

ELK STREAM RANCH

A Colorado Common Interest Community
Located in T36N R13W, T35N R13W, T36N R12W and T35N R12W, N.M.P.M
Montezuma County and La Plata County, Colorado

Elk Stream Ranch Property Owners Association, Inc.
A Colorado Non-Profit Corporation

POLICIES

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POLICY #16-2019: PARKING POLICY

Adopted Oct 25, 2019

The following procedures have been adopted by the Elk Stream Ranch Property Owners Association, Inc., a Colorado Non-Profit Corporation ("Association") pursuant to the provisions of C.R.S. §38-33.3-209.5, C.R.S. §38-33.3-123, §38-33.3-315, §38-33.3-316, the Governing Documents of the Association, and the Act, at a regular meeting of the Board.

Purpose: To adopt a policy addressing parking of vehicles and articles within the Common Interest Community, and setting forth procedures for the enforcement of the policy including fines, liens and towing for noncompliance or violations of this policy.

NOW, THEREFORE, IT IS RESOLVED that the Association does hereby adopt the following policy governing parking of vehicles and articles:

1. Authority. Pursuant to the Association's Governing Documents and C.R.S. §38-33.3-302, the authority to create, adopt, enforce, amend and repeal policies, procedures and rules lies with the Board.

2. Solicitation of Information from Owners. In accordance with Policy #1, the Board has taken steps to solicit information regarding the proposed policy from Owners by distributing a draft policy and presenting the proposed Parking Policy at the Annual Member meeting prior to adopting this Policy #16 - Parking Policy.

3. Notice. Following adoption of this Policy by the Board, the Board shall then give notice of the adoption of the policy in writing by e-mail if the Owner has filed an e-mail authorization form with the Association, or by first class mail, postage prepaid, to each Member of the Association at the address for notices to Members as provided for in the Association's Declaration or Bylaws, and shall publish the policy by any reasonable means available, including but not limited to posting the policy on the Association's website, physical posting, mail, newsletter, or personal delivery. The policy, along with all other policies of the Association, shall be available for inspection and copying in accordance with the Association's policy regarding inspection and copying of Association records.

4. Enforcement. Any Owner's failure to receive the policy shall not be a defense to any attempt by the Association to enforce the policy including the levying of fines, expenses, or attorneys' fees, or the placement of a lien on the Owners' property as a result of a violation of the policy.

5. Definitions. As used in the Association policies, capitalized terms shall have the meanings as defined in the Act or Governing Documents. Unless otherwise defined in this Policy, initially capitalized or terms defined in the Declaration shall have the same meaning herein.

6. Conflicts. The policies adopted by the Association are supplemental to the Governing Documents and the Act. In the event of a conflict between the provisions of any policy and other Governing Documents, the Governing Documents and the Act shall control.

a. This policy is specifically supplemental to the provisions of Article 9 of the Declaration, Policy #5, Enforcement of Covenants and Rules; Notice and Hearing Procedure; Policy #6, Collection of Unpaid Assessments; and Policy #13, Road Use Policy.

7. Parking Policy. The following restrictions apply to all parking of vehicles or articles within Elk Stream Ranch:

a. A maximum of two (2) vehicles can be parked on a Lot or in a driveway on a regular basis.

b. Daily Guest vehicles are allowed to be parked in driveway areas on Lots.

c. Unlicensed vehicles or articles in the process of being built, restored or repaired must be garaged at all times.

d. All other vehicles or articles must be garaged or screened from view of the Association Roads in accordance with the Governing Documents.

e. Abandoned vehicles will be towed at the Owner's expense.

f. Exemptions: The following parking exemptions are allowed:

i. Declaration Section 9.05(c)(ii) (addressing temporary use of an RV during the authorized construction of an Improvement);

ii. Declaration Section 9.06(c) (addressing parking of service vehicles); and

iii. Declaration Section 9.06(c) (addressing allowed temporary active use of RVs by Guests subject to limitations where feasible on a Lot).

8. Enforcement Procedure. Parking in violation of this Policy is subject to all available remedies of the Association under the Governing Documents, the Declaration and shall be governed under the provisions of Policy #5, Enforcement of Covenants and Rules. Violations of this Policy shall be a Category 1 Violation and may be subject to Additional Fines and other remedies as addressed in Policy #5.

9. 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.

PRESIDENT'S CERTIFICATION: The undersigned, being the President of the Elk Stream Ranch Property Owners Association, Inc., a Colorado Non-Profit Corporation, certifies that the foregoing Resolution was approved and adopted by the Board, at a duly called and held meeting of the Board on (date) 10/25/19 and in witness thereof, the undersigned has subscribed his name.

Elk Stream Ranch Property Owners Association, Inc.,
a Colorado Non-Profit Corporation

By: Barry Stone
Barry Stone,
President

ATTEST

By: Dave Johnson
DAVE JOHNSON,
Secretary / Treasurer