

**Resolution No. 2022-07-02**

**RESOLUTION  
OF THE  
BOARD OF DIRECTORS  
OF THE  
CREEKSIDE SOUTH ESTATES METROPOLITAN DISTRICT  
REGARDING RESIDENTIAL USE OF LOTS**

WHEREAS, Creekside South Estates Metropolitan District (the “**District**”) is a quasi-municipal corporation and political subdivision of the State of Colorado); and

WHEREAS, the District is the entity named and referred to that certain Amended and Restated Declaration of Covenants, Conditions and Restrictions for Creekside, recorded in the real property records of the Clerk and Recorder of Adams County, Colorado on November 4, 2019, at Reception Number 2019000095064 (the “**Declaration**”) to administer and enforce the provisions contained therein;

WHEREAS, per Article V, Section 5.02.C of the Declaration, the Board of Directors of the District (the “**Board**”) has the authority to make, establish and promulgate, and in its discretion to amend, repeal or reenact, such Rules and Regulations not in contradiction of the Declaration as it deems proper covering all aspects of its functions; and

WHEREAS, Article III, Section 3.01 of the Declaration provides that all property within any residential area (excluding any Greenbelt Areas in such residential area) shall be improved and used solely for residential use; and

WHEREAS, Article III, Section 3.03 of the Declaration provides that no residence on any Lot shall be used for any purpose other than single-family residential purposes; and

WHEREAS, all initially capitalized terms used herein and not otherwise defined shall have the meaning given to the same in the Declaration; and

WHEREAS, the Board desires to clarify the terms used in the Declaration as the same relate to residential-only uses of the Lots.

NOW, THEREFORE, BE IT RESOLVED that the Board does hereby adopt the following in relation to residential uses of the Lots.

All Lots within the Community shall be used for residential use only, including uses which are customarily incident thereto, and shall not be used at any time for business, commercial or professional purposes. Notwithstanding the foregoing, Lots may be used for business activities provided that the following are satisfied, and in such event the same shall be deemed to be incidental to and part of the residential use of the Lot:

(a) The business conducted is clearly secondary to the residential use of the home and is conducted entirely within the home;

(b) The existence or operation of the business is not detectable from outside of the home by sight, sound, smell or otherwise, or by the existence of signs indicating that a business is being conducted;

(c) The business does not result in an undue volume of traffic or parking within the Community, which determination may be made by the Board of Directors in its sole discretion from time to time;

(d) The business is conducted without the employment of persons other than the residents of the home constructed on the Lot;

(e) The business conforms to all zoning requirements and is lawful in nature; and

(f) The business conforms to any Rules and Regulations that may be imposed by the Association from time to time on a uniform basis to protect the peace, tranquility and quality of the Community.

*[The rest of this page intentionally left blank.]*

APPROVED AND ADOPTED THIS 7<sup>th</sup> DAY OF JULY, 2022.

CREEKSIDE SOUTH ESTATES  
METROPOLITAN DISTRICT, a quasi-municipal  
corporation and political subdivision of the State of  
Colorado

*David M. Deines*  
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Officer of the District

ATTEST:

  
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APPROVED AS TO FORM:

WHITE BEAR ANKELE TANAKA & WALDRON  
Attorneys at Law

*Heather L. Hartung*  
\_\_\_\_\_  
General Counsel to the District