

**SUPPLEMENTAL GUIDELINES FOR SUSTAINABILITY**  
**BUILDER HOMES**  
**HIGH DESERT**  
**CHAMISA TRAIL VILLAGE**

The following Supplemental Guidelines for Sustainability for Builder Homes in the Chamisa Trail Village at High Desert subdivision (the "Chamisa Trail Village Guidelines") are supplemental to the general High Desert Guidelines for Sustainability Builder Homes (the "High Desert Builder Homes Guidelines"). All of the provisions of the High Desert Builder Homes Guidelines apply to the Chamisa Trail Village except as modified by these Chamisa Trail Village Guidelines. The Chamisa Trail Village Guidelines shall be a part of the High Desert Builder Home Guidelines for application to the Chamisa Trail Village. The construction of homes in the Chamisa Trail Village will be subject to the review of the Chamisa Trail Village Architectural Advisory Committee (the "CTVAAC") as described below.

The following Supplemental Guidelines for Sustainability for Builder Homes are attached to and become a part of the Purchase Agreement, dated \_\_\_\_\_ between Mesa Verde Development Corporation, a New Mexico corporation ("Seller") and \_\_\_\_\_, a \_\_\_\_\_ ("Builder") for the purchase of Lot(s) \_\_\_\_\_ within the Chamisa Trail Village at High Desert subdivision. Builder will construct all homes within Chamisa Trail Village in compliance with these Supplemental Guidelines. The Chamisa Trail Village Guidelines are additional to those requirements contained in the High Desert Guidelines and the Declaration of Covenants, Conditions and Restrictions for High Desert Residential properties (the "Declaration"). The construction of homes in the Chamisa Trail Village will be subject to the review of the Chamisa Trail Village Architectural Advisory Committee (the "CTVAAC") as described below. In the event of any conflict between the terms of the Chamisa Trail Village Guidelines and the terms of the Design Guidelines or Declaration, the terms of the Declaration and Design Guidelines will control.

**SITE**

**Parking/Garages**

Garages built on the west side of the dwellings within Lots 25-30 may need to be lowered to accommodate appropriate driveway grades due to the slope of the Unit from the front of the building pad to the street.

Each home must have a garage for not more than three and not less than two cars.

**Site Walls**

As a result of differences in pad elevations within the Chamisa Trail Village, special stemwall requirements will apply to the following lots within the Village: 4, 5, 6, 8, 9, 10, 11, 16, 19, 20, 22, 25, 26, 35, 36, 38, 65, 66, 67, 69, 70, 74, 76, 77,



78 and 80. The stemwall requirements are set forth in the engineer certified grading plan for the Chamisa Trail Village approved by the City of Albuquerque. (See attached Exhibit A for detail.)

All walls that are visible from the street must be finished with stucco or synthetic stucco. The only color stucco finish that will be allowed on walls will be Sto Flex High Desert Pueblo (#1005), except the cross wall that is visible from the street upon which a home fronts, which wall will match the color of the home.

All walls that are not visible from the street that are not finished with synthetic stucco must be painted High Desert Pueblo color (#1005).

### **Signage**

All "For Sale" and resale signs will be limited in size to eight square feet.

Address identification numbers will be 4 inches by 4 inches and will be ceramic tiles.

### **Mailboxes**

"Cluster-type" mailboxes will be used, subject to the requirements of, and in coordination with, the United States Postal Service.

## **LANDSCAPING**

### **Timing of Installation**

All front yard landscaping, and all side yard landscaping (if the home is on a corner), must be completed by the builder as required by the High Desert Builder Guidelines no later than two months after completion of construction of the home, but in any event no later than the date of occupancy of the home.

### **Use of Lawn Type Grass**

Lawn type grass will be allowed in the front yard of each dwelling as long as the total amount of lawn type grass does not exceed the limitations set forth in applicable City of Albuquerque ordinances.

## **ARCHITECTURE**

### **Architecture Styles**

All homes must be Santa Fe Pueblo style.

### **Roofs**

Pitched roofs will be allowed on Lots 16-30, and 33-49 only. The pitch ratio will be no greater than 4:12. Any pitched roof must be non-reflective flat concrete tile

and of a color from the list of pre-approved colors that blends with or matches the color of the soffit, fascia and house.

### **Windows**

All exterior windows and frames of windows must be white or a tan color approved by the CTVAAC.

### **Minimum Square Footage**

Each home must have at least 1,400 square feet of fully enclosed heating area, exclusive of garages and open porches and patios. Each townhome must have at least 1,200 square feet of fully enclosed heating area, exclusive of garages and open porches and patios.

### **Materials and Pre-Approved Building Colors**

All homes must be finished with synthetic stucco. The only colored stucco finishes that will be allowed on homes are the following:

- Sto Flex Adobe Brown (#1104)
- Sto Flex Sandia (#1616)
- Sto Flex Pueblo (#1005)
- Sto Flex Suede (#1006)
- Sto Flex Santa Fe Mocha (#1003)
- Sto Flex Torreon for High Desert (#1501A)

### **Review for Compliance**

The compliance of any structure or improvement within the Chamisa Trail Village with the Additional Requirements will be reviewed by the CTVAAC. The CTVAAC will be a "Village Committee" as defined in the By-Laws of the High Desert Residential Owners Association. The initial CTVAAC will consist of three persons who will serve for an initial term of five years, elected by Seller. Subsequent CTVAAC's will be elected by a majority of the lot owners within the Chamisa Trail subdivision. The CTVAAC will review the plans for any proposed structure or improvement within the Chamisa Trail Village and will determine in its sole discretion whether or not the structure or improvement complies with (i) the Additional Requirements and (ii) the Design Guidelines and whether or not the proposed structure or improvement is in general harmony with the surrounding property and the Chamisa Trail subdivision. A majority of the members of the CTVAAC will rule.

In order for the CTVAAC to perform such review, the following must be submitted (the completeness of which will be subject to the determination of the CTVAAC):



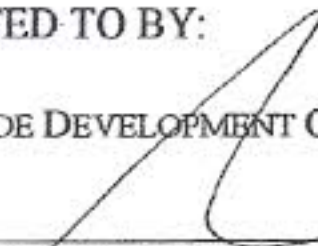
1. Two complete sets of plans, including but not limited to, foundations, floor plans, elevations, details, specifications (including complete exterior finish schedule), plot plan, landscaping plans and grading plans showing the location and finished grade of the structure or improvement on the lot.
2. The "as-built" set back dimensions of the structure or improvement within seven days after construction of the foundation of the structure or improvement.
3. One complete set of plans and specification as approved.


Within 15 days of receipt of the plans, the CTVAAC will communicate to Builder whether or not the plans have been approved. The decision of the CTVAAC will be final and binding; no structure or improvement will be constructed at Chamisa Trail subdivision if disapproved by the CTVAAC.

The review by the CTVAAC will be in addition to, and will not in any way affect or abridge, the review and approval process by High Desert Investment Corporation ("High Desert") or the High Desert Residential Owners Association ("Owners Association") as set forth in the Declaration or Design Guidelines. High Desert and the Owners Association will have no responsibility whatsoever for the review of the plans for compliance with the Additional Requirements or for enforcement of the Additional Requirements.

CONSENTED TO BY:

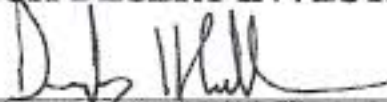
MESA VERDE DEVELOPMENT CORPORATION

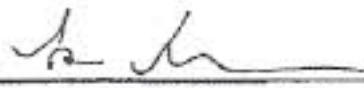
  
 \_\_\_\_\_  
 Scott Schiabor, President

  
 \_\_\_\_\_  
 John Clarke, Vice President

Date Signed: 11-4-99

HIGH DESERT INVESTMENT CORPORATION

  
 \_\_\_\_\_  
 Douglas H. Collister, President

  
 \_\_\_\_\_  
 Jack Eichorn, Vice President

Date Signed: 11.4.99