

**AMENDMENT TO
RESOLUTION OF THE BOARD OF DIRECTORS OF
HERITAGE TODD CREEK METROPOLITAN DISTRICT
CONCERNING THE ENFORCEMENT OF HOMEOWNER’S ASSOCIATION
COVENANTS ON DISTRICT STREETS
(Regarding Roll-Off Containers)**

WHEREAS, Heritage Todd Creek Metropolitan District (the “**District**”) is a quasi-municipal corporation and political subdivision of the State of Colorado, duly organized pursuant to §§ 32-1-101, *et seq.*, C.R.S.; and

WHEREAS, pursuant to Section 32-1-1001(f), (h), and (m), C.R.S., the District is authorized to own real property along with the corresponding improvements thereof and to adopt and enforce bylaws, rules and regulations related thereto; and

WHEREAS, the District has constructed street improvements within its boundaries (“**District Streets**”), and the District’s Board of Directors is responsible for their ongoing operation, maintenance and repairs, for the benefit of the Heritage Todd Creek community; and

WHEREAS, the Amended and Restated Master Declaration of Covenants, Conditions and Restrictions of Heritage Todd Creek (Including Age Restrictions), recorded at Reception No. 2018000088131, in the records of the Adams County Clerk and Recorder, as may be amended from time to time (the “**Covenants**”), establishes covenants affecting Improvements, Common Elements, Lots, and other non-public property, as defined in the Master Declaration, implemented and enforced by the Heritage Todd Creek Master Association (“**Master Association**”); and

WHEREAS, pursuant to § 32-1-1001(1)(m), C.R.S. the District has the power to adopt, amend and enforce bylaws and rules and regulations not in conflict with the constitution and the laws of this state for carrying on the business, objects and affairs of the board and of the special district; and

WHEREAS, pursuant to Resolution dated November 21, 2008, the District Board authorized the Master Association to enforce the Covenants on all District Streets within its boundaries (“**District Streets Covenant Resolution**”); and

WHEREAS, in order to eliminate traffic hazards, permit effective emergency access, preserve the safety of the District’s residents, and preserve the integrity of the District Streets, the Board desires to adopt a policy and rules related to “**Roll-Off Containers**” as defined herein; and

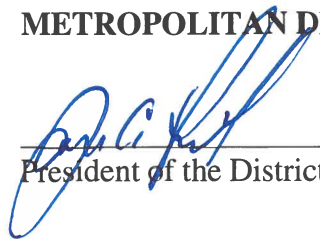
WHEREAS, in order to efficiently and effectively manage the Roll-Off Containers on District Streets, the District desires to amend the District Streets Covenants Resolution to incorporate the Roll-Off Container policy as adopted herein.

NOW THEREFORE, be it resolved by the Board of Directors of the District as follows:

1. The District hereby adopts the Roll-Off Container policy, as shown on attached **Exhibit A** (“**Roll-Off Container Policy**”).
2. The District hereby authorizes the Master Association to implement and enforce the District’s Roll-Off Container Policy, based on the procedures described in **Exhibit A**.

ADOPTED THIS 24TH DAY OF NOVEMBER, 2025.

**HERITAGE TODD CREEK
METROPOLITAN DISTRICT**



President of the District

Attest:



Secretary or Asst. Secretary

EXHIBIT A
Roll-Off Container Policy

1. **Roll-Off Containers.** For purposes of this Resolution, a “Roll-Off Container” shall include any trash container over 3 cubic yards in size, any roll-off trash container of any size, and any portable storage container (POD), to be located on the District Streets within the Heritage Todd Creek community.

2. **Master Association / District Approval Requirements.** Any property owner seeking permission to park a Roll-Off Container on a District Street must first obtain approval from the Master Association and/or the District, depending upon the length of time the Roll-Off Container is to be parked, as follows:
 - **Less than 48 hours:** Approval required from the Master Association; requests shall be submitted to the Master Association for review.

 - **Greater than 48 hours:** Approval required from the Master Association and the District; requests shall be submitted to the Master Association and District Manager for review.

3. **Approval Consideration.** In reviewing requests for Roll-Off Containers on District Streets, the District Manager shall consider location, duration and size of the container. The Roll-Off Container shall not block emergency vehicle or equipment access to District Streets, nor be of such weight or length of time which may damage District Street asphalt, particularly in hot weather. The Master Association shall review the request in accordance with applicable Master Association policies and procedures.

4. **Damages to District Streets.** The property owner requesting review and approval of a Roll-Off Container shall be responsible for any damages to the District Streets, including sidewalks and curbs, resulting from the Roll-Off Container.