

**RESOLUTION  
OF THE BOARD OF DIRECTORS OF  
LEYDEN ROCK METROPOLITAN DISTRICT NO. 10**

**ADOPTING THE RULES AND REGULATIONS  
OF LEYDEN ROCK METROPOLITAN DISTRICT NO. 10**

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WHEREAS, Leyden Rock Metropolitan District No. 10 (the “**District**”) is a quasi-municipal corporation and political subdivision of the State of Colorado, duly organized pursuant to Article 1, Title 32, Colorado Revised Statutes; and

WHEREAS, the District was organized for the purpose of providing certain improvements, facilities and services to and for the use and benefit of the District, its residents, users, property owners and the public; and

WHEREAS, pursuant to § 32-1-1001(1)(m), C.R.S., the Board of Directors of the District (the “**Board**”) has the power to adopt, amend, and enforce bylaws and rules and regulations for the purpose of carrying on the business, objects, and affairs of the Board and the District; and

WHEREAS, the Covenants and Restrictions of Leyden Rock, recorded in the real property records of the Clerk and Recorder of Jefferson County, Colorado on March 29, 2012, at Reception No. 2012033713 (the “**Covenants**”), further authorize the Board to promulgate, adopt, enact, modify and amend the rules and regulations (“**Rules and Regulations**”); and

WHEREAS, in accordance with Article 1, Section 1.7 of the Covenants, Leyden Rock Metropolitan District No. 1 (“**District No. 1**”) has transferred and assigned all of the rights and duties of the Metropolitan District, as defined therein, to the District; and

WHEREAS, the Board finds the Rules and Regulations to be consistent with the Covenants; and

WHEREAS, the adoption of the Rules and Regulations serve a public interest and is necessary for the protection of the health, safety, prosperity, security and general welfare of the residents and property owners of the District; and

WHEREAS, the District and District No. 1 were parties to that certain District Operating Agreement effective November 5, 2012 (the “**Operating Agreement**”) for purposes of coordinating the financing, construction, ownership, operation and maintenance public improvements; and

WHEREAS, the terms and conditions of the Operating Agreement previously obligated District No. 1 to perform certain administrative and operation and maintenance responsibilities

for the public improvements, including adoption and enforcement of rules and regulations, on behalf of Leyden Rock Metropolitan District Nos. 1-10; and

WHEREAS, the Operating Agreement was terminated pursuant to a Termination of District Operating Agreement, dated July 14, 2016, and replaced with the District Cooperative Intergovernmental Agreement, dated July 14, 2016, (the “**Cooperative Agreement**”) whereby, effective January 1, 2017, the District shall undertake all administrative and operation and maintenance responsibilities previously undertaken by District No. 1; and

WHEREAS, District No. 1 previously adopted that certain Resolution of the Board of Directors of Leyden Rock Metropolitan District No. 1 Adopting The Rules and Regulations of Leyden Rock Metropolitan District No. 1 (the “**Prior Resolution**”); and

WHEREAS, in furtherance of the terms and conditions set forth in the Cooperative Agreement and the findings set forth herein, the Board desires to adopt this Resolution to replace, and terminate simultaneous herewith, the Prior Resolution in its entirety, provided however that any fees, rates, tolls, penalties or charges due under the Prior Resolution, to the extent outstanding and unpaid, shall remain in effect until fully paid and shall not be eliminated hereby.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the District as follows:

1. **Rules and Regulations.** The District hereby adopts the Rules and Regulations, attached hereto as **Exhibit A** and incorporated herein, as may be amended from time to time.
2. **Effective Date.** The provisions of this resolution and the Rules and Regulations shall take effect January 1, 2017.

APPROVED and ADOPTED this 5<sup>th</sup> day of December, 2016.

**LEYDEN ROCK METROPOLITAN  
DISTRICT NO. 10**, a quasi-municipal corporation  
and political subdivision of the State of Colorado

  
\_\_\_\_\_  
Officer of the District

ATTEST:

  
\_\_\_\_\_  
Secretary

APPROVED AS TO FORM:

WHITE BEAR ANKELE TANAKA & WALDRON  
Attorneys at Law

  
\_\_\_\_\_  
General Counsel to the District

*Signature page to Resolution Adopting the  
Rules and Regulations of Leyden Rock Metropolitan District No. 10*

**EXHIBIT A**  
**RULES AND REGULATIONS**

**LEYDEN ROCK METROPOLITIAN DISTRICT NO. 10  
RULES AND REGULATIONS**

**TABLE OF CONTENTS**

Article I	Definitions.....	2
Article II	Use Restrictions.....	2

**LEYDEN ROCK METROPOLITIAN DISTRICT NO. 10  
RULES AND REGULATIONS**

**Article I. DEFINITIONS**

1.1 All words and phrases used in these Rules and Regulations shall have the meaning provided in the Covenants and Restrictions of Leyden Rock, recorded in the real property records of the Clerk and Recorder of Jefferson County, Colorado at Reception No. 2012033713, on March 29, 2012 (the "Covenants") unless otherwise defined herein.

1.2 The use of the word Owner herein shall apply to the Owner of any Unit subject to the Declaration, and shall also include any Person who is permitted to be on the Property by an Owner including, but not limited to, an Owner's family, guests, invitees, tenants, visitors or independent contractors.

**Article II. USE RESTRICTIONS**

2.1 Use of Unit and Property. Each Unit shall be used as a residence for a single family or such other uses permitted by the Covenants. No Unit may be used for any purpose which is unlawful or which fails to comply with the Rules and Regulations that the Board may enact from time to time or which constitutes a nuisance or disrupts the reasonable use and enjoyment of the Property by other Owners.

2.2 General Use Restrictions.

- a. Each Owner shall maintain their Unit in good condition and in good order and repair, at the Owner's expense, and shall not do or allow to be done on their Unit or the Property anything which may cause damage to any other Unit, affect the health, safety, and welfare of other Owners, or increase the cost or cause the cancellation of insurance carried by the District.
- b. Notwithstanding anything in the Rules and Regulations to the contrary, Owners and residents may conduct business activities within their residences as long as the following conditions are satisfied:
  - i. The business is clearly secondary to the residential use of the residence and is conducted entirely within the residence;
  - ii. The existence or operation of the business is not detectable from outside of the residence by sight, sound, smell or otherwise, or by the existence of signs indicating that a business is being conducted;
  - iii. The business does not result in an undue volume of traffic or parking within the Property; and

iv. The business conforms to all zoning requirements and is lawful in nature.

2.3 Pets.

- a. The Covenants allow Owners and residents of Units to keep a reasonable number of common household pets, including dogs, cats and other domestic animals. Domestic animals are determined to be dogs, cats, rabbits, gerbils, hamsters, turtles and fish.
- b. Owners and residents may not have more than two (2) dogs.
- c. No animal of any kind may be kept for commercial purposes.
- c. Pets shall not be leashed, chained or tethered to any building, stake, sprinkler, fence, trees or other improvements or landscaping located on any District-owned property and shall not otherwise be left unattended on District-owned property.
- d. When on District-owned property, all pets must be leashed and under control of the person responsible for the pet.
- e. Pet owners shall immediately clean up any feces of their pets on any District-owned property. Expenses and costs incurred by the District as a result of damage caused to any District-owned property by any pet shall be reimbursed to the District by the Owner responsible for the pet's damage.
- f. Pet owners shall also be responsible for cleaning up pet waste on their own Units in a frequent manner so as not to cause a nuisance to neighboring residents.

2.4 Trash.

- a. Refuse, garbage, trash, lumber, grass, shrub or tree clippings, plant waste, compost, metal, bulk materials, scrap or debris of any kind may not be kept, stored or allowed to accumulate on any Unit except inside the residence constructed on the Unit.
- b. No garbage cans or trash cans or receptacles (collectively, "Trash Containers") shall be maintained in an exposed or unsightly manner.
- c. Trash containers may be placed outside for pickup after 5:00 pm on the evening prior to the day that such trash is to be picked up and must be properly stored by 7:00 pm the evening of pickup.
- d. Trash Containers shall be stored in such a manner that they are not visible from other neighboring Units or from the front of the house and street.

- e. Trash Containers shall not be placed on roadways or walkways as these areas must remain clear for emergency traffic.

2.7 Foothills Landfill.

- a. Any issues on the Property potentially attributable to the Foothill Landfill, located west of the Property, are to be directed to the District or its duly authorized representative (“District Manager”), Scott Bristol at [Scott.Bristol@SCMhoa.com](mailto:Scott.Bristol@SCMhoa.com) or (303) 872-9224 x 102. Owners should not contact the Foothill Landfill directly regarding any facility operations, including trash or debris on the Property. The Board will receive and log all landfill related issues and address the Foothill Landfill on behalf of all Owners.

2.8 Fireworks. No fireworks or firearms may be fired or discharged within the Property.

2.9 Parking.

- a. No vehicle may be parked in such a manner so as to impede or prevent ready access to any entrance or exit of a building, driveway or parking space, nor shall any vehicle be parked on any grass, sidewalk or patio.
- b. Inoperative or stored vehicles may not be parked within in the Property, except within an enclosed garage on a Unit. Vehicles shall be deemed to be "stored or inoperative" if they meet one (1) or more of the following criteria:
  - i. The vehicle has not been driven under its own propulsion for a period of two weeks or more; or;
  - ii. The vehicle does not have current license plates; or;
  - iii. The vehicle is up on blocks or covered with a tarpaulin and remains on blocks or so covered for 72 consecutive hours without the prior approval of the Board.

2.10 Park and Open Space Use. The use of the District’s parks and open spaces are governed by the Leyden Rock Metropolitan District No. 10 District Park and Open Space Use Policy, adopted by an Amended and Restated Resolution of the Board of Directors of Leyden Rock Metropolitan District No. 10 Adopting a Park and Open Space Use Policy on December 5, 2016, as may be amended from time to time.