

**MOUNTAIN SKY METROPOLITAN DISTRICT
RESOLUTION ADOPTING COVENANT ENFORCEMENT FEE AND FINE SCHEDULE**

WHEREAS, the Mountain Sky Metropolitan District (the "District") is a special district duly organized pursuant to Article 1 of Title 32, C.R.S.; and

WHEREAS, the Board of Directors of the District (the "Board") has a duty to perform certain obligations in order to assure the efficient operation of the District; and

WHEREAS, Section 32-1-1004(8)(a)(II), C.R.S., empowers the Board to furnish covenant enforcement and design review services within the District if the declaration, rules and regulations, or 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, the District's Service Plan, approved by the City of Fort Lupton on June 26, 2017, authorizes the District to provide covenant enforcement services; and

WHEREAS, the Amended and Restated Declaration of Covenants, Conditions, Restrictions and Easements for Mountain Sky Subdivision was recorded on January 29, 2020 at Reception No. 4562332 in Weld County, Colorado (the "Declaration"); and

WHEREAS, Article 2 of the Declaration expressly authorizes the District to impose Fees and Fines related to the activities of the Enforcement Committee and to otherwise implement the provisions of this Declaration. The Metropolitan District has accepted such delegation related to the imposition of Fees and Fines in the District Resolution, as described in the Declaration.

NOW THEREFORE, be it resolved by the Board of Directors of Mountain Sky Metropolitan District as follows:

1. **Covenant Enforcement Fine Schedule.** The District hereby adopts the Covenant Enforcement Fee and Fine Schedule attached hereto as Exhibit A, which may be amended from time to time, and shall be incorporated into the Rules and Regulations of the District.
2. **Severability.** If any provision of this Resolution is found to be invalid by any court of competent jurisdiction, such finding shall not affect the validity of the remainder of the Resolution.

Approved and adopted this 7th day of April 2021.

MOUNTAIN SKY METROPOLITAN DISTRICT

By: 
President


Attest:

Secretary

EXHIBIT A
COVENANT ENFORCEMENT FINE SCHEDULE
EFFECTIVE MAY 1, 2021

FEE SCHEDULE:

A Transfer Fee in the amount of \$200 shall be charged at the time of each home sale within the District to be paid at the time of closing by the home buyer.

FINE SCHEDULE:

<u>Continuous Violations</u>	<u>Fine Amount</u>
First Violation	Warning Letter
Second Violation (Hearing Notice):	\$50.00
Third Violation (First Ongoing Violation Notice):	\$100.00
Fourth Violation (Second Ongoing Violation Notice):	\$250.00
Daily Fine Notice:	Up to \$100.00/day
<u>Repetitious Violations in 12 Month Period</u>	<u>Fine Amount</u>
First Violation	\$50.00
Second Violation	\$100.00
Third Violation	\$250.00