

**RESOLUTION
OF
PROVENCE TOWNHOUSE ASSOCIATION
REGARDING
MAINTENANCE OF COURTYARDS**

SUBJECT: Clarification of the Association's and Owners' maintenance and repair obligations with respect to courtyards

PURPOSE: To provide notice of the Association's adoption of a Resolution that clarifies maintenance inside courtyards

AUTHORITY: The Association's governing documents, including the Declaration, Articles of Incorporation, and Bylaws, and Colorado law.

**EFFECTIVE
DATE:** October 15, 2015

RESOLUTION: The Declaration and Plat Map of the community contain contrary provisions as to whether courtyards are considered common elements or parts of the owners' lots, which has caused confusion in the community;

Notwithstanding the foregoing, Section 407 of the Declaration specifically authorizes the Association to provide services to the owners, including landscape maintenance;

Based on Section 407 of the Declaration, the Board adopts the following Resolution:

- A. Landscape Maintenance Inside Courtyards. The Association shall be responsible for maintaining landscaping within individual courtyards, as follows:
- Pruning and trimming all trees, shrubs, and bushes inside the courtyards;
 - Removal of dead plant materials;
 - Sprinkler repairs; and
 - Sidewalk/concrete repairs and/or replacement.
- B. Scope of Maintenance and Repairs. The Board of Directors shall have sole discretion to determine when pruning, trimming, or plant removal is required, retaining contractors to perform such work, and determining when the work will be performed.

- C. Supplemental to Law. The provisions of this Resolution shall be in addition to and in supplement of the terms and provisions of the Declaration and the law of the State of Colorado.
- D. Amendment. This Resolution may be amended from time to time by the Board of Directors.

The undersigned, respectively being the President and Secretary of the Association, 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 October 15th, 2015, and in witness thereof, the undersigned have subscribed their name.

By: J. E. Holgerson, President J. ERIC HOLGERSON