authority to approve all improvements within Perry Park East. Article V, Section 2 of the Declaration sets forth restrictions on dwelling size. Article V, Section 3 of the Declaration sets forth limitations on the number and location of buildings and structures within lots.

3.5.2 Out-Building Size & Finish. Out-building size is limited to 1,600 sq. ft. All out-building finish and windows are to match the existing home. The Board encourages any garage expansions be added or connected to the existing home in order to maximize the likelihood of Architectural Control Committee approval. Per the Declaration, no more than one home and one out-building per lot.

### 3.6 **Private Automobiles** (originally adopted November 20, 2013).

3.6.1 Authority. Article V, Section 8 of the Declaration sets forth restrictions on private automobiles, recreational or utility vehicles, and commercial vehicles. Article V, Section 9 of the Declaration provides that nothing shall be done or permitted on any tract which may be or become an annoyance or nuisance to the neighborhood.

3.6.2 Private Automobiles. RV, boats, and/or campers are to remain out of sight of the road and out of sight of the neighboring properties. The Board recommends that any oversize vehicle be placed at off-site storage.

## 4. **Variances.**

The Board may from time to time vary from the requirements set forth in these Procedures if the Board determines in its sole discretion that such variance is reasonable under the circumstances.

## 5. **Amendment.**

These Procedures may be amended from time to time by the Board.

### CERTIFICATION

The undersigned, being the duly elected and acting Secretary of PERRY PARK EAST HOMEOWNERS ASSOCIATION, INC. (the "Association") certifies that the foregoing Restated Supplemental Rules and Regulations was approved by the vote of at least a majority of the Association's Directors at a meeting of the Association's Executive Board held on August 20, 2015.

Dated this August 20, 2015.

PERRY PARK EAST HOMEOWNERS ASSOCIATION, INC.

By: Janice Larson  
Secretary