

**RESOLUTION  
OF  
CHERRYWOOD PARK HOMEOWNERS ASSOCIATION, INC.  
Penalties for Owners With Landscape Violations During Mandatory Water Restrictions**

**SUBJECT:** Procedure for application of penalties on Owners of property during mandatory water restriction periods in which Owners have failed to comply with the Declaration of Covenants, Conditions and Restrictions, Section 3.2 regarding completion of landscape within eight months after purchase, and/or with landscape maintenance requirements in Section 3.2.

**PURPOSE:** To provide a uniform procedure for application of fines during mandatory water restriction periods to encourage completion of landscape and maintenance of landscape that are in compliance with governmental restrictions.

**AUTHORITY:** The Declaration of Covenants, Conditions and Restrictions for Cherrywood Park Homeowners Association, Inc., as recorded in the records of the Clerk and Recorder of the County of Adams, State of Colorado, and Colorado statutory law.

**PROPERTIES AFFECTED:** All real property subject to the Declaration.

**EFFECTIVE DATE:** February 20, 2003

**NOTICE:** The Association hereby gives notice of its adoption of a Resolution setting forth the penalties for Owners with landscape violations during periods of mandatory water restrictions. The Resolution is adopted as follows:

**Landscape Installation:**

If the City of Thornton is permitting new sod installations, the Owners of properties must complete landscape installation within the twelve month time frame as required in Section 3.2 of the Declaration. If the City of Thornton is not permitting new sod installation, then the Owner(s) will be granted an extension from the Cherrywood Park Design Review Committee (DRC) for an extension to complete landscape installation within sixty (60) days from the date the City of Thornton's water restriction is lifted. This extension will be granted with the condition that the property Owner must comply with the following requirements:

- A) a minimum five foot (5') area around the entire yard perimeter must be covered with weed barrier fabric and rock mulch within the twelve month time frame; and
- B) weed control must be done on an ongoing weekly basis in the area designated for sod until the landscape installation is completed; and
- C) any additional erosion control measures, such as silt fencing and hay bales, must be taken to prevent erosion into neighboring yards as necessary; and
- (D) the owner must submit written notification of completion of the above items to the management company.

**Landscape Maintenance:**

During periods of mandatory water restrictions imposed by governmental agencies, the following standards for landscape maintenance will be imposed:

Owners of property will be expected to maintain attractive yard maintenance that is in compliance with published water restrictions. The DRC will consider improper maintenance is occurring if any of the following conditions exist:

- 1) excessive weeds;
- 2) lawn is significantly more brown than other yards in the community;
- 3) large areas of dead sod exist in the yard.

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

The undersigned, respectively being the President and Secretary of Cherrywood Park Homeowner's Association, Inc., a Colorado nonprofit corporation, certify that the foregoing Resolution was approved and adopted by the Board of Directors of the Association, at a duly called and held meeting of the Board of Directors of the Association on February 20, 2003, and in witness thereof, the undersigned have subscribed their names.

CHERRYWOOD PARK HOMEOWNERS ASSOCIATION, INC.,  
a Colorado nonprofit corporation,

By: Dale Olson  
President

ATTEST: Kim M. [Signature]  
By: \_\_\_\_\_  
Secretary