

**RESOLUTION OF THE
RIVER WEST P.U.D. COMMUNITY ASSOCIATION
ADOPTING POLICY AND PROCEDURE FOR
STORAGE OF VEHICLES**

SUBJECT: Parking of certain vehicles within the River West P.U.D. community ("Community").

PURPOSE: To interpret Article IX, Section 9 of the Declaration and adopt a standard policy and procedure for Owners to follow with respect to the prohibition against the parking and storing of certain Restricted Vehicles.

AUTHORITY: Declaration of Covenants, Conditions, and Restrictions for River West P.U.D. Community Association ("Declaration"), Bylaws of River West P.U.D. Community Association ("Bylaws"), Articles of Incorporation of River West P.U.D. Community Association ("Articles"), and Colorado law.

**EFFECTIVE
DATE:**

June 1, 2008

RESOLUTION: The Board of Directors, on behalf of the Association, hereby adopts the following:

1. Defined Terms.

A. Restricted Vehicles. As referred to in this Resolution, a restricted vehicle shall mean any vehicle that meets any of the following characteristics or combination of characteristics:

- a. Any self-contained motorized vehicle, motor home, or trailer used for camping, housing, boating, hauling, or similar activities;
- b. Any jet skis, boats, wave-runners, or other accessories and apparatus used for water activities;
- c. Any motorcycles, motorbikes, all-terrain vehicles, snowmobiles and other vehicles and apparatus used for land activities;
- d. Any tractor, semi-tractor, or tractor trailer;
- e. Any storage, utility, or cargo trailer;
- f. Any inoperative vehicle, defined as any disassembled or partially disassembled car or other vehicle which has not been moved under its own power for more than one week;
- g. Any pickup trucks with camper shells or any pick-up truck weighing one ton or more.

B. Emergency Vehicle. As referred to in this Resolution, a motor vehicle that meets *all* of the following criteria:

- a. The vehicle is required by Owner's or occupant's employer to be parked at the owner's residence as a condition of the Owner's or occupant's employment; and
- b. The vehicle has a gross weight of ten thousand pounds or less; and
- c. The vehicle is used by an Owner or Occupant who is: (i) a member of a volunteer fire department or employed by a primary provider of emergency fire fighting, law enforcement, ambulance, or emergency medical services ("Emergency Service Provider"), or (ii) employed by an emergency utility service; and,
- d. The vehicle bears an official emblem or other visible designation of the Emergency Service Provider or emergency utility service.

If requested by the Association, an Owner or Occupant shall provide proof, in a means acceptable to the Board of Directors, of qualification of a vehicle under the above definition.

2. **Restricted Vehicle Parking.** Restricted Vehicles are prohibited from being stored, parked, or permitted to remain on any part of the Lot, including the driveway, except for:
 - a. within a fully-enclosed garage;
 - b. within a fully-screened, fenced area which: (i) completely conceals the restricted vehicle from any other Lot, the Common Area, or the street (ii), complies with any applicable architectural guidelines, and (iii) is approved in writing by the Architectural Control Committee; or
 - c. active loading and unloading.
3. **Emergency Vehicle Parking.** Notwithstanding any covenant, rule or regulation, or policy to the contrary, any Emergency Vehicle, as defined above, may be parked by an Owner or occupant on any street, driveway or guest parking area, if any, in the Community. However, parked Emergency Vehicles shall not obstruct emergency access or interfere with the reasonable needs of other Owners to use the streets, driveways and guest parking areas, if any, within the Community, as determined in the sole discretion of the Board of Directors.
4. **Enforcement.** Any violation of this Resolution shall result in the Association pursuing any remedy available to it pursuant to the Association's governing documents and Colorado law, including, but not limited to, imposition of a fine after notice and an opportunity for hearing in conformance with the Association's Enforcement Policy.
5. **Definitions.** Unless otherwise defined in this Resolution, initially capitalized or terms defined in the Declaration shall have the same meaning herein.

6. **Supplement to Law.** The provisions of this Resolution shall be in addition to and in supplement of the terms and provisions of the Declaration and the law of the State of Colorado governing the Community.
7. **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.
8. **Amendment.** This policy may be amended from time to time by the Board.

**PRESIDENT'S
CERTIFICATION
AND SECRETARY'S
ATTESTATION:**

The undersigned, being the President and Secretary, respectively, of the River West P.U.D. Community Association, a Colorado nonprofit corporation, certifies that the foregoing Resolution was approved and adopted by the Board of Directors of the Association, and in witness thereof, the undersigned have subscribed their names.

**RIVER WEST P.U.D. COMMUNITY
ASSOCIATION**

a Colorado non-profit corporation,

By: _____

President

ATTEST:

By: _____

Secretary