

RESOLUTION NO. 2023-04-01

**RESOLUTION OF TIMNATH LAKES METROPOLITAN DISTRICT NO. 2
ACKNOWLEDGING AND ADOPTING THE DECLARATION OF ARCHITECTURAL,
USE AND MAINTENANCE RESTRICTIONS FOR TIMNATH LAKES
(COMMERCIAL)**

1. Timnath Lakes Metropolitan District No. 2 (the “**District**”) is a duly and regularly created, established, organized, and existing metropolitan district, existing as such under and pursuant to Title 32, Article 1 of the Colorado Revised Statutes, as amended (“**C.R.S.**”).

2. CAC Timnath LLC, a Delaware limited liability company (the “**Developer**”), the master developer of Timnath Lakes has executed a Declaration of Architectural, Use and Maintenance Restrictions for Timnath Lakes (Commercial)(the “**Declaration**”) recorded in the real property records of Larimer County, State of Colorado, on March 3, 2022 at Reception No. 20220014343, as the same may be amended from time to time, and which Declaration declares that certain property is and shall be subject to the Declaration and shall be owned, held, conveyed, encumbered, leased, improved, used, occupied, enjoyed, sold, transferred, hypothecated, maintained, altered and otherwise enjoyed in accordance with and subject to the covenants, conditions, and restrictions contained therein.

3. The Declaration provides that Timnath Lakes Metropolitan District No. 2 shall enforce each of the provisions provided therein.

4. Section 32-1-1004(8), C.R.S. authorizes Title 32 metropolitan districts 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 named the district as the enforcement or design review entity.

5. The Declaration assigns to the District all duties, rights and obligations to enforce the Declaration and to promulgate the Guidelines with respect to real property within the boundaries of the District that is subject to the Declaration.

6. The Board of Directors of the District (the “**Board**”) wishes to adopt the Declaration as an official policy of the District and to acknowledge the duties, obligations and rights assigned to the District pursuant to such Declaration.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE TIMNATH LAKES METROPOLITAN DISTRICT NO. 2, COUNTY OF LARIMER, COLORADO, AS FOLLOWS:

1. The foregoing Recitals are incorporated into and made a substantive part of this Resolution.

2. The Board hereby determines that it is in the best interests of the District and its property owners and users for the District to accept the assignment of all duties, rights and obligations under the Declaration and to provide the covenant enforcement and design review services established thereby.

3. The Board hereby authorizes and directs the officers of the District and District staff to take all actions necessary to execute the duties, rights and obligations assigned to the District by the Declaration.

4. Judicial invalidation of any of the provisions of this Resolution or of any paragraph, sentence, clause, phrase, or word hereof, or the application thereof in any given circumstance, shall not affect the validity of the remainder of this Resolution, which shall be given effect in accordance with the manifest intent hereof.

5. This Resolution shall be effective upon recording of the Declaration in the Office of the Clerk and Recorder for Larimer County, Colorado.

[SIGNATURE PAGE FOLLOWS]

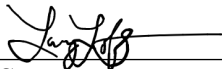
**[SIGNATURE PAGE TO RESOLUTION OF
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(COMMERCIAL)]**

APPROVED AND ADOPTED on April 19, 2023.

**TIMNATH LAKES METROPOLITAN
DISTRICT NO. 2**

By:  _____
President

Attest:

 _____
Secretary