

**RESOLUTION OF THE BOARD OF DIRECTORS OF
WINSOME METROPOLITAN DISTRICT NO. 1**

**A RESOLUTION APPOINTING THE COMMUNITY COUNCIL TO ENFORCE THE
COVENANTS AND DESIGN GUIDELINES**

At a special meeting of the Board of Directors of Winsome Metropolitan District No. 1, EL Paso County, Colorado, held at 9:30 A.M, on Thursday, August 11, 2022, at <https://us02web.zoom.us/j/81385004453?pwd=Y21aRGxKV0xCUIBqcGhaamlWVjgxQT09> and via telephone at 1-669-900-6833, Meeting ID: 813 8500 4453, Passcode: 646349, at which a quorum of the board of directors was present, the following joint resolution was adopted:

WHEREAS, Winsome Metropolitan District No. 1 (the “District”) was organized and exists as metropolitan district pursuant to the provisions of Sections 32-1-101, *et seq.*, C.R.S. (the “Special District Act”); and

WHEREAS, pursuant to § 32-1-1004(8), C.R.S., the board of a metropolitan district has the power to furnish covenant enforcement and design review services provided that 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; and

WHEREAS, Winsome Metropolitan District No. 1 (the “District”) is charged with certain enforcement and collection abilities in that certain Declaration of Covenants, Conditions and Restrictions of Winsome recorded at reception number 221040908 in the records of El Paso County on March 3, 2021, as amended by that certain Amendment to Declaration of Covenants, Conditions and Restrictions of Winsome, recorded at reception number 222007692 in the records of El Paso County on January 18, 2022 (collectively, the “Covenants”); and

WHEREAS, Section 2.1 and Section 4.1 of the Covenants specifically authorize the District to appoint the members of the Community Council, which Community Council has the authority to enforce the Covenants within the Winsome community, as well as the authority, power and right of enforcement, including the levy of fines and the ability to pursue other remedies for non-compliance; and

WHEREAS, pursuant to a Resolution Providing for the Adoption of Design Guidelines being adopted concurrently herewith, the District has adopted the Winsome Design Guidelines (the “Design Guidelines”) in furtherance of the Covenants pursuant to § 32-1-1004(8), C.R.S.; and

WHEREAS, Section 4.9 of the Covenants authorizes the District to delegate to the Community Council the authority to interpret, implement, and enforce the Covenants and Design Guidelines within Winsome; and

WHEREAS, the District desires to appoint, via this Resolution, the members of the Community Council, and further delegate the authority to the Community Council to oversee the enforcement of the Covenants and Design Guidelines.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE WINSOME METROPOLITAN DISTRICT NO. 1 (“BOARD”) THAT:

1. Delegation of Authority. The Board hereby delegates to the Community Council the authority to interpret, implement and enforce the Covenants and Design Guidelines, including the power to perform design review, inspection, send demand letters, notices, levy fines, conduct hearings, and the ability to pursue other remedies for non-compliance. In accordance with Section 4.1.2 of the Covenants, the Board consents to the Community Council delegating to the District’s management the power to perform inspections, send notification of the Community Council’s decisions, send demand letters, notices, and levy fines in accordance with the Resolution Adopting Policies and Procedures for the Imposition of Fines, the Collection of Unpaid Fed, Penalties and Charges, and Appeals being adopted concurrently herewith.

2. Community Council. The District hereby appoints the following members to serve on the Community Council to perform the design review, inspection and other functions as set forth in the Covenants and Design Guidelines:

- a. Andrew Biggs
- b. Connie Miller
- c. Charlie Williams

3. Ratification of Prior Actions. All actions not inconsistent with the provisions of this Resolution heretofore taken by the members of the Board, management of the District, legal counsel for the District, and the officers, agents, representatives and employees of the District, and directed toward enforcement of the Covenants and Design Guidelines are hereby ratified, approved, and confirmed.

4. Effective Date. This Resolution shall take effect on the date and at the time of its adoption.

[Signature page to follow.]

Whereupon, a motion was made and seconded, and upon a majority vote, this Resolution was approved by the Board.

ADOPTED AND APPROVED THIS 11th DAY OF AUGUST 2022.

**WINSOME METROPOLITAN DISTRICT
NO. 1**

DocuSigned by:
Andrew Biggs
By: Andrew Biggs
Its: President

ATTEST:

DocuSigned by:
Joe DesJardin
By: Joseph W. DesJardin
Its: Secretary