

# Red Tail Ridge Phase 1

## Covenant Enforcement Policy and Procedure Landscaping Policy Pursuant to C.R.S. §38-33.3-209.5(1)(b)(IV)

BE IT RESOLVED, the Association hereby adopts the following procedures to be followed for enforcing policies rules and regulations and other governing document of the Association.

### 1. **Scope:**

To adopt a procedure for landscaping and fines for all landscaping related issues.

### 2. **Specifics:**

Violations may be observed by the Board of Directors, the management company, a committee member or reported via written correspondence through e-mail, fax, or mail service. The complaint must state specifically the violation observed, and may include a picture of the violation, and include who the violating party was, what was observed, the date, place and time of the violation and any other pertinent information.

If full details are not provided with a complaint, further action beyond additional observation cannot be made. The Board will investigate the complaint further and will make additional observations if required.

### 3. **Right to Cure:**

Every Member has 30 days from closing to submit a plan to the Board or the ACCO for finishing their landscaping in any area viewed publically from the street. Member shall have 90 days from closing to begin landscaping. All landscaping shall be completed in 120 days from closing or fines shall be assessed.

- Xeriscaping: If a member chooses to xeriscape, plans must be submitted and accepted by the ACCO. Weed barrier must be utilized, as well as crushed rock and native vegetation.
- If turf grass is utilized, a sprinkling system must be installed to ensure the area is properly maintained/watered.
- All weeds must be regularly trimmed to maintain HOA compliance.

### 4. **Violations:**

- If a Member does not contact the Board or submit plans for ACCO approval for Landscaping Installation within 30 days, the HOA shall fine said member \$10.00 a day until plans are submitted to the Board or ACCO.
- If a Member does not begin installation of landscaping after 90 days, a fine of \$10.00 per day will be charged to the Member until the Member submits plans to the Board or ACCO. If the Member does not reach out to the Board or ACCO,

the fines will continue in perpetuity until the issue is resolved by completing landscaping or submitting plans to install and finish said landscaping.

- It is up to the Member to satisfy these requirements by contacting the Board or Management Company and proving they have cured the issue.
  - If a Member does not complete landscaping within 120 days from closing, a fine of \$10.00 a day will be assessed to the owner until landscaping is completed.
5. Owners are responsible for any fines that may be levied against their property due to non-compliance of their tenants.

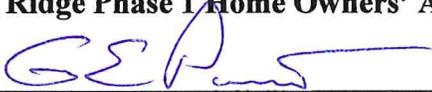
Non-payment of fines will fall under the Dues Collection Policy.

Voting rights will be suspended for any Owner who is or has been in violation of the CC&R's in the previous thirty (30) days.

6. **Definitions:** Unless otherwise defined in this Resolution, initially capitalized or terms defined in the Declaration shall have the same meaning therein.
7. **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 Project.
8. **Deviations:** The Board may deviate from the procedures set forth in this Resolution if in its sole discretion such deviation is reasonable under the circumstances.
9. **Amendment:** The Board of Directors may amend this procedure from time to time.

**President's Certification:** The undersigned, being the President of the Association, certifies that the Board of Directors of the Association adopted the foregoing resolution and in witness thereof, the undersigned has subscribed his/her name.

**Red Tail Ridge Phase 1 Home Owners' Association**



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**President**

**Effective Date:** 07/30/2019