RESOLUTION OF THE BOARD OF DIRECTORS OF THE CONESTOGA METROPOLITAN DISTRICT NOS. 1-5 CONCERNING THE IMPLEMENTATION OF A DISTRICT FINE AND ENFORCEMENT POLICY AND IMPOSITION OF DISTRICT FINE SCHEDULE REGARDING COVENANT ENFORCEMENT, AND ARCHITECTURAL REVIEW

THIS RESOLUTION CONCERNING THE IMPLEMENTATION OF A DISTRICT FINE AND ENFORCEMENT POLICY AND IMPOSITION OF DISTRICT FINE SCHEDULE REGARDING COVENANT ENFORCEMENT, AND ARCHITECTURAL REVIEW (the "Resolution") is made and entered into by the Conestoga Metropolitan Districts Nos. 1-5 (the "Districts") to be effective as of January 1, 2025.

WHEREAS, the Districts are authorized pursuant to §32-1-1001(1)(j)(I) of the Colorado Revised Statutes ("C.R.S."), to fix and impose fees, rates, tolls, charges and penalties for services, programs or facilities provided by the Districts which, until paid, shall constitute a perpetual lien on and against the property served; and

WHEREAS, the Service Plan for Conestoga Metropolitan District Nos. 1-5 (the "Service Plan"), as amended, similarly empowers the District to impose fees, rates, tolls, charges and penalties for services and facilities provided by the Districts generally within the area of the boundaries of a District as reflected in the attached **Exhibit A**, as amended; and

WHEREAS, pursuant to §32-1-1004(8), C.R.S., the Districts are authorized and empowered to provide covenant enforcement and design review services within the Districts and to take over most or all of the functions of a homeowners association ("HOA") as law permits so long as the revenues used to provide such services are derived from the area in which the services are furnished; and

WHEREAS, the Districts and the Developer have determined that it is not economical or desirable to have a HOA and the Districts provide concurrent services. Rather, it would be advantageous to have the District provide District functions, including operations, maintenance, repair, replacement for District improvements, facilities and services, and have the ability to impose fines and penalties for enforcement, and provide for facilities, services and other District amenities for the community. Policies and procedures will be implemented on a periodic basis through public meetings held to approve any changes to those rules and regulations of the Districts. A copy of the current guidelines, rules and regulations enacted and implemented will be attached to this Resolution as **Exhibit B** and incorporated, ratified and approved by reference.

NOW THEREFORE, the Boards of Directors of the Districts hereby RESOLVES as follows:

1. All District Fees, fines, penalties and assessments shall be due, owing and payable to the Districts, in cash or an equivalent form made payable to "Conestoga Metropolitan Districts." In the event that any District Fees established hereunder remains unpaid thirty-one (31) days after its respective due date, the Districts' General Counsel may undertake collection efforts for any and all outstanding amounts. All collections efforts shall be made pursuant to, and in accordance with,

applicable state and federal laws. The Districts' General Counsel shall be entitled to assess reasonable legal fees and any related costs and expenses to the owners of any such real property for said collection efforts.

2. Any District fees, fines, penalties or assessments assessed by the Districts which are not paid in full within thirty (30) days after the scheduled due date may be assessed a late fee of fifteen dollars ($15.00), per §29-1-1102(3), C.R.S. Pursuant to §29-1-1102(7), C.R.S., interest may also accrue on any outstanding Fees, exclusive of assessed late fees, at the rate of eighteen percent (18%) per annum.

3. In addition, the Districts shall be entitled to impose an administrative fee as necessary to cover additional expenses associated with the design review and covenant enforcement services assumed by the Districts to ensure that such costs are the responsibility of the benefitted Districts' residents. All such fees shall be based upon the Districts' determination that such fees do not exceed reasonable annual market fee for users of such facilities.

4. All District Fees and all other fees, rates, tolls, charges and penalties contemplated herein shall, until paid, constitute a perpetual lien on and against the property served or to be served by any improvements provided by the Districts or to be provided by the Districts within a reasonable amount of time. All such liens shall be in a senior position as against all other liens of record affecting the property served or benefited, or to be served or benefited by improvements of the District and shall run with the Property as defined in the Declaration of Covenants, Conditions, Restrictions, and Easements for Conestoga PUD and Conestoga Metropolitan District Nos. 1-5 and remain in effect as to any portion of such property on which the appropriate fee has not been paid. All liens contemplated herein may be foreclosed in any manner authorized by law at such time as the Districts may determine that fees hereunder have not been paid as required.

5. If any clause or provision of this Resolution is found to be invalid or unenforceable by a court of competent jurisdiction or by operation of any applicable law, such invalid or unenforceable clause or provision shall not affect the validity of the Resolution as a whole but shall be severed here from, leaving the remaining clauses or provisions in full force and effect.

6. This Resolution supersedes any and all prior Resolutions approved and adopted by the Districts concerning Service Fees. All such prior Resolutions are hereby null and void, being superseded in their entirety by this Resolution.

ADOPTED AND APPROVED to be effective as of the 1st day of 2025.

CONESTOGA METROPOLITAN DISTRICTS NOS. 1, 3, 4 & 5

ATTEST:

Secretary

President

CONESTOGA METROPOLITAN DISTRICT NO. 2

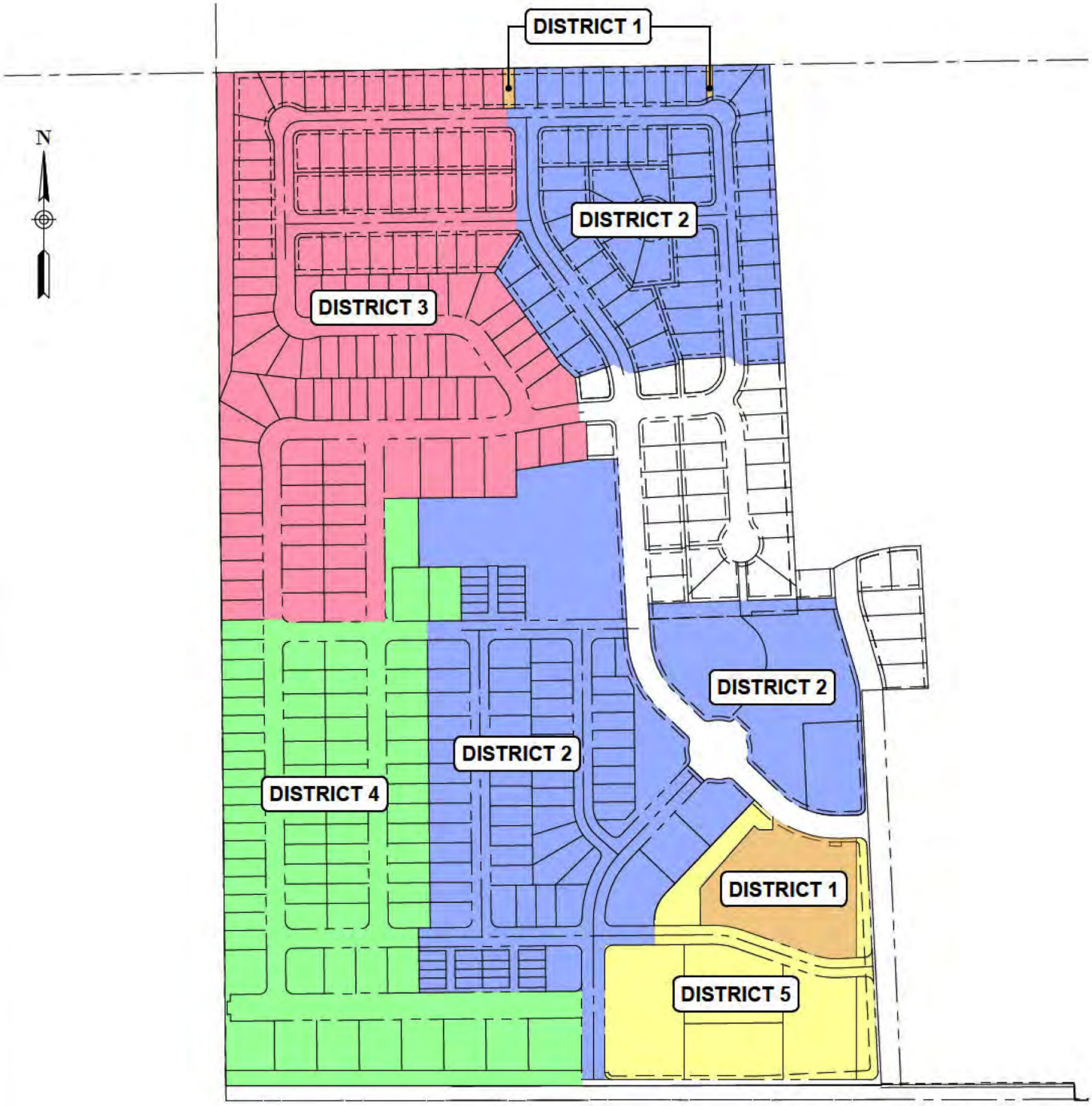
ATTEST:

Secretary

President

EXHIBIT A

Description of Property Subject to Districts
Covenant Enforcement, Administration, Operations and Maintenance Fees
(Conestoga Metropolitan Districts Nos. 1-5)



DISTRICT 1, 2.60 ACRES
DISTRICT 2, 35.91 ACRES
DISTRICT 3, 24.30 ACRES
DISTRICT 4, 18.20 ACRES
DISTRICT 5, 6.78 ACRES

8/21/2025

CivilWorx, LLC
4025 Automation Way, Ste B2
Fort Collins, CO 80525
(970) 698-6046
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CONESTOGA

METROPOLITAN DISTRICT #1 - #5

DISTRICT BOUNDARIES

EXHIBIT A

EXHIBIT B

Fine and Enforcement Policies of Conestoga Metropolitan Districts Nos. 1-5

Section 1. INTENT

A. The Board of Directors of Conestoga Metropolitan District Nos. 1-5 (collectively, the "Board") has adopted rules and regulations to promote the health, safety, and welfare of the residents and the maintenance and aesthetic appearance of the community for the preservation of property values and the assets of the District.

B. While many violations are resolved through a courtesy/warning notice (see below), there are instances when further action is required. Fines are intended to bring properties into conformance with any applicable architectural guidelines, and other rules and regulations set forth by the District (collectively, the "Governing Documents") in a timely manner while providing due notice and appeal rights to property owners, as described in Exhibit "A" – Violation and Fine Appeal Process attached hereto and incorporated herein by reference.

C. In order to gain compliance, the Board intends to impose and collect monetary penalties and reserves the right to enforce the District's policies and the community's restrictions in any other legal manner.

Section 2. NOTICE OF VIOLATION

A. Notice Required: Upon a unit/lot owner's first violation of any provision of the Governing Documents, the District shall provide a written Courtesy/Warning Letter to the unit/lot owner to allow the unit/lot owner the right to cure said violation as stated in the Letter.

B. Notice: If not cured, a Notice of the violation shall be mailed via certified mail, return receipt requested to the unit/lot owner with a copy mailed to the occupant of the unit/lot, and contain, at a minimum, the following information:
   1. The alleged violation of the Governing Documents;
   2. The date of the violation or the date the violation was observed;
   3. A statement that the violation must be cured within ten (10) days of the date of the Notice, and failure by the unit/lot owner to cure the violation within ten (10) days may result in a fine in accordance with the Fine Policy and Schedule of Fines in effect at the time of the violation; and
   4. That the unit/lot owner has the opportunity for a hearing before the District Board or its designee. The process for the hearing is set forth in Exhibit "A".

C. Right to Submit Written Position Statement: A unit/lot owner who receives a Notice regarding a violation, in lieu of attending a hearing before the Board or its designee, may respond to the violation by sending a written position statement via certified mail to the District's address (as listed on the notice of contact form recorded with the county recorder) within ten (10) days of the date of the Notice, but not less than ten (10) days

before the hearing date contained in the Notice. The Board or its designee may consider the written position statement and any other information coming before it regarding the violation, in the same manner as though a hearing were conducted.

Section 3. NOTICE AND IMPOSITION OF FINES

A. Notice of Imposition of Fine: If the unit/lot owner fails to cure the violation with ten (10) days of the date of the Notice and fails to request or attend a hearing, or submit a position statement to the Board or its designee, and the Board or its designee determines a violation is present or has occurred the District shall send the unit/lot owner a Notice of Finding of Violation, which Notice shall state that the unit/lot owner has been found in Violation of the Governing Documents and may be assessed a fine for the violation in accordance with the Schedule of Fines attached hereto, as amended from time to time, and that failure by unit/lot owner to cure the violation within the period stated in the Notice of Finding of Violation may result in additional fines to the unit/lot owner.

B. Further Failure to Comply: Additional Notices of fines citing unit/lot owner's failure to cure the violation shall be mailed to the unit/lot owner at the frequency and fine rate stated in the Schedule of Fines attached hereto, as amended from time to time. Each Notice shall indicate the current fine, pass due fines and late fees, if any, the date that the violation must be cured to avoid additional fines, and unit/lot owner's right to appeal. The District may record a Notice of Violation against the unit/lot where the Violation exists.

Section 4. CONTINUING VIOLATIONS

A. In the case of repeat and persistent violations, this system of fines may ultimately lead to prosecution of non-responsive violators. Fines will not take the place of legal action but will be used as an additional remedy. Fines shall not exceed the level, if any, established by state law.

B. In addition, the Board shall have the right but not the obligation to remedy the violation and seek reimbursement from the unit/lot owner for collection costs and reasonable attorney fees incurred as a result of such failure to comply with the Governing Documents without the necessity of legal proceedings.

C. The Board may take legal action against the unit/lot owner at any time after a fourth Notice has been sent to the unit/lot owner, when accrued fines equal or exceed $250, or if the Board determines, in its sole discretion, that immediate legal action is necessary to preserve the health, safety, and welfare of District residents. Pursuant to state law, in any legal action pursued hereunder, the court shall award reasonable attorney fees, costs, and costs of collection to the prevailing party.

D. To ensure that the Board is aware of continuing violations, the Management Company may list the violating unit/lot owner on the Executive Session agenda when a fourth Notice has been sent to the unit/lot owner, when accrued fines equal or exceed $250, or whenever the Management Company believes immediate action by the Board is necessary to preserve the health, safety and welfare of District residents. At such time, the Board may consider whether the Board should take other appropriate action against the unit/lot owner as provided herein.

Section 5. RECURRENCE OF VIOLATION

Any recurrence of the same violation within ninety (90) days of the original violation, as noted in the Notice, shall make the unit/lot owner subject to the imposition of a fine. Such fine shall be levied at the current rate of a 2nd violation in accordance with the "Schedule of Violations and Fines" then in effect. Such violations shall be considered a continuing violation and no Notice shall be provided to the unit/lot owner.

Section 6. FAILURE TO PAY

A. Fines shall be due and payable within 30 days of the violation notice. Fines not paid within 30 days shall be charged a late fee.

B. All rights and remedies of the District are cumulative and not exclusive, and the District shall have all rights and remedies to levy and collect fines which may be available to it under the Governing Documents and applicable law.

C. Until paid by the unit/lot owner, all fines, fees, and charges assessed against the unit/lot owner pursuant to the Fine Policy and Schedule, as amended from time to time, including, but not limited to, the cost of collecting fines, fees, and charges such as collection agents and attorney fees, shall constitute a lien on and against the property in accordance with the Declaration of Covenants.

D. Fee Schedule:

1. Late Fee Charge: A late fee of $15.00 will be assessed on every account that is not paid in full within the 30 days referenced above. The late fee charge may be amended from time to time by resolution of the Board.
2. Bad Check Charge: For each check that for any reason is returned to the District unpaid, the unit/lot owner shall owe the District a "bad check" charge of $25.00. The bad check charge may be amended from time to time by resolution of the Board.
3. Collection Fees: The unit/lot owner shall be responsible for all collection costs incurred by the District as part of the collection process, including, but not limited to, attorney fees, collection agent fees, and court costs.

Section 7. HEARING PROCESS

Violations and fines may be heard by the Board or its designee in accordance with the procedures set forth in Exhibit A, which procedures may be amended from time to time by a majority vote of the Board.

Section 8. SCHEDULE OF FINES

Fines may be levied as shown below. The Board may amend the Schedule of Fines from time to time as it deems necessary by a majority vote of the Board.

EXHIBIT A

Fine and Enforcement Policies of Conestoga Metropolitan District Nos. 1-5 as Supplemented and Amended

The District Fine and Enforcement Policy Schedule is amended as follows:

SCHEDULE OF FINES (amended):

Violation	Amount of Fine				Assess	
	1st	2nd	3rd	Thereafter		
Architectural Committee Review and Approval Required	Warning	$100	$200	$200	Bi-weekly	
Architectural Review, Improvement not Conforming to Request/Approval	Warning	$100	$200	$200	Bi-weekly	
Residential Use: Professional or Home Occupation	Warning	$100	$200	$200	Bi-weekly	
Declaration of Covenants, Other Violations of District Policies, Rules and Regulation Not Listed	Warning	$100	$200	$200	Bi-weekly	
Drainage & Irrigation	Warning	$100	$200	$200	Bi-weekly	
Household Pets	Warning	$100	$200	$200	Bi-weekly	
Leases	Warning	$100	$200	$200	Bi-weekly	
Vehicle Parking, Storage and Repairs **(including parking behind garages in the Townhomes or other areas with shared alleyways, or parking in other non-designated portions of shared alleyways)**	Warning	$100	$200	$200	Bi-weekly	
Light, Sound, and Odors	Warning	$100	$200	$200	Bi-weekly	
Nuisances	Warning	$100	$200	$200	Bi-weekly	
Hazardous Activities	Warning	$100	$200	$200	Bi-weekly	
Completion of Landscape	Warning	$100	$200	$200	Bi-weekly	
Lot Maintenance	Warning	$100	$200	$200	Bi-weekly	
Miscellaneous Requirement & Improvements including signage	Warning	$100	$200	$200	Bi-weekly	
Temporary Structures	Warning	$100	$200	$200	Bi-weekly	
Trash and Materials	Warning	$100	$200	$200	Bi-weekly	
Damage to District Property, Landscaping or Improvements	Warning	$100	$200	$200	Bi-weekly	

Exhibit "A" to Fine and Enforcement Policies of Conestoga Metropolitan Districts Nos. 1-5
VIOLATION AND HEARING PROCESS

SECTION 1 – NOTICE

1. Any unit/lot owner who receives a Notice of violation or imposition of fine may be heard regarding such violation by the Board of the District or its designee. Such hearing will be scheduled as set forth in the Notice. Fines set forth in any notice from the District may continue to accrue during the hearing process so that the process is not used to delay effective enforcement of the District's Governing Documents, as defined in the Fine Policy and Schedule noted above.

2. In lieu of a hearing, a unit/lot owner may submit a written position statement no less than ten (10) days before the noticed hearing which written position statement shall be considered by the Board or its designee in the same manner that verbal testimony would be considered.

SECTION 2 – HEARING PROCESS

1. The hearing shall be held before the Board in open session or its designee in an open forum unless the unit/lot owner requests that the hearing be closed.

2. The Board President or Board's designee shall summarize the violation to be heard before the Board or its designee and introduce all parties.

3. The unit/lot owner shall be afforded 10 minutes to state his or her case and to present to the Board or its designee any evidence that is applicable to the unit/lot owner's position.

4. Each Board Member or the Board's designee shall have an opportunity to question the unit/lot owner regarding the violation.

5. Any Board Member or the Board's designee may receive additional evidence to aid in the determination of the matter including, but not limited to, any relevant documentation and/or information from third parties.

6. Upon completion of the question and answer period, the Board President or the Board's designee will state that the violation has been heard and the Board or its designee will make their decision follow an executive session if the Board or the designee deems an executive session to be available under applicable law and necessary in the given circumstances. In reaching a decision, the Board or its designee may take into account the unit/lot owner's statements and evidence presented, the unit/lot owner's willingness to work towards compliance, and any other factors that may be pertinent as determined by the Board or its designee.

7. The Board or its designee may continue the hearing if it determines that additional information is required from the unit/lot owner before making an informed decision. The Board or its designee shall notify the unit/lot owner in writing of the date and time of the continued hearing and the additional information that the unit/lot owner must present on the continued hearing date.

8. The minutes of the meeting shall contain a written statement of the results of the hearing and the fine, if any, imposed. The unit/lot owner shall be given written notice of the results of the hearing within five (5) days from the date of the hearing.

SECTION 3 – FINDING OF VIOLATION

1. All decisions of the Board or its designee are final and may not be further appealed through the District.

2. If the Board or its designee finds that a violation is present, the unit/lot owner must bring the violation into compliance and pay all outstanding fines and charges accrued to date within the time period specified in the written notice received from the Board or its designee, regarding the Board's or the designee's decision. Failure to cure the violation within the designated time period stated therein shall constitute a continuing violation and subject the unit/lot owner to subsequent fines at the rate and frequency noted in Fine Policy and Schedule noted above – Schedule of Fines, which additional fines shall not be subject to the hearing process.

3. The Board may, in its sole discretion, take legal action against the unit/lot owner at any time after a unit/lot owner's violation has been confirmed and the unit/lot owner has accrued fines equal to or greater than $250 or the Board determines that immediate legal action is necessary to preserve the health, safety, and welfare of District residents.