

COLORADO'S TIMBER RIDGE METROPOLITAN DISTRICT

RESOLUTION NO. 2026-2

A RESOLUTION ADOPTING COVENANT ENFORCEMENT AND IMPROVEMENT REVIEW POLICIES PURSUANT TO C.R.S. § 32-1-1004(8) and 32-1-1004.5 and HB24-1267 AND ACCEPTING RESPONSIBILITY FOR DECLARATION ENFORCEMENT AND IMPROVEMENT REVIEW SERVICES FOR THE COLORADO'S TIMBER RIDGE HOMEOWNERS ASSOCIATION

WHEREAS,

The Colorado's Timber Ridge Metropolitan District ("District") is a quasi-municipal corporation and political subdivision of the State of Colorado organized pursuant to Title 32, Colorado Revised Statutes; and

WHEREAS,

The Colorado's Timber Ridge Homeowners Association ("Association") is the entity established to administer the Declaration of Covenants, Conditions, Restrictions and Easements ("Declaration") applicable to the Timber Ridge community located in Archuleta County, Colorado; and

WHEREAS,

The Colorado General Assembly has authorized metropolitan districts to provide covenant enforcement and design review services pursuant to C.R.S. §§ 32-1-1004(8) and 32-1-1004.5 and HB24-1267

WHEREAS,

The Board of Directors of the District finds that consolidating declaration enforcement and improvement review under the District will promote consistency, transparency, due process, and efficient administration for the benefit of all property owners; and

WHEREAS,

The District desires to adopt written policies governing covenant enforcement, architectural and improvement review, notice procedures, hearings, fines, appeals, and administrative enforcement that satisfy the requirements of Colorado law.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE COLORADO'S TIMBER RIDGE METROPOLITAN DISTRICT:

Section 1.

Acceptance of Responsibilities

Subject to the execution of any required agreements, amendments, assignments, or transfers from the Colorado's Timber Ridge Homeowners Association, the District shall assume responsibility for:

1. Enforcement of the recorded CTHOA's Declaration and Covenants, Conditions and Restrictions for Timber Ridge Subdivision and adopted Policies and Procedures.
2. Administration of all Improvement Review functions as stated in CTHOA's Declaration and Covenants, Conditions and Restrictions for Timber Ridge Subdivision and related adopted policies and procedures.
3. Issuance of notices of violation.
4. Conduct of hearings.
5. Imposition of fines and corrective actions.
6. Appeals of enforcement decisions.
7. Administration of all enforcement records.

Section 2.

Adoption of Enforcement Policy

The District hereby adopts a Covenant Enforcement and Improvement Review Policy consistent with C.R.S. § 32-1-1004.5 and HB24-1267 including:

- A. Written timely notice of any alleged violation.
- B. A reasonable opportunity to cure the violation.
- C. A fair and impartial fact-finding process.
- D. Notice of the date, time, and location of any hearing.
- E. Opportunity for the property owner to present evidence.
- F. Hearing before an impartial decision-maker having no direct personal or financial interest in the matter.
- G. Written findings following the hearing.
- H. A published schedule of fines.
- I. Reasonable timely appeal procedures.
- J. Prohibits District from foreclosing on a delinquent fee and charges

Section 3.

Improvement Review Procedures

The District shall administer all architectural and improvement review applications under the Declaration and adopted Design Guidelines.

Applications shall be reviewed based upon:

- Compatibility with existing development.
- Compliance with the Declaration.
- Public safety.
- Drainage impacts.
- Utilities.
- Fire mitigation.
- Community aesthetics.
- Compliance with applicable Archuleta County regulations.

Approvals may include reasonable conditions necessary to ensure compliance with governing documents and applicable law.

Section 4.

Enforcement Authority

The District may:

- Issue written notices of violation;
- Require corrective action;
- Conduct compliance inspections;
- Hold administrative hearings;
- Assess fines authorized by adopted policy;
- Recover enforcement costs where permitted by the Declaration;
- Pursue legal remedies authorized by law.

Section 5.

Due Process

No fine or enforcement action shall be imposed until the property owner has received:

1. Written notice describing the alleged violation;
2. Time to cure where applicable;
3. Opportunity to request a hearing;
4. Hearing before an impartial decision-maker; and
5. Written determination.

Section 6.

Improvement Review Committee

The Board may appoint an Improvement Review Committee to review applications and make recommendations.

Final authority shall remain with the Board unless delegated by formal resolution.

Section 7.

Existing HOA Responsibilities

Upon the effective date established by agreement between the District and the Association:

- All covenant enforcement authority shall transfer to the District.
- All pending architectural applications shall transfer to the District.
- Existing enforcement files shall become District records.
- Future enforcement actions shall be administered exclusively by the District.

Nothing in this Resolution shall alter ownership or maintenance responsibilities established by the Declaration unless separately amended.

Section 8.

Policies Incorporated

The following policies are adopted and incorporated by reference:

- Covenant Enforcement Policy, including Fine Schedule
- Political Signs and Flag Policy
- Dispute Resolution Policy
- Conflict of Interest Policy
- Records Retention Policy
- Policy and Architectural Guidelines for Improvement
- Property Improvement Procedures
- Property Improvement Application
- Construction Standards Agreement
- Construction Permit Application

Section 9.

Compliance with Colorado Law

The Board intends this Resolution to comply with all applicable provisions of:

- Title 32, Colorado Revised Statutes;

- C.R.S. § 32-1-1004;
- C.R.S. § 32-1-1004.5;
- HB24-1267
- Applicable provisions of the Colorado Common Interest Ownership Act where not inconsistent with Title 32;
- The recorded Declaration and governing documents.

Should any provision conflict with Colorado law, state law shall control.

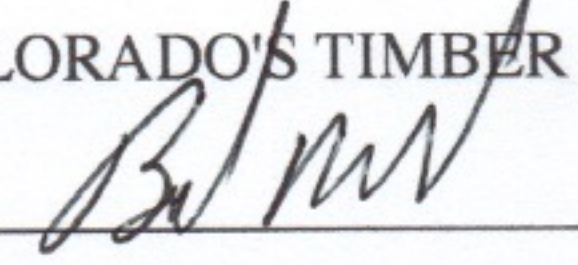
Section 10.

Effective Date

This Resolution shall become effective upon adoption by the Board and upon completion of all required agreements transferring covenant enforcement and improvement review authority from the Colorado's Timber Ridge Homeowners Association to the Colorado's Timber Ridge Metropolitan District.

ADOPTED this 4th day of August, 2026.

COLORADO'S TIMBER RIDGE METROPOLITAN DISTRICT

By:  _____

Bob Milford, President CTRMD Board

ATTEST:



Ken Sigget, Secretary CTRMD Board