

**RESOLUTION
OF THE BOARD OF DIRECTORS OF
CUNDALL FARMS METROPOLITAN DISTRICT**

**AMENDING THE RESIDENTIAL IMPROVEMENT GUIDELINES AND SITE
RESTRICTIONS FOR TRAILSIDE COMMUNITY AT CUNDALL FARMS**

WHEREAS, the Cundall Farms Metropolitan District (the “**District**”) is a quasi-municipal corporation and political subdivision of the State of Colorado; and

WHEREAS, pursuant to § 32-1-1001(1)(h), C.R.S., the Board of Directors of the District (the “**Board**”) is empowered to have the management, control, and supervision of all business and affairs of the District; and

WHEREAS, Article 2, Section 2.1 of the Covenants, Conditions and Restrictions for Trailside, recorded in the real property records of the Clerk and Recorder of Adams County, Colorado on November 17, 2014, at Reception Number 20140000080289 (the “**Declaration**”), provides that the Board has the authority to serve as or appoint members to the Architectural Review Committee (“**ARC**”); and

WHEREAS, Section 2.12 of the Residential Improvements Guidelines and Site Restrictions for Trailside Community at Cundall Farms (the “**Guidelines**”) provides the Guidelines may, at any time, and from time to time, be added to, deleted from, repealed, amended, and modified, reenacted, or otherwise changed by the ARC in its sole discretion as changing conditions and/or priorities dictate; and

WHEREAS, the Board, acting as the ARC, hereby desires to amend and supplement the Guidelines as set forth herein.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE DISTRICT AS FOLLOWS:

1. Repeal and Restatement. Pursuant to the findings set forth above, Section 1.4 is hereby repealed in its entirety and the following is substituted:

Section 1.4

The contact information of the ARC, Persons, committee or representative authorized to administer review process is the District Manager.

2. Repeal and Restatement. Pursuant to the findings set forth above, Section 3.44 is hereby repealed in its entirety and the following is substituted:

Section 3.44 Lights and Lighting

a. Approval is not required for replacing existing lighting including coach lights, with the same or similar lighting and style as originally installed.

b. Approval is required to modify or add exterior lighting. Exterior lighting shall be installed in accordance with the following guidelines:

(1) For string lighting: (a) strings of lights may only be installed on the deck, patio, or pergola close to the residence and must be attached by temporary means (i.e., hooks); (b) each bulb in the string lighting shall not exceed 450 lumens, 40 watts or 6w (LED); (c) all string lighting shall be white (2700K-3500K); (d) no illumination from strings of lights shall shine over the property lines of the Lot; (e) strings of lights must be removable and may not be embedded in tracks or permanently installed under the eaves, soffits, behind the trim of the home, or otherwise permanently affixed to the exterior façade of the house; and (f) the Architectural Review Committee may use its discretion to determine if the string lighting affects neighbors' ability to enjoy the night sky.

(2) For exterior track lighting and/or other multi-light installations installed under the eaves, soffits, behind the trim of the home, or otherwise permanently affixed to the exterior façade of the house: (a) a minimum spacing of three feet (3') between each individual bulb is required; (b) all fixtures must be downward pointing; (c) all exterior lighting bulbs shall not individually exceed 450 lumens, 40 watts or 6w (LED); (d) all exterior lighting bulbs shall be white (2700K – 3500K); (e) light fixtures on the exterior façade of the home shall only be illuminated when the area is in use and must be turned off by 11:00 p.m.; and (f) the Architectural Review Committee may use its discretion to determine if the exterior lighting installation affects neighbors' ability to enjoy the night sky.

c. Approval is required to install motion detector spotlights, spotlights, floodlights or ballasted fixtures (sodium, mercury, multi-vapor, fluorescent metal halide, etc.)

d. Considerations will include, but may not be limited to, the visibility, style and location of the fixture, and the impact they may have on neighboring lots.

e. Exterior lighting for security and/or other uses must be directed at the ground and house, whereby the light cone stays within the property boundaries and the light source does not cause glare to other properties (bullet type light fixtures are recommended).

f. Ground lighting along walks must be maintained in a working and slightly manner. Low-voltage or solar powered ground lighting fixtures which are typically affixed by stakes or similar posts are to be maintained in good aesthetic repair, be functional, not be a tripping or other physical hazard along pedestrian pathways, and remain generally plumb in their presentation.

g. The addition of a front yard light post will be allowed with approval, please refer to Schedule 3 for additional guidelines.


Homeowners may display seasonal holiday lighting and decorations hung using temporary means, including an unlimited number of colored bulbs, from November 20th through January 15th without approval. Consistent with the Covenants and Restrictions, no lighting shall be unreasonably bright or cause unreasonable glare. Decorations must be reasonable in size and scope and must not disturb other Owners and residents by excessive light or sound emissions, or by causing an unreasonable amount of spectator traffic.

3. Effective Date. This Resolution shall be effective as of July 1, 2021.


[Signature page follows.]

ADOPTED this 4th day of May, 2021.

**CUNDALL FARMS METROPOLITAN
DISTRICT**


By: 
Officer of the District

Attest:

By: 
Darren Fresquez (May 13, 2021 09:44 MDT)

APPROVED AS TO FORM:

WHITE BEAR ANKELE TANAKA & WALDRON
Attorneys at Law


General Counsel to the District