

**FIRST AMENDMENT TO
THE DESIGN GUIDELINES FOR MELODY RANCH**

This First Amendment to The Design Guidelines for Melody Ranch is made and entered into to be effective as of this 15th day of December, 2003 by the undersigned, being all the Members of the Architectural Review Committee for the Meadows at Melody Ranch Homeowner's Association, and in accordance with the Amended and Restated Declaration of Protective Covenants for Melody Ranch Residential Unit One, First Filing, dated the 20th day of November, 1995, and recorded on the 20th day of November, 1995, in Book 312 of Photo, page 1148 to 1175, as Instrument No. 0407337, in the Office of the Teton County Clerk, Teton County, Wyoming, and adopted for Melody Ranch Residential Unit One, Second Filing, by instrument dated the 6th day of December, 1995, and recorded in the Office of the Teton County Clerk, Teton County, Wyoming, on the 6th day of December, 1995, in Book 313 of Photo, pages 768 to 770, as Instrument No. 0408347 and adopted for Melody Ranch Residential Unit One, Third Filing, by Instrument dated the 29th day of May, 1998, and recorded in the Office of the Teton County Clerk, Teton County, Wyoming, on the 2nd of June, 1998, in Book 355 of Photo, pages 840-841, as Instrument No. 0465451 and adopted for Melody Ranch Residential Unit One, Fourth Filing, by Instrument dated the 3rd day of November, 2000, and recorded in the Office of the Teton County Clerk, Teton County, Wyoming, on the 14th of November, 2000, in Book 409 of Photo, pages 403-404, as Instrument No. 529357 and adopted for Melody Ranch Residential Unit One - Fifth Filing by Instrument dated the 31st day of August, 2001, and recorded in the Office of the Teton County Clerk, Teton County, Wyoming, on the 25th day of September, 2001, in Book 435 of Photo, pages 468-469, as Instrument No. 0552344 and adopted for Melody Ranch Residential Unit One - Sixth Filing by Instrument dated the 16th day of August, 2002, and recorded in the Office of the Teton County Clerk, Teton County, Wyoming, on the 23rd day of August, 2002, in Book 466 of Photo, pages 981-982, as Instrument No. 0576001.

WITNESSETH

1. Section B, Submittals and Fees, Paragraph 4, Fees, subparagraph (b), Damage Deposit, is hereby amended to read as follows:

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“b. Damage Deposit. Because construction activities can cause damage to subdivision roads and landscaping, a refundable damage deposit of one thousand dollars (\$1,000.00) for homeowners, and a damage deposit of two thousand five hundred dollars (\$2,500.00) for owners/contractors constructing a “spec” home, are required prior to the issuance of a building permit by the Architectural Review Committee. The deposit does not limit the lot owner's/contractor's liability; all costs incurred to repair damage off site of the owner's/contractor's building envelope are the responsibility of the lot owner/contractor.”

2. Section D, Building Design, Paragraph 2, Building Height, is hereby amended to read as follows:

“2. Building Height. The maximum building height of every residential structure shall not exceed the maximum building heights as set forth in Appendix A, which is attached hereto and made a part hereof by reference. Two-story houses shall only be permitted with the specific approval of the Committee. If a multi-level house is permitted, the same shall be designed so that not more than thirty percent (30%) of the total exterior wall length shall exceed a wall height of ten (10) feet, measured from finished grade to fascia. The maximum height of detached garages, carports or accessory buildings shall not exceed fifteen (15) feet.

Garages with habitable space above shall not exceed the maximum building heights as set forth in Appendix A, which is attached hereto and made a part hereof by reference. Except as is otherwise provided herein, all heights shall be measured at any cross section of the structure from finished grade to the highest point of the structure immediately above.

For the purposes of this Section, the elevation of finished grade shall not be more than two (2) feet above existing grade and under no circumstances shall the elevation of finished grade exceed four (4) inches above the elevation of the crown of the adjacent road as measured at the midpoint of the lot. A variance to this guideline may be requested by submitting an application detailing any adverse effects to the lot owner affecting their specific design and/or site plan.

Solar Collectors shall be a minimum of two (2) feet below the roof ridge elevation and a minimum of four (4) feet above the roof eave or fascia elevation.”

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2. Section D, Building Design, Paragraph 3, Roofs, subparagraph (c), Roof Overhangs, is hereby amended to read as follows:

“c. Roof Overhangs. Roof overhangs of three (3) feet or greater are encouraged to maintain the western design, to control heat gain from summer sun, and to protect siding from roof snow. Roof overhangs of less than two (2) feet must be approved by the Committee. Roof overhangs are measured horizontally from the drip line to all exterior wall planes.”

3. Section D, Building Design, Paragraph 3, Roofs, subparagraph (d), Roof Materials, is hereby amended to read as follows:

“d. Roof Materials. Roof materials shall be cedar shake or shingle, heavy weight asphalt shingle, or ribbed metal with a flat non-reflective colored finished. The term “heavy-weight asphalt shingle”, shall be construed to mean nothing less than 30 year architectural standard. All roofing materials must meet a minimum Class B, fire-resistive classification.”

4. Section D, Building Design, a new paragraph, Paragraph 10, is hereby added as follows:

“10. Finished Foundation. The maximum elevation of the top of the finished foundation may not exceed 6 inches above the elevation of the crown of the adjacent road as measured at the midpoint of the lot. A variance to this guideline may be requested by submitting an application detailing any adverse effects to the lot owner affecting their specific design and/or site plan. All homeowners are required to schedule an appointment with a representative from the Committee to verify your foundation heights at least twenty-four (24) hours before pouring concrete.

5. Section D, Building Design, a new paragraph, Paragraph 11, is hereby added as follows:

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“11. Exterior Planes. No single exterior plane wall shall exceed thirty (30) feet in length with the exception of a garage door wall that shall not exceed thirty-six (36) feet in length. Wall offsets must be a minimum of four (4) feet or consist of an architectural break approved by the Architectural Review Committee.”

6. Section E, Site Design, paragraph b, is hereby amended to read as follows:

“b. Finish grading is required to ensure that surface water runoff will drain away from buildings and not impact adjacent properties.

1) Minimum gradient for pervious surfaces around buildings is 6” in 10’.

2) Minimum gradient for impervious surfaces around buildings is 1” in 10’.

3) All lots shall maintain positive drainage away from the house for a minimum of ten (10) feet.

4) No grading shall occur off-site unless approved by the Committee.

5) No ditches may be altered without approval by the Committee.

6) Finish grading at the lot lines shall match finish grading on the adjacent lots unless the uphill or higher elevation owner constructs, at owner’s expense, a retaining wall, which must be approved in writing in advance from the Committee, which approval may be withheld in the sole discretion of the Committee.

7) All disturbed areas shall be re-vegetated in accordance with the planting guidelines in this document and the Teton County Land Development Regulations.

7. Section G, Construction, paragraph 6, Site Protection, is hereby amended to read as follows:

“6. Site Protection. The owner shall be responsible to protect the site and natural vegetation as much as possible during construction by controlling parking and the storing of materials. The owner shall further be responsible for keeping dirt and excavation spoils moist or covered in order to prevent dust from blowing to neighboring lots.”

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8. Section G, Construction, a new paragraph, Paragraph 11, is hereby added as follows:

“11. Paved Roadways. All existing paved road areas contiguous to construction sites must be kept clear of mud, rocks and other debris during the construction of all improvements.”

9. All the rest and remainder of the terms and conditions of The Design Guidelines for Melody Ranch shall remain unchanged and in full force and effect.

IN WITNESS WHEREOF, we have hereunto set our hands to be effective as of the day and year first above written.

Appendix A - Maximum Building Heights

Residential Unit	Filing	Lot #	Building Height
1	1	1 - 32	28'
1	2	36 - 70	28'
1	3	76 - 104	28'
1	4	107 - 111	28'
1	5	115 - 122	22'
1	5	123 - 135	28'
1	6	143 - 160	28'
2	1	1 - 5	22'
2	1	6 - 28	24'
2	2	30 - 75	24'
2	3	79 - 88	24'
2	4	90 - 132	22'