

**JOINT RESOLUTION OF THE  
PAINTED PRAIRIE OWNERS ASSOCIATION, INC.**

**AND THE**

**PAINTED PRAIRIE METROPOLITAN DISTRICT NO. 1**

**Re: Alley Parking Enforcement**

- SUBJECT:** Adoption of a Joint Resolution addressing the enforcement of parking restrictions throughout the Painted Prairie community, and specifically authorizing the Painted Prairie Owners Association, Inc. (the “Association”) to undertake parking enforcement, including without limitation vehicular towing, on certain real property owned by the Painted Prairie Metropolitan District No. 1 (the “District”).
- PURPOSE:** To adopt standard rules, regulations, and guidelines for parking enforcement within the “Alley Tracts” and upon the “Alley Improvements” located within the community and owned by the District, as defined and contemplated by the Access and Maintenance Agreement entered into May 4, 2020 by and between the Association and the District.
- AUTHORITY:** The Declaration, Articles of Incorporation, and Bylaws of the Association; the Service Plan of the District; the Access and Maintenance Agreement; and Colorado law, including but not limited to C.R.S. § 38-33.3-302(1)(a).
- EFFECTIVE DATE:** \_\_\_\_\_
- RESOLUTION:** The Association and District hereby adopt the following Resolution related to parking within the Painted Prairie community.

**1. Alleys and Their Usage.** The Alley Tracts provide access to lots within the District and the Association. The Association has a non-exclusive perpetual easement over the Alley Tracts to allow it and its members access, ingress, and egress to the lots adjacent to the Alley Tracts. In exchange for this easement, the Association is obligated to operate, maintain, repair, and replace the Alley Improvements and keep the Alley Improvements and Alley Tracts in good order, condition, and repair. The Alley Tracts are designated and marked as fire lanes.

**2. Towing.** Pursuant to Colorado law, vehicles that are parked in or effectively obstructing a designated and marked fire lane may be immediately towed by the property owner without notice. The District hereby designates the Association as its agent for purposes of towing authorization for any vehicle parked in or effectively obstructing any fire lane designated and marked on any Alley Tract. Towing shall be completed in accordance with Colorado PUC rules and the obligations imposed on towing operators by Colorado law.

**3. Contracts.** In accordance with the Access and Maintenance Agreement, any contract of the Association with a towing vendor is not the District’s obligation but is solely the Association’s obligation. Individuals who park in fire lanes are responsible for all costs of enforcement, including without limitation towing and storage charges. All provisions of the

Access and Maintenance Agreement are incorporated into this Resolution and reaffirmed by the parties hereto.

**4. Notice.** Notwithstanding the provisions of the Access and Maintenance Agreement, all notices to the Association as contemplated by Paragraph 10 of the Access and Maintenance Agreement should be transmitted to:

c/o Advance HOA Management  
PO Box 370390  
Denver, CO 80237  
Attention: Kent Krause  
Kent.krause@advancehoa.com

With a copy to:  
Winzenburg, Leff, Purvis & Payne, LLP  
8020 Shaffer Parkway, Suite 300  
Littleton, CO 80120  
Attention: Lindsay S. Smith  
(303) 863-1870 (phone)  
(303) 863-1872 (fax)  
lsmith@wlpplaw.com

**5. Effective Date.** This Resolution shall become effective upon its adoption by both the District and the Association and not beforehand.

The undersigned certify that the foregoing resolution was adopted by the Board of Directors of the Association on the 23rd day of March, 2023.

Painted Prairie Owners Association, Inc.

By:

Christopher H Fellows  
Christopher H Fellows (Apr 18, 2023 13:15 MDT)

\_\_\_\_\_  
President

The undersigned certify that the foregoing resolution was adopted by the Board of Directors of the District on the 23rd day of March, 2023.

Painted Prairie Metropolitan District No. 1

By:

Christopher H Fellows  
Christopher H Fellows (Apr 18, 2023 13:15 MDT)

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President