

**RESOLUTION
OF THE
CHERRYWOOD II HOME OWNERS ASSOCIATION**

**POLICIES AND PROCEDURES FOR COVENANT AND RULE
ENFORCEMENT**

**ADOPTING PROCEDURES TO COMPLY WITH SENATE BILL 06-089
AND 05-105**

SUBJECT Adoption of a policy regarding the enforcement of covenants and rules and procedures for 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 Association.

AUTHORITY The Declaration, Bylaws, Articles of Incorporation and Colorado Law.

**EFFECTIVE
DATE** January 1, 2008

RESOLUTION The Association hereby adopts the following procedures to be followed when enforcing the covenants and rules of the Association:

1. NUISANCES

No nuisances shall be permitted to exist or operate upon any property so as to jeopardize property values or to be detrimental to the well being of any other Member of the Association.

2. RESTRICTION on FURTHER SUBDIVISION.

No Lot upon which a Residential Home has been constructed shall be further subdivided or separated into smaller lots by any Owner, and no portion less than all of any such Lot, nor any easement or other interest herein shall be conveyed or transferred by an Owner, provided that this shall not prohibit deeds or correction deeds to resolve boundary line disputes, and similar corrective instruments.

3. SINGLE-FAMILY RESIDENCES

No Residential Home shall be used for any other purpose than as a single-family residence, and no business or commercial activity shall be carried on or within the Project other than those home occupations defined as such in the City of Louisville Zoning Code.

4. NO VIOLATION OF LAW

Nothing shall be done or kept in or on any portion of any Lot within the Project which would be in violation of any Statute, Rule, Ordinance, Regulations, Permit, or validly imposed requirement of any governmental body.

5. APPEARANCE

All lots within the Project shall be kept in a clean, safe, and attractive condition, and no rubbish or refuse, or garbage shall be allowed to accumulate.

6. RESTRICTIONS ON SIGNS

No signs or advertising devices of any nature shall be erected or maintained on any part of the Project (including, without limitation, any Lot) without the prior written approval of the Architectural Review Board of the Association.

7. CONDITIONS FOR ARCHITECTURAL CONTROL

No improvements, alterations, repairs, change of paint colors, excavations, changes in grade or other work which in any way alters the exterior of any Lot, Residential Home, Common Area or the improvements located thereon from its natural or improved state existing on the date such property was first subject to this Declaration shall be made or done without compliance with the procedures set forth in Declaration regarding Architectural Control.

8. RULES AND REGULATIONS

Every Owner or guests or members of the family, and employees shall strictly adhere to the Rules and Regulations adopted from time to time by the Association. The Board may adopt general rules, including but not limited to, rules to regulate potential problems relating to the use of the property and the well-being of the members, such as keeping of animals, storage items, and the use of all vehicles, storage and use of machinery, use of outdoor drying lines, antennas, signs, trash, trash containers, maintenance, and removal of vegetations on the properties.

9. RESTRICTIONS ON PARKING AND STORAGE

Except as expressly heretofore provided, no Lot, including the private drives, or parking areas shall be used as a parking, storage, display, or accommodation area for any type of house trailer, camping trailer, boat trailer, hauling trailer, running gear, boat, or accessories thereto, motor-driven cycle, greater than a $\frac{3}{4}$ ton truck, self-contained motorized vehicle, or any type of delivery or commercial van except as a temporary expedience for loading, delivery, or emergency. The same shall be stored, parked, or maintained wholly within the garage area of a Residential Home, or in a screened area designed for such parking, storage, display or accommodation within the Lot and approved by the Association.

10. ANIMALS WITHIN PROJECT

No animals shall be kept or harbored within the Project except that any Owner may keep a reasonable number of household pets, subject to the Rules and Regulations of the Association. Any such household pet shall be kept in the interior of any Residential Home or in contained screen areas which have been approved by the Association. It shall be the obligation of each Owner owning a pet to control it in accordance with the Rules and Regulations of the Association. It shall be the responsibility of each Owner to maintain any Lot or Common Area used in any manner by any pet to avoid noise or odor or nuisance to any other owner within the Association.

11. CONTROL OF ANTENNAS AND RECEIVING EQUIPMENT.

Exterior television receiving or transmitting devices of any type including receiving or transmission equipment for microwave transmissions and any radio receiving or transmitting devices of any type are expressly prohibited unless approved in writing by the Board of Directors of the Association.

12. UNDERGROUND ELECTRICAL LINES.

All electric, television, radio, telephone line installations and connections from any property line of a Lot to a residence or other structures shall be placed underground, except that during the construction of a residence the contractor or builder may install a temporary overhead utility line which shall be promptly removed upon completion of construction.

13. NO HAZARDOUS ACTIVITIES

No activities shall be conducted on the project and on improvements constructed on the project which are or might be unsafe or hazardous to any person or property. Without limiting the generality of the foregoing, no firearms shall be discharged upon any of the project and no open fires shall be lighted or permitted on the project except

in a contained barbecue unit while attended and in use for cooking purposes or within a safe and well-designed interior fireplace.

14. NO ANNOYING LIGHT, SOUND, OR ODORS

No light shall be emitted from any Lot which is unreasonably bright or causes unreasonable glare, no sound shall be emitted on any Lot which is unreasonably loud or annoying; and no odor shall be emitted on any Lot which is noxious or offensive to others.

15. DOG RUNS, CLOTHESLINES, AND STORAGE AREA

Any clothesline, dog run, drying yards, storage area or wood pile shall be screened and located within the confines of enclosures such as a privacy fence or wall located within a lot line so as to conceal them from the view of neighboring units or regarding Architectural Control.

16. GARBAGE AND REFUSE DISPOSAL

No garbage, refuse, rubbish, or cuttings shall be deposited on any street, and not on any Lots unless placed in a container suitably located, solely for the purpose of garbage pickup. All equipment for the storage or disposal of such material shall be kept in clean and sanitary condition.

17. REPAIR

No activity such as, but not limited to, maintenance, repair, rebuilding, dismantling, repainting, or servicing of any kind of vehicles, trailers, or boats, may be performed on any Lot unless it is done within completely enclosed structures located in the Residential Home which screen the sight and sound of the activity be performed on the Common Area. The foregoing restriction shall not be deemed to prevent washing and polishing of any motor vehicle, boat, trailer, or motor-driven cycle together with those activities normally incident and necessary to such washing and polishing.

18. STORAGE

No tanks for the storage of gas, fuel, oil, or other materials shall be erected, placed, or permitted above or below the surface of the Lot.

19. TRASH BURNING

Trash, leaves, and other similar materials shall not be burned within the Project.

20. AIR CONDITIONING UNITS AND EXHAUST FANS

Only central air conditioning systems and attic exhaust fans which are located and completely within the roof structure of a Residential Home shall be allowed with prior written approval of the Board of Directors. No window or swamp cooler type air conditioning units shall be included within Residential Homes.

21. CONVENANTS RUN WITH LAND

It is expressly understood and agreed that all covenants, conditions, and restrictions contained herein are intended to and shall run with the land, and Declarant hereby agrees, for itself, and its successors and assigns, that such covenants, individually and collectively, touch and concern the land and shall be binding, fully and in all respects, upon Declarant's successors in title to the land, regardless of how succession of title may be accomplished.

PRESIDENT'S CERTIFICATION:

The undersigned, being the President of the Cherrywood II HOA, Inc. a Colorado Non-profit Corporation, certifies that the following Resolution was adopted by the Board of Directors of the HOA, at a duly called and held meeting of the Owners and Board on this 11 Day of January 2008 and witness thereof, the undersigned has subscribed his/her name.

CHERRYWOOD II HOA, INC.
A Colorado nonprofit Corporation

By: 
President