



AMENDMENT
TO
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR
EASTRIDGE ADDITION TO THE TOWN OF JACKSON

GRANTOR: LANG, PETER ET AL
GRANTEE: THE PUBLIC

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Sherry L. Daigle Teton County Clerk fees: 37.00

By Mary Smith Deputy

RELEASED	<input checked="" type="checkbox"/>
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ABSTRACTED	<input checked="" type="checkbox"/>
SCANNED	<input checked="" type="checkbox"/>

WHEREAS, Eastridge Corporation, a Wyoming corporation, as Declarant, was the developer of certain real property in Teton County, Wyoming, platted as a subdivision known as Eastridge Addition to the Town of Jackson, as Plat No. 730; and *Plat 873, Plat 835.*

WHEREAS, Declarant executed and recorded in the public records of Teton County, Wyoming, on August 29, 1991, in Book 241 of photo, pages 372 to 402, a certain Declaration of Covenants, Conditions and Restrictions for Eastridge Addition to the Town of Jackson (Covenants); and

WHEREAS Section 6.5 of the Covenants provides that the Site Committee may set Site Committee Rules

NOW THEREFORE the members of the Site Committee, being Owners of one of more Lots in the Eastridge Addition to the Town of Jackson, declare this AMENDMENT to the Declaration of Covenants, Conditions and Restrictions of said SITE COMMITTEE RULES.

Amendment to Section 6.5 - Eastridge Site Committee Rules

These rules describe how the Site Committee requirements given in Articles VI and VII and Section 10.8 of the Eastridge CC&Rs are to be implemented. In case of inconsistency between these rules and the CC&Rs, the CC&R statements shall prevail

General Approach

The Site Committee shall endeavor to act, as much as possible, both in the best interests of the entire Eastridge community and of the individual home and lot owners, including the applicants for approval of proposed construction. It should be recognized that this may involves difficult balancing of interests, when the interests and desires of the various parties differ. For example, an applicant may wish to have the proposed building's floor levels as high as possible, to achieve the best views from his living areas, while neighbors may wish to have the building's roofline as low as possible to avoid blockage of views from their properties.

Process for Site Committee Review of Proposed New Construction

The Site Committee shall review all proposed building designs for conformance to the CC&Rs and these rules, keeping in mind the interests of the Eastridge community, and considering to the extent possible the expressed desires of any Eastridge owner This is to be accomplished using a checklist containing each of the CC&R requirements; a copy of the checklist is attached

One set of all plans submitted to the Committee shall be retained by it for its files.

To enable each Eastridge owner to provide his/her views to the Site Committee, the Committee shall provide notice to each owner promptly upon receipt of a complete application for a new building, shall provide information on the place at which and times during which owners may examine the submitted materials, and set a deadline for owners to provide their (preferably written) views for the consideration of the Committee.

Any features of a proposed building's design, which make a reasonable compromise by the Committee of the various conflicting interests difficult, should be expected by the applicant to be questioned by the Site Committee. An example of such a feature is a

sizable projection such as a chimney above the roofline.

Before commencement of the review process, a check of the submitted material for completeness shall be done; this may be done by a single member of the committee. Missing items will be promptly identified to the applicant, and the review process will begin when the application is complete.

The building plans must include a site plan and building elevations from each side, sufficient to give the Committee and the owners a good understanding of what is to be built, showing all dimensions needed to ascertain the height and location of the building, and showing the elevations of the highest roof line and of the finished floor level(s). Final construction drawings are not required at this stage.

A landscaping plan shall be submitted to the Site Committee along with the architectural drawings and will be reviewed together with the review of the proposed building. Similarly, specification of building color(s) is required at this stage. Although strictly required only at construction start, it is recommended that a full construction schedule (including driveway paving, landscaping, etc.) also be submitted at the review and approval stage.

For the purpose of determining whether a proposed building is within the 28 ft height limitation prescribed in the CC&Rs, the difference in elevation shall be measured between a vertical datum elevation, as defined below, and the highest roofline of the building. Minor projections such as chimneys or other structures not enclosing habitable space shall be excluded in determining the maximum height, but such structures must be kept unobtrusive to avoid significant blockage of views from neighboring buildings.

The vertical datum elevation is calculated by adding the lowest grade elevation within 5 ft of an exterior wall to the highest grade elevation within 5 ft of the exterior wall of the same building, then dividing the result by 2. The highest and lowest points shall be located on the historical (undisturbed) grade of the building site, which shall be taken as the post-Eastridge-development grade, which incorporates grade changes due to building Henley Road. This grading is documented in the contour map of Jorgensen Engineering and Land Surveying P.C. entitled "Utility Plan Roadway, Grading & Drainage for Eastridge", Final Revisions July 15, 1991, which shall be used in the absence of better, as-built information.

For TZL lots on which twin homes are to be built, the building shall be treated as if it were two separate buildings for the purpose of calculation of heights. That is, the common wall between the two homes shall be treated as if it were an exterior wall of each home.

When the Committee, in the course of its review of a proposed design, finds design features that it considers sufficiently undesirable that they could lead to a rejection, it shall provide an opportunity to the applicant and/or applicant's architect to meet with the Committee in an effort jointly to develop more acceptable alternatives. No design shall be rejected without first providing the applicant a reasonable opportunity to resolve the issues that could lead to rejection. Site Committee Approvals or Disapprovals shall be issued in writing and shall be signed by at least two members of the Committee. Approvals shall remain valid for a period of one year from the date of the letter to the start of construction. Renewals may be granted by the Committee (if there are no significant changes) without new notice to owners and without renewed reviews. Any Disapproval letter shall state all reasons for such disapproval.

Any Disapproval may be appealed by the applicant to the Eastridge Board of Directors, and may, at the discretion of the Board, be reversed by them.

Site Committee Check of Field Staking

In accordance with Section 6.10 of the CC&Rs, a Site Committee check of field staking is required just before construction start. This may be done by a single member of the Committee. Since the Town also does a check of the field staking, these two checks should be done at the same time. The owner must coordinate these checks and give the Site Committee adequate notice, so as to allow a member to be present. The Committee must be notified immediately upon establishment of a date and time with the Town.

If not previously submitted, or if revised since the previous submittal, a construction schedule shall be provided at the stake-out. Final construction plans shall also be made available at this time.

Inspection of Completed Construction

The Site Committee may, if it considers it necessary, inspect or cause to be inspected the completed construction for conformance to the submitted and approved information, including for completeness. This may be done either by the Committee

itself, or by an experienced Building Inspector engaged for this job.

Site Committee Approvals for Changes to Existing Buildings or Landscaping

Any proposed changes to the permanent features of existing buildings or landscaping that affect the exterior appearance shall be submitted to the Site Committee for approval well in advance of planned initiation of work on the proposed changes. These include, but are not limited to, changes in color, building additions or removals, construction of additional structures, planting or removal of landscaping, etc. If very early initiation of work on the changes is desired, the owner should consult with Committee member(s) to estimate the time needed to process the application, since such time can vary widely depending upon the nature of the proposed changes, issues to be considered/negotiated, availability of members and affected neighbors, and the like. The Committee may act upon these applications without notice to all or any owners when in its judgment the proposed changes are minor. For minor changes the Committee may act by phone, fax, and/or e-mail communication rather than through a meeting

Appeals from Site Committee disapproval of proposed changes shall follow the same rules and procedures as for Proposed New Construction, as described previously.

Costs

The applicant shall provide to the Homeowners Association a deposit of \$ 5,000 per home or \$ 10,000 for twin homes, upon approval of the plans by the Site Committee, and such approval shall not be effective until receipt of the deposit by the Association. The deposit shall be held by the Association until building completion and subsequent verification by the Site Committee of conformance to the approved plans, that all commitments, including landscaping, driveway pavement, etc. have been met, and that construction has not resulted in any (unrepaired) damage to the road or other Homeowners infrastructure

Any direct costs incurred by the Site Committee in connection with an application shall be paid by the applicant, by charges against the deposit. These costs may include, but are not limited to: communication and duplication costs; survey costs to determine grade, building location, and building heights; the cost of a "story pole"; and the cost of a Building Inspector; all to the extent required by the Committee.

In case commitments are not met, not met in a timely manner, or other serious and unjustifiable deficiencies or schedule slippages occur, the Board may use deposited funds for remedying the deficiencies and/or for fines for nonconformance. Forfeiture of the deposit shall not be considered liquidated damages; the Board may exercise any other options, such as legal action and additional fines, to obtain conformance. The deposit, less amounts if any deducted for the preceding purposes shall be returned to the applicant when fulfillment of all obligations has been checked by the Site Committee.

The deposit shall be invested in an interest-bearing account at a local bank, or otherwise as mutually agreed. Interest earned by the Association on the deposited funds during the scheduled and approved duration of the project shall be credited to the account of the applicant. Interest earned subsequently as the result of unjustified schedule slippages or delays shall be retained by the Association.

Effectiveness and Distribution of Site Committee Rules

This set of rules, as well as future amendments and revisions of these rules, shall become effective upon unanimous vote of the Site Committee in accordance with Section 6.5 of the CC&Rs, and shall be provided to the Board of Directors promptly upon such unanimous adoption, with the request that the Board make copies available to all owners at the next formal Owners' Meeting. The Committee will consider all comments it receives from the Board and from the various owners and will to the extent it considers appropriate revise the rules in response to the comments.

Checklist of Site Committee Requirements

Part 1: Completeness of Application

Site Plan, with dimensions specifying building and driveway locations
Elevations, four sides, with dimensions specifying building height
Landscaping Plan
Building Color(s)

Roof Material

Part 2: CC&R Requirements for Review of Application

CC&R Section	Summary Description
7 2	(a) New Construction: No prefabricated or modular construction
	(b) New Exterior Materials (except for detailing)
	(c) No Glossy or Shiny Exterior Finishes
7 2(d) and 7.3(g)	Subdued Exterior Colors (Earth tones): Samples of exterior material/colors submitted
7 3	(a) Western Style: Permanent, low maintenance exterior materials
	(b) i. Building Envelope: 20 ft minimum driveway length
	i.i. 15 ft minimum setback from Eastridge boundary
	(c) Conformance to Building Codes
	(d) Building Height: 28ft maximum
	No adverse effect on neighbors if ground floor elevation changed
	(e) Minimum Size of 1500 sq ft
	(f) Exterior Materials: Natural – wood, stone, river rock
7 3 (f) and (k)	Foundations finished to blend with upper walls
	(h) Roofs: Cedar shake, varying heights and articulation of rooflines
	(i) Site Grading & Drainage: Retaining walls for cuts of over 5ft, Cuts less than 5ft – pitched 2:1 or less & stabilized, No drainage to adjoining lots; no erosion
7 3 (j) and 7.4(c)	Driveways hard-surfaced; width from 10 to 24 ft
	(l) No visible exterior mechanical equipment
	(m) Garage Doors: Visual impacts minimized; color
	(n) Fireplace flues not too close to trees
	(o) Accessory Structures to be compatible; no cham link fences
	(p) Sprinkler System: to be provided on Lots 10-19
7 4 (a)	No site disturbance outside Bldg. Envelope
7 4 (b) and 10.8	No change in Bldg. Envelope without Approval of Neighbors & No Adverse Effect
	(c) Access to Henley Road or Henley Court
	(d) 2-Car Garage plus 2-Car On-Site Parking
	(e) No fences or fence-like plantings

CC&R Section Summary Description (con't)

7 4	(f) Exterior Lights: Subdued, Not Visible Off-Site
(g) and 8.4 (b)	Street Number Sign: Not over 2 sq ft; Identification signs – 3 sq ft max
	(h) No exterior firewood stacks
	(i) No external radio or TV antennae, except dish mounted in least visible location, painted to blend in
	(j) No exterior clothes lines
	(k) No visible air conditioners
7 4 (l)	No exterior appurtenances (sun screens, awnings, trellises) No detached maintenance or tool sheds
7 5 (b)	No removal of trees outside building envelope Relocation of trees from within building envelope
	(c) Conformance with Plant Lists
	(d) Automatic Irrigation System
	(e) Provision of Snow Storage Space
8 4	No Signs (some exceptions)
8 5	No house trailer or mobile home

Part 3: Field Staking Review

6 6	No Start of Work Prior to Site Committee Approval
6 10	Pre-Construction Review: Limits of Development Established (Not exceeding Bldg Envelope) Schedule

Final Plans -- No material changes from submitted plans with regard to general appearance, building heights, etc.
Field Staking according to submitted plan

IN WITNESS WHEREOF, the undersigned lot owners, members of the Site Committee of the Eastridge Addition to Town of Jackson, have hereunto set our hands to be effective upon receipt of the Committee Member signatures

Date December 7, 2007

STATE OF WYOMING)

COUNTY OF TETON)

The Foregoing instrument was acknowledged before me by Peter Lang and Elise Prayzich
On this 7th of December, 2007.

Peter Lang
Lot #18 - Peter Lang, Chair

Elise Prayzich
Lot #13 - Elise Prayzich



Nicholas L. Centrella

STATE OF WYOMING)

COUNTY OF TETON)

The Foregoing instrument was acknowledged before me by Nick Centrella
This 10th day of December, 2007

Nick Centrella
Lot #9 - Nick Centrella

