

RESOLUTION NO. 2023-10-02

RESOLUTION OF THE BOARD OF DIRECTORS OF RED BARN METROPOLITAN DISTRICT DECLARING THE DISTRICT'S INTENT TO FURNISH COVENANT ENFORCEMENT AND DESIGN REVIEW SERVICES

1. The Red Barn Metropolitan District (the “**District**”) is a quasi-municipal corporation and political subdivision of the State of Colorado located in the Town of Mead, Colorado.
2. The District operates pursuant to its Amended and Restated Service Plan approved by the Town of Mead on November 14, 2022, as the same may be amended and/or modified from time to time (the “**Service Plan**”).
3. The District was organized, in part, to furnish covenant enforcement and design review services for the property within the boundaries of the District.
4. Pursuant to Section 32-1-1004(8), C.R.S., and pursuant to the Service Plan, a metropolitan district may furnish covenant enforcement and design review services within the metropolitan district if the declaration, rules and regulations, or any similar document containing the covenants to be enforced for the area within the metropolitan district name the metropolitan district as the enforcement or design review entity.
5. It is anticipated that Century Land Holdings, LLC, a Colorado limited liability company (the “**Developer**”) will execute a Declaration of Covenants and Restrictions to be recorded in the real property records of Weld County, State of Colorado (the “**County**”), as the same may be amended and/or modified from time to time (the “**Covenants**”) applicable to the real property within the District (the “**Property**”).
6. It is anticipated that the Covenants will declare that the Property is and shall be subject to the Covenants and shall be owned, held, conveyed, encumbered, leased, improved, used, occupied, enjoyed, sold, transferred, hypothecated, maintained, altered and otherwise enjoyed in accordance with and subject to the covenants and use restrictions contained therein.
7. It is further anticipated that the Covenants will empower the District to furnish covenant enforcement and design review services to the Property and assign to the District all duties, rights, and obligations to enforce the Covenants.
8. Pursuant to Section 32-1-1001(1)(m), C.R.S., the District has the power “[t]o adopt, amend and enforce bylaws and rules and regulations not in conflict with the constitution and laws of this state for carrying on the business, objects, and affairs of the board and of the special district.”
9. It is anticipated that the Covenants will provide that the District may promulgate, adopt, enact, modify, amend, and repeal rules and regulations and guidelines concerning and governing the Property and the enforcement of the Covenants.

10. Pursuant to Section 32-1-1001(1)(j)(I), C.R.S., the District has the power “[t]o fix and from time to time to increase or decrease fees, rates, tolls, penalties or charges for services, programs, or facilities furnished by the special district.”

11. It is anticipated that the Covenants will provide that the District has the right to send demand letters and notices, to levy and collect fines, to negotiate, to settle, and to take any other actions with respect to any violation(s) or alleged violation(s) of the Covenants.

12. The Board of Directors of the District (the “**Board**”) wishes to state its intent, upon recordation of the Covenants in the real property records of the County, to: (i) adopt the Covenants as an official policy of the District and its intent to acknowledge the duties, obligations and rights assigned to the District pursuant to such Covenants; (ii) adopt rules and regulations and guidelines to provide for the orderly and efficient enforcement of the Covenants; and (iii) to adopt policies and procedures governing the enforcement of the Covenants as an official policy of the District.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE RED BARN METROPOLITAN DISTRICT, COUNTY OF WELD, STATE OF COLORADO, AS FOLLOWS:

1. The foregoing Recitals are incorporated into and made a substantive part of this Resolution.

2. The District hereby declares its intent, upon recordation of the Covenants in the real property records of the County, to consider a Resolution Acknowledging and Adopting the Declaration of Covenant and Restrictions of Red Barn Meadows wherein the District:

(i) Acknowledges and adopts the Covenants as an official policy of the District and acknowledges the duties, obligations and rights assigned to the District pursuant to such Covenants;

(ii) Accepts the assignment of all duties, rights, and obligations under the Declaration and accepts the obligation to provide the covenant enforcement and design review services established thereby; and

(iii) Authorizes and directs the officers of the District and District staff to take all actions necessary to execute the duties, rights and obligations assigned to the District by the Covenants.

3. The District further declares its intent, upon recordation of the Covenants in the real property records of the County, to consider resolutions adopting rules and regulations and guidelines to provide for the orderly and efficient enforcement of the Covenants and adopting policies and procedures governing the enforcement of the Covenants as an official policy of the District.

4. Judicial invalidation of any of the provisions of this Resolution or of any paragraph, sentence, clause, phrase, or word hereof, or the application thereof in any given

circumstance, shall not affect the validity of the remainder of this Resolution, which shall be given effect in accordance with the manifest intent hereof.

[SIGNATURE PAGE FOLLOWS]


[SIGNATURE PAGE TO RESOLUTION OF THE BOARD OF DIRECTORS OF RED BARN METROPOLITAN DISTRICT DECLARING THE DISTRICT'S INTENT TO FURNISH COVENANT ENFORCEMENT AND DESIGN REVIEW SERVICES]

APPROVED AND ADOPTED on October 9, 2023.

RED BARN METROPOLITAN DISTRICT

By:  28B7D27E5FC9431...
President

Attest:

 4110247F825D413...
Secretary