

RELEASED	
INDEXED	✓
ABSTRACTED	✓
SCANNED	✓

FIFTH AMENDMENT TO  
THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR  
RAFTER J RANCH SUBDIVISION

This Fifth Amendment to the Declaration of Covenants, Conditions and Restrictions for the Rafter J Ranch Subdivision is made effective as of the 26 day of February, 2019.

WHEREAS, the Declaration of Covenants, Conditions and Restrictions for Rafter J Ranch Subdivision was recorded in the Office of the Teton County Clerk on June 30, 1978 in Book 72 of Photo, Pages 384-406, and has been amended by a First Amendment recorded January 13, 1981 in Book 107 at Pages 579-589 as Document 0220159; a Second Amendment recorded June 18, 1996 in Book 321 of Photo at Pages 551-555 as Document 0419196; a Third Amendment recorded February 2, 1998 in Book 348 at pages 636-637 as Document 0457186; and a Fourth Amendment recorded on May 3, 2000 in Book 398 of Photo at pages 91-92 as Document No. 0514459. The Declaration, as amended, is herein collectively referred to as the "CC&Rs;"

WHEREAS, the CC&Rs apply to all lots and tracts identified on the following plats, all of which are located within the Rafter J Ranch Subdivision:

- Rafter J Ranch Subdivision, Plat Nos. 330, 526, 611 and 681;
- Southeast Forty Townhouses, Plat Nos. 415 and 425;
- Northeast Forty Townhouses, Plat Nos. 431, 502 and 525;
- The Cedarwoods of Jackson Hole Townhomes, Plat Nos. 435 and 508;
- End of Trail Twinhomes, Plat Nos. 534, 545 and 555; and
- Walden Pond Twinhomes, Plat Nos. 549, 711 and 1317;

WHEREAS, Article XII of the CC&Rs provides that they "may be amended by an instrument signed by not less than sixty-five percent (65%) of the lot owners, which instrument must be recorded in the Office of the County Clerk of Teton County, Wyoming. While the instrument must be recorded, it is not necessary that the owners' signatures be recorded;" and

WHEREAS, at least sixty-five percent (65%) of the lot owners within the Rafter J Ranch Subdivision approved in writing the amendments to Article VI of the CC&Rs described herein and identified on the attached Exhibit A.

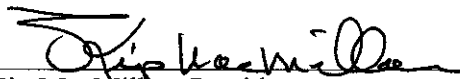
GRANTOR: RAFTER J RANCH HOMEOWNERS\*  
GRANTEE: THE PUBLIC  
Doc 0966015 Filed At 16:20 ON 03/20/19  
Sherry L. Daigle Teton County Clerk fees: 549.00  
By Mary D Antrobus Deputy

NOW THEREFORE, the Article VI of the CC&Rs is hereby amended to delete those words and provisions identified on the attached Exhibit A as gray-colored with gray strike-through; and to add those words, provisions and abbreviations identified on the attached Exhibit A as gray-colored with gray-shaded underline. Exhibit A is hereby incorporated herein as if set forth below in its entirety.

The amendments to the CC&Rs as described herein and identified on the attached Exhibit A were approved in writing by at least sixty-five percent (65%) of the lot owners within the Rafter J Ranch Subdivision.

IN WITNESS WHEREOF, this Fifth Amendment is executed this 14 day of February, 2019.

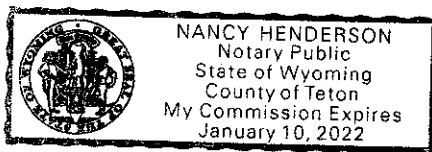
Rafter J Ranch Homeowners Association, Inc.,  
a Wyoming non-profit corporation:


  
Kip MacMillan, President

STATE OF WYOMING            )  
  )  
COUNTY OF TETON            )

The foregoing instrument was subscribed and sworn to before me this 26 day of February, 2019 by Kip MacMillan, as President of Rafter J Ranch Homeowner's Association, Inc.

WITNESS my hand and official seal.



  
Notary Public  
My Commission expires: January 10, 2022

**EXHIBIT A  
TO THE  
FIFTH AMENDMENT TO  
THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS  
FOR  
RAFTER J RANCH SUBDIVISION**

**ARTICLE VI  
DESIGN STANDARDS**

Section 1. GENERAL STANDARDS. The following standards and restrictions are applicable to the construction, remodeling, alteration, and exterior refinishing of any and all improvements and site preparation upon each lot classified as residential or multiple dwelling, commercial or miscellaneous area, or future developable property.

Section 2. DESIGN CHARACTER. All buildings shall endeavor to be consistent with a "Western ranch" in design in order to achieve design compatibility with existing ranches characteristics of the area. Low, rambling and informal structure(s) and arrangement of massing(s) on the property are is encouraged in order to relate to the terrain and physical features of the Rafter J Ranch Subdivision landscape.

(a) All improvements shall be of new construction. Pre-built, component, or modular construction shall be permitted only when it cannot be distinguished from conventional construction and only upon specific approval of the design committee, which approval of pre-built or modular construction may be withheld completely.

(b) Exterior materials shall be of rough sawn natural wood, peeled log, stone, exposed aggregate concrete, or other similar rough textured natural materials. Where exteriors of natural wood are utilized, the term shall be construed to exclude plywood, pressed wood, or pressed board or vinyl; and shall apply to all siding, fascia, porches, decks, and all other exterior areas surfaces, ~~except soffits, doors, garage doors, and windows.~~ No fiberglass windows, exterior doors and garage doors shall be permitted only with the expressed approval of the Design Committee (DC). Metal doors must be painted in oxidized earth tones and must be  ~~painted and maintained according to the manufacturer's specifications.~~ Exterior decking material shall be of wood; however, alternative materials with brand names such as Timbertech and Trex may be utilized, but must be approved by the DC. Roof materials shall be cedar shake or shingle, heavy weight asphalt shingle, ribbed metal with a flat non-reflective colored finish, sod, or built-up roof with native gravel surface. The term "heavy-weight asphalt shingle" shall be construed to mean a minimum weight of nothing less than 325 pounds per square.

(c) Exterior finishes shall be semi-transparent or heavy bodied stains, or pigmented or clear non-glossy preservatives. Glossy painted finishes shall not be permitted. All exposed metals shall have a dull colored finish, or shall be flat color anodized or painted. Stove pipes and chimneys may deviate with DC design committee approval.

(d) Exterior colors shall be subdued and in the earth tone range. Color samples, on pieces of all exterior materials and roofing materials to be used, shall be submitted to the DC design committee for approval.

### Section 3. BUILDING DESIGN.

(a) Not more than one single family residence shall be constructed on any residential site, and not more than the prescribed number of dwelling units shall be constructed on any multifamily site. A detached guest suite, without cooking facilities, a storage shed, a fixed playhouse or other accessory buildings may be permitted if they are of a consistent design character and construction as the primary structure. Location of such structures on the property shall conform to all site design regulations and presented to the DC for review and approval by way of a detailed site plan which clearly identifies further enhancement of the property by exhibiting logical placement of proposed structures with respect to the primary structure as well as neighboring properties, it is linked with a fence, trellis, or other architectural feature to the primary residence and is of similar design character.

(b) The minimum floor area of any primary single-family residence shall be not less than 900 square feet, exclusive of a garage, carport, detached guest suite, storage shed, fixed playhouse, or unenclosed porches or decks. A minimum of 600 square feet of floor area shall be constructed at grade level, and no dwelling unit on a multifamily site shall have a floor area less than 600 square feet.

(c) The maximum building height of any structures shall not exceed twenty (20) feet, and two-story houses shall not be permitted, except with specific approval of the Design Committee. If a bi-level, tri-level or two-story house is permitted, the same shall be designed so that not more than twenty percent (20%) of the perimeter of the house and attached garage or carport, excluding gable ends, 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. 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. Minor projections such as chimneys or other structures not enclosing habitable space shall not be subject to the maximum height restrictions, but solar collectors shall be subject to maximum height restrictions.

(d) Roofs shall have a maximum pitch of six (6) ~~eight~~ (8) feet in twelve (12) feet, and all primary roofs shall have a minimum overhang of two (2) feet, except where variances for solar panels or collectors are granted by the ~~Design Committee~~ DC.

(e) Exposed foundations of concrete or other masonry construction shall not have an exposed surface which exceeds a height of 8" above finished grade.

(f) Solar collectors may be of any construction, materials or pitch required for efficient operation, but they shall not be placed on any structure in a manner which causes objectionable glare to any neighboring residence. Solar collectors shall be integrated into the structure of a residence, garage, carport, or accessory building and shall not be freestanding. Solar collectors shall be permitted only upon specific approval of the ~~design committee~~ DC.

#### Section 4. SITE DESIGN.

(a) The minimum setback on any lot to any side or back property line shall be not less than ten feet, and to any front property line shall not be less than twenty feet. Setbacks from common area property lines may be waived, and other setbacks may be increased at the discretion of the ~~design committee~~ DC in order to enhance variety in the development and to preserve views from neighboring lots.

(b) Finish grading including landscaping and driveways, on all sites shall assure drainage of surface water from buildings and avoid concentrating runoff onto adjacent properties. A minimum fall of six (6) inches in ten (10) feet shall be provided at the perimeter of all buildings which have pervious surfaces and one (1) inch in ten (10) feet for impervious surfaces. The entire site, including landscaping and driveways, shall have positive drainage to common open space or rights-of-way and shall utilize swales as required. Drainage and elevation plans for each lot shall be submitted to the ~~Design Committee~~ DC for approval along with other required specifications at the time of application for a Building Permit.

(c) Automobile storage shall provide for a minimum of two outdoor and one indoor parking spaces, in either a carport or garage, for each dwelling unit. If a carport is used to provide the required indoor parking space, a fully enclosed and roofed storage space with a minimum floor area of fifty square feet shall be provided in addition to the carport. Parking spaces, whether interior or exterior, shall have minimum dimensions not less than ten feet wide by twenty feet long and shall be readily accessible by a driveway. All parking spaces and driveways shall have a paved surface of either asphalt or concrete.

(d) Fencing shall comply with the Fence Design Standards adopted by the ~~design committee~~ DC. No fences shall be constructed forward of the front ~~setback line~~ face of the primary structure of any lot. Fences shall be classified into the following general categories:

(1) Privacy fence is a fence which is architecturally integrated with a building and is located within the building setback lines. Privacy fences may be of solid construction and shall not exceed a height of six feet as measured from grade.

(2) Control fence is a fence which is located on an interior side or rear property line and is intended primarily to limit the access of residents or animals. Control fences shall be of visually open construction and shall not exceed five feet in height as measured from grade.

(3) Open space fence is a fence which is located on any property line which abuts a common open space or right-of-way. Open space fences shall be of a uniform design adopted by the architectural committee and shall not exceed five feet in height as measured from grade.

(e) An exterior lighting fixture shall be placed at the front of each dwelling unit or commercial building. Light fixture styles and location shall be approved by the ~~Design Committee~~ DC and conform to Teton County's Sky Ordinance or latest restriction in effect. Light standards shall not exceed 75 watts, and will be designed to operate automatically from dusk to dawn, either by means of a light sensor or an automatic timer.

(f) Utilities shall be installed underground. No independent water or sewage disposal system shall be permanently installed on any site. Each lot shall be connected to a common water and sewage disposal system and shall be subject to an initial connection fee and monthly service charge. Satellite dish antennas shall not exceed 28 inches in diameter and must be earth tone in color. All satellite dish locations must be approved by the ~~Architectural Committee~~ DC. No other types of visible or aerial type antenna installations are allowed.

## **ARTICLE VII**

### **LAND CLASSIFICATIONS. USE AND RESTRICTIVE COVENANTS**

#### **Section 3. RESIDENTIAL AND MULTIPLE DWELLING AREA: USES: RESTRICTIONS.**

(k) There shall be no exterior fires whatsoever, including but not limited to the burning of construction or household trash; except barbecue fires contained within receptacles therefore for fires contained within properly designed permanent fire pits, or portable, manufactured wood, charcoal, or gas burning units for cooking or entertaining as long as proper spark arresting is ensured; and such fires as may from time to time be permitted by the association rules.