

**THIRD AMENDED AND RESTATED RESOLUTION
OF THE BOARDS OF DIRECTORS OF
ST. VRAIN LAKES METROPOLITAN DISTRICT NO. 1
REGARDING POLICIES, PROCEDURES AND PENALTIES FOR THE
ENFORCEMENT OF THE GOVERNING DOCUMENTS**

SUBJECT: Adoption of a resolution regarding the enforcement of covenants and rules and procedures for the notice of alleged violations, conduct of hearings and imposition of fines.

PURPOSE: To adopt a uniform procedure to be followed when enforcing covenants and rules to facilitate the efficient operation of the District.

AUTHORITY: The Declaration of Protective Covenants and other governing documents of the District, and Colorado law.

**EFFECTIVE
DATE:** February 10, 2026

WHEREAS, St. Vrain Lakes Metropolitan District Nos. 1-4 (the “**Districts**”) are each a quasi-municipal corporation and political subdivision of the State of Colorado; and

WHEREAS, pursuant to the terms and conditions of the Amended and Restated Declaration of Covenants, Conditions and Restrictions for Barefoot Lakes recorded in the real property records of the Clerk and Recorder of Weld County, Colorado at Reception No. 4332320, on September 1, 2017 (the “**Covenants**”), St. Vrain Lakes Metropolitan District No. 1 (the “**District**”) is permitted to send demand letters and notices, levy and collect fines and interest, impose liens, and negotiate, settle and take any other actions with respect to any violations or alleged violations of the Governing Documents (as defined below); and

WHEREAS, the Board of Directors of a District is authorized to promulgate adopt, enact, modify, amend, repeal, and re-enact rules and regulations concerning and governing the Property (as that term is defined in the Covenants) (the “**Rules and Regulations**”); and

WHEREAS, pursuant to § 32-1-1001(1)(j)(I), C.R.S., each Board of Directors of a District is authorized to fix and from time to time increase or decrease, fees, rates, tolls, penalties, or charges for services, programs, or facilities furnished by the respective District; and

WHEREAS, such fees, rates, tolls, penalties, or charges, until paid, shall constitute a perpetual lien on and against the property served; and

WHEREAS, pursuant to that certain District Operating Services Agreement among the Districts, dated November 9, 2016, the District is responsible for all administrative and operational services and may, from time to time, establish fair and equitable fees to provide a

source for funding such administrative and operational services and impose the same on the Districts; and

WHEREAS, the Board of Directors of the District (the “**Board**”) desires to set establishing policies, procedures and penalties for violations of the Covenants, any guidelines, rules and regulations, and other policies and procedures of the Districts, as the same may be adopted, amended and supplemented from time to time (collectively, the “**Governing Documents**”) and;

WHEREAS, on November 13, 2019, the Board adopted that certain Amended and Restated Resolution Regarding Policies, Procedures and Penalties for the Enforcement of the Governing Documents, as amended on July 22, 2021 and on February 11, 2025 (collectively the “**Prior Policy**”), and the Board desires to adopt this Resolution to amend and restate the Prior Policy in its entirety.

NOW THEREFORE, the Board hereby adopts this Resolution and the following policies and procedures:

1. Intent of District. This Resolution is adopted to ensure the protection of the health, safety, and welfare of the residents and property owners of the District, to preserve property values, enhance the quality of life for all District residents, and provide a fair and consistent enforcement process of the Governing Documents.
2. Enforcement Policy. The District may enforce the Governing Documents through administrative proceedings or judicial action. Any non-compliance with the Governing Documents by any owner, resident, renter, invitee or guest will be the responsibility of the owner of the respective property subject to this Resolution (collectively, the “**Owner**”). This Resolution is intended to serve as guidance to the Board and the District’s authorized representative(s) (the “**District Representative**”) and does not limit or restrict the authority of the Board. The Board may intervene at any time with respect to any authority granted to or action undertaken by the District Representative. In addition, this Resolution shall not supersede the procedures for approval, disapproval, or notice of noncompliance related to improvements as set forth in the Governing Documents.
3. Reporting Alleged Violations. Complaints regarding alleged violations of the Governing Documents (“**Complaint(s)**”) may be reported by property owners, District management, Community management, designated agents, law enforcement, residents, Board members, members of the applicable design review committee/architectural review committee (the “**DRC**”), and members of any other committees established by the Board or the Governing Documents (a “**reporting party**”).

(A) Complaints Filed with Board or District Representative. All Complaints shall be in writing and submitted to the Board or District Representative for review and investigation. The Complaint shall identify:

- (1) The reporting party;
- (2) The "alleged violator" if known by the reporting party;
- (2) A description of each alleged violation (referencing the specific provisions of the Governing Documents that the alleged violator is alleged to have violated);
- (3) Where and when the alleged violation was observed;
- (4) Any other pertinent information, including, if possible, a photograph or electronic image of the alleged violation.

(B) Timing of Complaints. Complaints of alleged violations should be submitted to the Board or District Representative as soon as is reasonable and practical after discovery of an alleged violation.

(C) Investigation. Upon receipt of a written complaint alleging a violation of the Governing Documents, the Board or District Representative may conduct an investigation to determine whether a violation of the Governing Documents has occurred.

4. Investigation. The Board or District Representative may, at its sole discretion:

- (A) Return the Complaint to the reporting party for additional information, if needed, prior to investigating an alleged violation;
- (B) Decline to investigate the Complaint if it determines the alleged violation is not a violation of the Governing Documents; or
- (C) Investigate the alleged violation further as the Board or District Representative may determine.

If the Board or District Representative determines an alleged violation has occurred, the Board or District Representative may take the steps set forth in this Resolution.

5. Enforcement Process for Continuous Violations. Upon determining that a "**Continuous Violation**" (defined as a violation that is ongoing, uninterrupted by time, and may take time to cure) has occurred, the Board or District Representative may take the following steps:

(A) Advisory Letter. If the Board or District Representative determines that a

Continuous Violation of the Governing Documents exists, either through the investigative process as set forth above, or through independent inspections or observations of the Board or District Representative, the Board or District Representative may send an advisory letter (the “**Advisory Letter**”) to the Owner via United States mail—registered or certified mail, postage prepaid, return receipt requested—to the address of the Owner on record with the District or according to the records of the County Assessor (the “**Owner’s Address**”), notifying the Owner of:

- (1) the specific restriction violated and the nature of the Continuous Violation; and
- (2) that the Owner must have the Continuous Violation corrected within 15 calendar days of the date of the Advisory Letter; and
- (3) that failure to timely cure the Continuous Violation may result in fines or other sanctions.

If, in the discretion of the Board or District Representative, the Continuous Violation requires more than 15 days to cure, the Board or District Representative may extend the cure period.

The Board or the District Representative may, in its sole discretion, determine that an Advisory Letter is not necessary or appropriate and may instead immediately send a First Notice of Continuous Violation as defined and provided below.

- (B) First Notice of Continuous Violation and Opportunity to Be Heard. If the Owner fails to cure (or provide adequate proof that he or she is diligently seeking to cure, if applicable) a Continuous Violation within 15 days of mailing of the Advisory Letter, or if the Board or District Representative determines, in its sole discretion, that an Advisory Letter is not necessary or appropriate, the Board or District Representative may impose a fine as provided in Paragraph 11 and send a notice of continuous violation and opportunity to be heard (“**First Notice of Continuous Violation**”) to the Owner at the Owner’s Address notifying the Owner of:

- (1) the specific restriction violated and the nature of the Continuous Violation; and
- (2) the fine being imposed along with a copy of the fine schedule as provided in Paragraph 11; and
- (3) that the Owner must have the Continuous Violation corrected within 15 calendar days of the date of the First Notice of Continuous Violation to avoid additional fines; and
- (4) that the Owner is entitled to a hearing on the merits of the matter provided that such hearing is requested in writing by the Owner within 15 days of the date of the First Notice of Continuous Violation.

(C) Second Notice of Continuous Violation. If after 15 days from the date of mailing of the First Notice of Continuous Violation the Owner has not requested a hearing, cured the Continuous Violation, or made arrangements to cure the Continuous Violation and communicated such arrangements to the Board or District Representative in writing, the Board or District Representative may send a second notice of continuous violation ("**Second Notice of Continuous Violation**") to the Owner's Address notifying the Owner of:

- (1) the specific restriction violated and the nature of the Continuous Violation; and
- (2) the fine being imposed; and
- (3) that the Owner must have the Continuous Violation corrected within 15 calendar days of the date of the Second Notice of Continuous Violation to avoid additional fines; and

(D) Third Notice of Continuous Violation. If after 15 days from the date of mailing of the First Notice of Continuous Violation the Owner has not cured the Continuous Violation, or made arrangements to cure the Continuous Violation and communicated such arrangements to the Board or District Representative in writing, the Board or District Representative may send a third notice of continuous violation ("**Third Notice of Continuous Violation**") to the Owner's Address notifying the Owner of:

- (4) the specific restriction violated and the nature of the Continuous Violation; and
- (5) the fine being imposed; and
- (6) that the Owner must have the Continuous Violation corrected within 15 calendar days of the date of the Third Notice of Continuous Violation to avoid additional fines; and

(E) Daily Fine Notice. In the event that a Continuous Violation continues to exist uninterrupted 15 days after the date of the Third Notice of Continuous Violation, the District may in its discretion, in addition to any other remedy, send the Owner a notice of daily fines ("**Daily Fine Notice**") and thereafter impose a fine of up to \$100.00 for each day that a Continuous Violation so continues.

6. Enforcement Process for Repetitious Violations. Upon determining that a "**Repetitious Violation**" (defined as a violation that occurs at a set point in time and does not require time to cure, including but not limited to the parking of a restricted vehicle in the community or leaving trash cans out beyond the time allowed) has occurred, the Board or District Representative may take the following steps:

(A) Advisory Letter. If the Board or District Representative determines that a Repetitious Violation of the Governing Documents has occurred, either through the investigative process as set forth above, or through independent inspections or observations of the Board or District Representative, the Board or District Representative will send an Advisory Letter via United States mail—registered or certified mail, postage prepaid, return receipt requested—to the Owner’s Address, notifying the Owner of:

- (1) the restriction violated and the nature of the Repetitious Violation; and
- (2) that any subsequent violations of the same restriction within 90 days of the date of the Advisory Letter may result in the imposition of fines.

The Board or District Representative may, in its sole discretion, determine that an Advisory Letter is not necessary or appropriate and may instead immediately send a Notice of Repetitious Violation as defined and provided below.

(B) Notices of Repetitious Violation. If an Owner subsequently violates the same covenant or rule within 90 days from the date of the Advisory Letter, each such instance shall constitute a separate Repetitious Violation for which fines may be imposed pursuant to the fine schedule set below. Upon the occurrence of each subsequent Repetitious Violation, the Board or District Representative may send the Owner a notice (the “**Notice of Repetitious Violation**”) advising the Owner of:

- (1) the Repetitious Violation; and
- (2) the fine being imposed along with a copy of the fine schedule as provided in Paragraph 11; and
- (3) that the Owner is entitled to a hearing on the merits of the matter provided that such hearing is requested in writing by the Owner within 15 days of such first Notice of Repetitious Violation.

7. Impartial Decision Maker. Pursuant to Colorado law, an Owner has the right to be heard before an “**Impartial Decision Maker.**” An Impartial Decision Maker is defined under Colorado law as a person or group of persons who have the authority to make a decision regarding the enforcement of the District’s Governing Documents, including architectural requirements, and does not have any direct personal or financial interest in the outcome. A decision maker shall not be deemed to have a direct personal or financial interest in the outcome if the decision maker will not, as a result of the outcome, receive any greater benefit or detriment than that of other owners subject to the same Governing Documents. Unless otherwise disqualified pursuant to the definition of Impartial Decision Maker, the Board may

appoint to act as the Impartial Decision Maker the entire Board, specified members of the Board, or any other individual or group of individuals.

8. Hearing on Violation. If a hearing is requested by the Owner pursuant to this Resolution above, the Board or District Representative shall notify the Owner of the date, time, and place of the hearing at least 10 days prior to the hearing. Hearings regarding violations of the Governing Documents shall be conducted by an Impartial Decision Maker.
9. Failure to Attend or Request Hearing. In the event any Owner fails to request a hearing within 10 days of the date of Notice of Continuous Violation or the first Notice of Repetitious Violation, as applicable, no hearing shall be required. Failure to request a hearing or to appear at a requested hearing will result in the Owner being deemed to have admitted and acknowledged the violation and the Owner will thereafter be subject to all fines and penalties assessed in connection with the violation. After offering an Owner the opportunity for a hearing in the Notice of Continuous Violation or the first Notice of Repetitious Violation, as applicable, regardless of whether the Owner then requests a hearing or not, the District need not offer the opportunity for a hearing for any additional fines to be imposed for failure to cure a Continuous Violation or for subsequent instances of a Repetitious Violation.
10. Decision. After the District has taken the hearing steps as outlined above, and in the event a hearing is requested and held, upon a finding being reached and within 10 days after the hearing, the Board or District Representative shall send notice of determination ("**Notice of Determination**") to the Owner's Address informing the Owner of the Impartial Decision Maker's findings. If the Impartial Decision Maker finds the Owner is in violation of the Governing Documents, the District may revoke or suspend the Owner's privileges, impose fines in accordance with the fine schedule set forth below, and take such other actions as it may deem necessary or appropriate to assure compliance with the Governing Documents.
11. Fine Schedule. The following fine schedule is adopted for any and all violations of the Governing Documents.

Continuous Violations:

Advisory Letter:	\$0.00
First Notice of Continuous Violation:	\$ 50.00
Second Notice of Continuous Violation:	\$ 75.00
Third Notice of Continuous Violation:	\$ 100.00
Daily Fine Notice:	Up to \$100.00 per day

Repetitious Violations:

Advisory Letter:	\$0.00
First Notice of Repetitious Violation:	\$ 25.00
Subsequent Notices of Repetitious Violation:	\$ 50.00 per offense

12. Perpetual Lien. Pursuant to § 32-1-1001(1)(j)(I), C.R.S., all fees, rates, tolls, penalties, or charges for services, programs, or facilities furnished by the District, until paid, shall constitute a perpetual lien on and against the property served, and any such lien may be foreclosed in the same manner as provided by the laws of the State of Colorado for the foreclosure of mechanics' liens.
13. Violations or Offenses that Constitute a Present Danger. If a violation concerns a serious or immediate risk to the health, safety, or welfare of person or property, the Board or District Representative shall seek to obtain prompt action by the Owner to correct the violation and avoid any reoccurrence, and the procedural requirements under this Resolution may be waived by the Board. The Board may impose sanctions as necessary to abate any threat to the health, safety, or welfare of any person or property. If any fines are issued by the Board then a hearing shall be offered in the same manner as a Notice of Continuous Violation and in compliance with Paragraphs 7-10. The Board or District Representative may additionally take whatever measures it reasonable determines necessary to abate the immediate risk to health, safety, or welfare of a person or property, including, but not limited to, providing notice to the owner, immediately referring the account to legal counsel, or contacting law enforcement authorities (if applicable).
14. Legal Action. Any violation that has reached the imposition of a daily fine may, in the discretion of the District Representative, be turned over to legal counsel engaged for covenant enforcement matters to take appropriate legal action. Any violation of the Governing Documents may, in the discretion of the Board, be turned over to legal counsel engaged for covenant enforcement matters to take appropriate legal action either in lieu of, or in addition to, the imposition of any fines or other penalties under this Resolution. The Owner shall be responsible for all attorneys' fees and costs incurred in enforcing this Resolution and in collecting amounts due and owing the District.
15. Certification of Account to County Treasurer. Pursuant to § 32-1-1004.5(3)(b)(III), C.R.S., the Board may elect to certify any delinquent fees, rates, tolls, fines, penalties, charges, and/or assessments made or levied specifically for covenant enforcement and design review services satisfying the criteria established therein to the county Treasurer's Office for collection with the District's ad valorem property taxes. The certification process may be performed by the Board or District Representative or legal counsel to the

District in addition to or in lieu of any procedures set forth in this Resolution in the Board's sole discretion. The fees for the certification process shall be in accordance with Colorado law and Weld County's policy.

16. Disputes. In the event of any dispute involving the District and an Owner related to the enforcement of the Governing Documents, the Owner may request to meet with the Board to resolve the dispute informally and without the need for additional enforcement actions. If the Owner requests to meet with the Board, the Board shall make a reasonable effort to comply with the Owner's request. Any dispute between the District and the Owner that arises out of the enforcement of an instrument may be submitted to mediation by an agreement of the parties prior to the commencement of any legal proceeding. Either party to the mediation may terminate the mediation process without prejudice. Neither the District nor the Owner waives any right to pursue whatever legal or other remedial actions available to either party.

17. Waiver of Fines.

- (A) The Board may waive all, or any portion, of the fines, attorneys' fees or other costs, fees and charges associated with the processing and/or collection of fines or enforcement of the Governing Documents under this Resolution if, in its sole discretion, such waiver is appropriate under the circumstances. Additionally, the Board may condition waiver of the entire fine, or any portion thereof, upon the violation being resolved and staying in compliance with the Governing Documents.
- (B) The Board, the District Representative and legal counsel each have authority and discretion to waive or reduce portions of the fines. Such action is permitted if either the Board, the District Representative or legal counsel, in its discretion, determines that such waiver or reduction will facilitate compliance with the Governing Documents. Additionally, the Board, the District Representative or legal counsel may condition waiver of the entire fine, or any portion thereof, upon the violation being resolved and staying in compliance with the Governing Documents.

Notwithstanding the foregoing, neither the District Representative nor legal counsel shall have the authority to waive fines which, in the aggregate, exceed One Thousand Dollars (\$1,000.00). In such case, the person or entity owing in excess of One Thousand Dollars (\$1,000.00) shall submit a request, in writing, to the District Representative and legal counsel, if the account is with legal counsel, to be presented for the Board's review. The Board may make the determination in its sole discretion. Neither the District Representative nor legal counsel is authorized to waive any portion of the attorneys' fees or other costs, fees and charges

associated with the processing and/or collection of fines or enforcement of the Governing Documents under this Resolution. Should the Property owner desire a waiver of such Fees, Covenant Charges, and/or Costs of Collections, s/he may submit a written request to the Board and the Board may make the determination in its sole discretion.

18. Other Enforcement Means. This fine schedule and enforcement process is adopted in addition to all other enforcement means which are available to the District through its Governing Documents and Colorado law. The use of this process does not preclude the District from using any other enforcement means.
19. Definitions. Unless otherwise defined in this Resolution, initially capitalized or terms defined in the Declaration shall have the same meaning herein.
20. Supplement to Law. The provisions of this Resolution shall be in addition to and in supplement of the terms and provisions of the Declaration and the law of the State of Colorado governing the community.
21. Deviations. The District may deviate from the procedures set forth in this Resolution if in its sole discretion such deviation is reasonable under the circumstances.
22. Amendment. This resolution may be amended from time to time by the Board.

[The remainder of this page intentionally left blank.]

APPROVED AND ADOPTED THIS THE 10th DAY OF FEBRUARY, 2026.

**ST. VRAIN LAKES METROPOLITAN
DISTRICT NO. 1**, a quasi-municipal corporation
and political subdivision of the State of Colorado

Lyndsey Paavilainen

Lyndsey Paavilainen (Mar 18, 2026 10:20:18 MDT)

Officer of the District

ATTEST:

Anastasia Urban

Anastasia Urban (Mar 18, 2026 11:18:10 MDT)