

**RESOLUTION OF THE  
BOARD OF DIRECTORS OF  
SHERIDAN STATION WEST METROPOLITAN DISTRICT**

A RESOLUTION ADOPTING AN AMENDED COVENANT ENFORCEMENT POLICY ESTABLISHING GUIDELINES FOR SHERIDAN STATION WEST METROPOLITAN DISTRICT IN PROVIDING COVENANT ENFORCEMENT AND DESIGN REVIEW SERVICES

At a special meeting of the Board of Directors of the Sheridan Station West Metropolitan District, Jefferson County, Colorado, held at 10:00 A.M., on Friday, December 10, 2021, via Zoom at <https://us02web.zoom.us/j/5469119353?pwd=SmtlcHJETFhCQUZEcVBBOGZVU3Fqdz09> and via telephone at Dial-In: 1-253-215-8782, Meeting ID: 546 911 9353, Passcode: 912873, at which a quorum was present, the following resolution (the “Resolution”) was adopted:

WHEREAS, pursuant to the Special District Act, Section 32-1-101 *et seq.*, C.R.S., and the Service Plan for Sheridan Station West Metropolitan District, City of Lakewood, Colorado (“Service Plan”), Sheridan Station West Metropolitan District (the “District”) has the authority to furnish covenant enforcement and design review services; and

WHEREAS, pursuant to that certain Declaration of Covenants, Conditions and Restrictions of West Line Village recorded in Clerk and Recorder’s Office for Jefferson County on September 29, 2017, at Reception No. 201700573, as amended by that First Amendment to Declaration of Covenants, Conditions and Restrictions of West Line Village recorded in Clerk and Recorder’s Office for Jefferson County on June 12, 2018 at Reception No. 2018052987 (“Declaration”), that certain Resolution No. 2017-06-01 Acknowledging and Adopting the Declaration of Covenants, Conditions and Restrictions of West Line Village adopted by the District’s Board of Directors (“Board”) on June 20, 2017, that certain Resolution No. 2017-06-02 Adopting the Rules and Regulations of Sheridan Station West Related to West Line Village adopted by the Board on June 20, 2017, that certain Resolution No. 2018-08-05 Adopting the Amended Rules and Regulations of Sheridan Station West Related to West Line Village adopted by the Board on August 24, 2018, that certain Resolution 2019-06-03 Adopting the Amended Rules and Regulations of Sheridan Station West Related to West Line Village adopted by the Board on June 3, 2019, and that certain Resolution No. 2019-11-06 Adopting the Policies and Procedures Governing the Enforcement of the Protective Covenants of Sheridan Station West adopted by the Board on November 14, 2009 (collectively, the “Covenant Enforcement Policy”), the District is empowered and has agreed to provide covenant enforcement and design review services within the boundaries of the District; and

WHEREAS, any services provided by the District shall be undertaken in accordance with the procedures and conditions set forth in the Service Plan, the Special District Act, and other applicable laws; and

WHEREAS, the Special District Act provides at Section 32-1-1004(8)(c), C.R.S., that metropolitan districts providing covenant enforcement and design review services are not

authorized to enforce any covenant that has been determined to be unenforceable as a matter of law; and

WHEREAS, the Special District Act also provides at Section 32-1-1001(1)(m), C.R.S., that metropolitan districts have the power to adopt, amend, and enforce bylaws and rules and regulations not in conflict with the state constitution; and

WHEREAS, the Board hereby desires to adopt a policy expressly stating that the District may only provide covenant enforcement and design review services to the extent that doing so does not infringe upon constitutional rights or otherwise violate the law; and

WHEREAS, the Board has determined that enacting such a policy is in the best interest of current and future residents and taxpayers of the District.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE SHERIDAN STATION WEST METROPOLITAN DISTRICT HEREBY ADOPTS THE FOLLOWING AMENDED COVENANT ENFORCEMENT POLICY:

1. The Board, in acting on behalf of the District and/or in acting as members of the Architectural Review Committee pursuant to the Declaration and the Covenant Enforcement Policy, shall not enforce any bylaws, covenants, guidelines, rules, regulations, or restrictions, however denominated, contained in the Governing Documents (as defined in the Declaration) and the Covenant Enforcement Policy, as currently enacted or as the same may be amended or supplemented from time to time (collectively, the "Covenants"), if the Board determines, in its reasonable discretion or upon advice from legal counsel, that: (i) such enforcement may infringe upon constitutional rights of residents of the District against whom the Covenants are contemplated being enforced; or (ii) that such Covenants have been determined by applicable statute or by a court of competent jurisdiction to be unenforceable as a matter of law. The Covenants shall not be construed or interpreted as a grant of authority in excess of the authority granted to the District pursuant to the Service Plan and the Special District Act, as further limited by the state constitution and other applicable laws (altogether, the "Amended Covenant Enforcement Policy").


2. This Amended Covenant Enforcement Policy shall supersede and control anything contained in the Covenants to the contrary.

3. This Amended Covenant Enforcement Policy shall take effect on the date and time of its adoption and shall be recorded in the real property records of the Clerk and Recorder's Office for Adams County.

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ADOPTED AND APPROVED THIS 10<sup>th</sup> DAY OF DECEMBER 2021.

SHERIDAN STATION WEST METROPOLITAN DISTRICT

By:   
Name: Doug Elenowitz  
Title: President

ATTEST:

  
By: \_\_\_\_\_  
Name: DAVID SOLIN  
Title: Secretary