

**RESOLUTION
OF THE
BATTLEMENT MESA SERVICE ASSOCIATION
REGARDING POLICY AND PROCEDURES GOVERNING
LOT VEGETATION MAINTENANCE AND
VEGETATION ENCROACHMENT ON STREETS AND SIDEWALK**

SUBJECT: Adoption of a policy and procedure regarding lot vegetation maintenance and vegetation encroachment on streets and sidewalks.

PURPOSE: To provide notice of the Association's adoption of policies and procedures of lot vegetation maintenance and vegetation encroachment on streets and sidewalks.

AUTHORITY: The Declaration, Articles and Bylaws of the Association and Colorado Law.

**EFFECTIVE
Date:** September 20, 2016

RESOLUTION: The Association hereby adopts the following policy to be known as Section 9.50 of the Amended and Restated Architectural Standards, titled Lot Vegetation Maintenance And Vegetation Encroachment on Streets and Sidewalks.

9.50 Lot Vegetation Maintenance And Vegetation Encroachment on Streets and Sidewalks

On all unimproved (vacant) lots in Tamarisk Village, Tamarisk Meadows, Monument Creek Village, Stone Ridge Village and Willow Creek Village all vegetation, on the entire lot, shall be mowed and maintained to a height not to exceed six inches (6").

On all unimproved (vacant) lots in Battlement Creek Village, Sections 1 & 2, all vegetation located in the first eight feet (8') of the lot, measured from the back of the street curb on all streets shall be mowed and maintained to a height not to exceed six inches (6").

To allow unimpeded pedestrian and vehicular travel within the community, no tree, shrub, plantings or landscaping items on any lot shall be allowed to extend into any street or sidewalk right-of-way. For purposes of this policy, a street right-of-way shall include the airspace directly above the street (from curb line to curb line) to a height of 8 feet (8') and a sidewalk right-of-way shall include the airspace directly above public sidewalks to a height of 8 feet (8')

Trees, shrubs or other plantings that have a canopy extending into any street or sidewalk right-of-way shall be pruned to eliminate foliage in the street or sidewalk right-of-way as defined above. Any such canopy located above the 8 foot (8') height can remain in place over the street and sidewalk right-of-way. An illustration depicting these vegetation encroachment restrictions into the street and sidewalk right-of-ways is attached hereto as Exhibit A.

**PRESIDENT'S
CERTIFICATION:**

The undersigned, being the President of the Battlement Mesa Service Association, a Colorado nonprofit corporation, certifies that the foregoing Resolution was adopted by the Board of Directors of the Association, at a duly called and held meeting of the Board of Directors on Sept. 20, 2016 and in witness thereof, the undersigned has subscribed his/her name.

**BATLEMENT MESA SERVICE
ASSOCIATION,**
A Colorado nonprofit corporation.

By: Sara B. McCurdy
President