

DocuSign Envelope ID: 41043BD2-FFBA-497B-8451-317250993164

**RESOLUTION OF THE
BOARD OF DIRECTORS OF
KINSTON METROPOLITAN DISTRICT NO. 1**

A RESOLUTION ADOPTING A SIDEWALK SNOW REMOVAL AND MAINTENANCE POLICY

WHEREAS, Kinston Metropolitan District No. 1 (the "District") and Kinston Metropolitan District Nos. 2 – 9 ("District Nos. 2 – 9," together with the District, the "Districts") are special districts formed pursuant to Sections 32-1-101, *et seq.*, C.R.S. to assist in the financing, construction, operations and maintenance of certain public improvements for the Kinston development (the "Development"); and

WHEREAS, pursuant to Section 32-1-1001(1)(m), C.R.S., the Board of Directors (the "Board") of the District has the power to adopt, amend and enforce and rules and regulations for carrying on the business, objects, and affairs of the Board and the District; and

WHEREAS, the District, Kinston Community Association (the "Association"), and private property owners ("Property Owners") and the private Rental Project operator are each responsible for snow removal and maintenance of certain sidewalks within the Development; and

WHEREAS, the Board desires to adopt a "Sidewalk Snow Removal and Maintenance Policy" for certain sidewalks within the Development.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF KINSTON METROPOLITAN DISTRICT NO. 1 HEREBY ADOPTS THE FOLLOWING SIDEWALK SNOW REMOVAL AND MAINTENANCE POLICY:

1. Sidewalk Snow Removal and Maintenance Policy ("Sidewalk Snow Removal Policy"). The District, the Association, Property Owners, and the private Rental Project operator are each responsible for maintaining and removing snow from certain sidewalks within the Development, as designated and depicted, and in the manner described, in the Sidewalk Snow Removal and Maintenance exhibit attached hereto as **Exhibit A** and incorporated herein by reference. The Property Owner shall remove snow and ice from any sidewalk for which they are identified as the responsible party in Exhibit A within 24 hours from the time of the last accretion of such snow and ice even if such sidewalk is not owned by the Property Owner. The Property Owner shall be liable for any injuries and property damage incurred by any person as a result of failure of the Property Owner to comply with this Policy.

2. Enforcement. The District shall be responsible for the enforcement of the Sidewalk Snow Removal Policy and may engage a third-party provider including, without limitation, the Association to enforce the Sidewalk Snow Removal Policy (the "Enforcement Party"). The Enforcement Party reserves the right to issue warnings to and/or to assess fines to Property Owners for any violation of the Sidewalk Snow Removal Policy.

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3. Liability. No Enforcement Party shall be liable for any injuries and property damage incurred by any person due to the failure of the Association, the Property Owner or private Rental Project operator to comply with this Policy or due to inaction by the Enforcement Party to enforce this Policy.

4. Modification. The Board may change, modify, or amend the Sidewalk Snow Removal Policy set forth in this Resolution at any time, including subjecting additional property to this Policy.

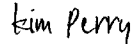
5. Effective Date. This Resolution shall take effect on the date and at the time of its adoption.

(Signature Page Follows.)

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ADOPTED AND APPROVED THIS 8TH DAY OF FEBRUARY, 2024.

KINSTON METROPOLITAN DISTRICT NO. 1

DocuSigned by:

B796C9D42F3847F...
By: Kim L. Perry
Its: President




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EXHIBIT A

SIDEWALK SNOW REMOVAL AND MAINTENANCE

KINSTON– Millennium East 10th Subdivision Sidewalk Snow Removal and Maintenance “Detached Cluster Homes / Shared Driveways”

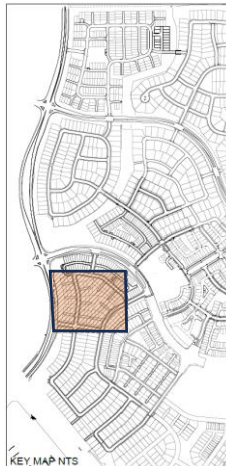
LEGEND

-  Blue- Snow Removal Responsibility and Funding by Kinston Metro District. Managed by Kinston Community Association.
-  Red – Snow Removal and Maintenance by Adjacent Private Property Owner (per City Code). Note: Private Property Owner also responsible for landscape maintenance of ‘street tree lawn’ area between sidewalk and back of street curb (if applicable per lot type).
-  Green – KCA owned Shared Driveway and Privately Owned Individual Driveways. All Snow Removal by KCA. Shared Driveway Maintenance and Repair by KCA. Funded by Special Service Area Assessment to Cluster Home Residents. Individual Driveway repairs and maintenance is responsibility of Resident.

NOTES:



- All Sidewalks (uncolored) **within** any Private Residential Lot Property Line are the responsibility of that Private Resident for Snow Removal and Maintenance
- Sidewalks along Centerra Parkway (uncolored) are the responsibility of Centerra Metropolitan District for snow removal & maintenance.
- Public Street Snow Removal and Maintenance by City of Loveland.

KEY MAP



KINSTON– Millennium East 10th Subdivision Sidewalk Snow Removal and Maintenance “Garage Forward, Single Family Detached Homes”

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KINSTON– Millennium East 10th Subdivision Sidewalk Snow Removal and Maintenance “Garage Forward, Single Family Detached Homes”

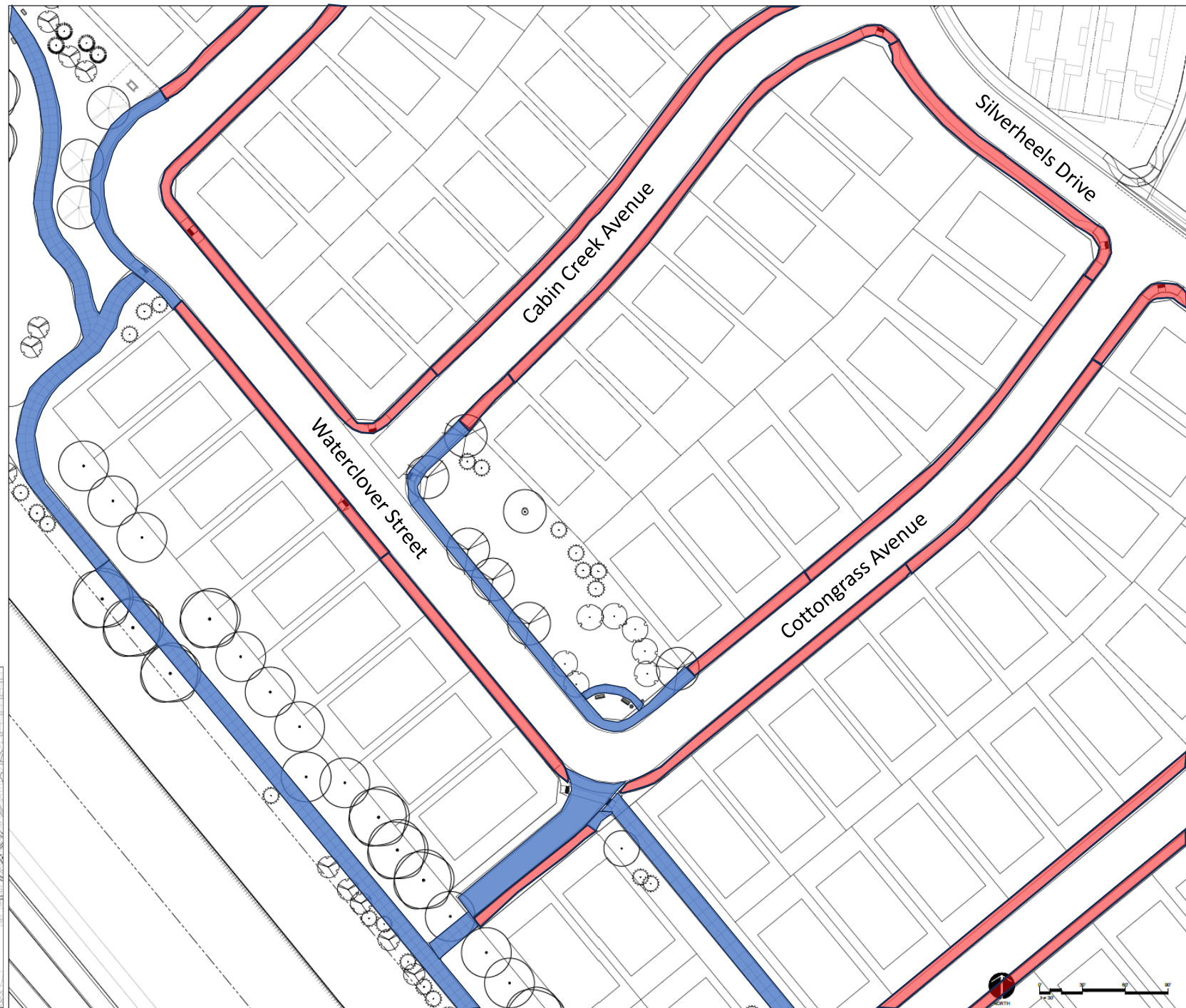
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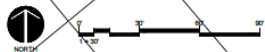
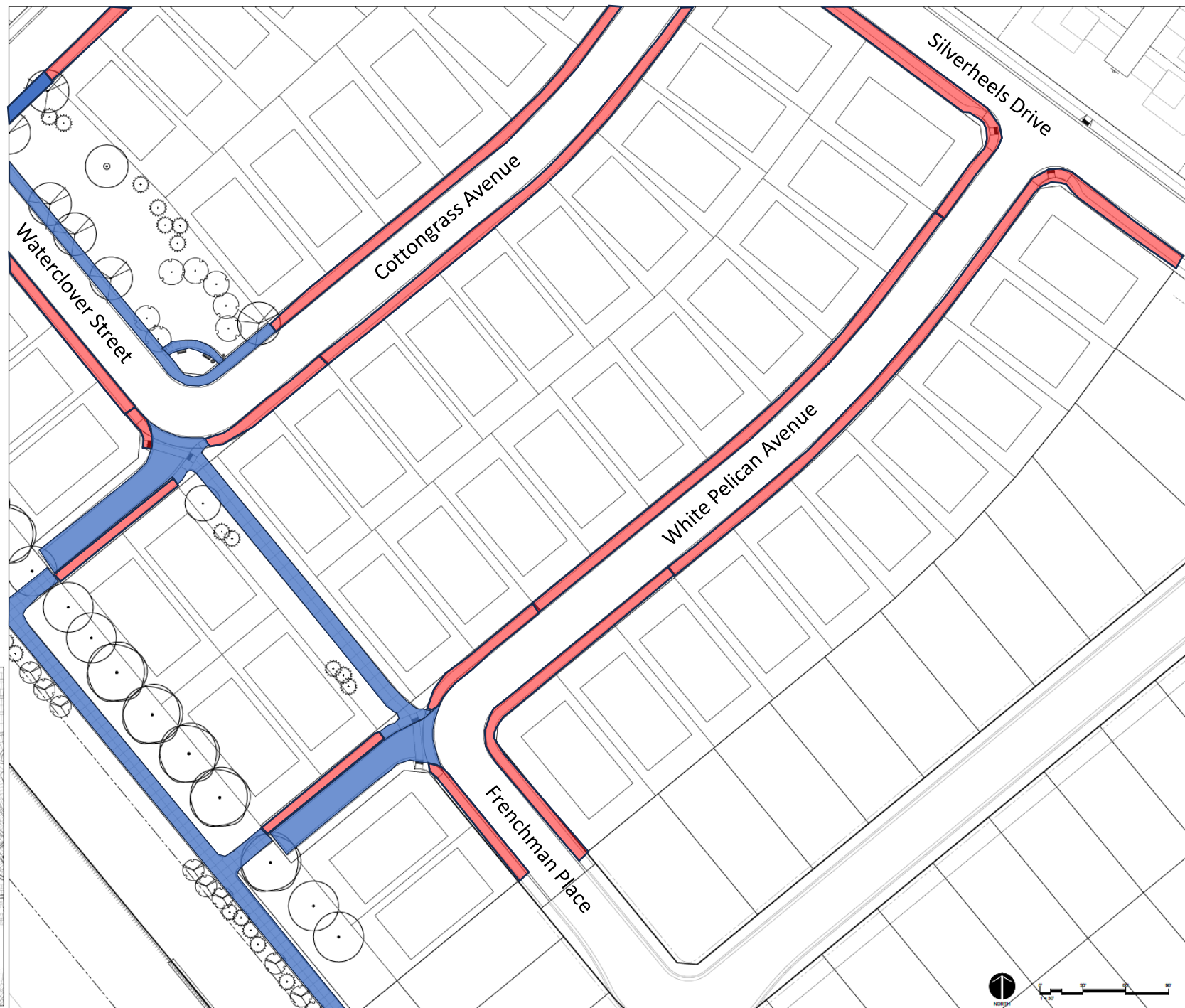
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KINSTON– Millennium East 11th Subdivision Sidewalk Snow Removal and Maintenance “Garage Forward, Single Family Detached Homes”

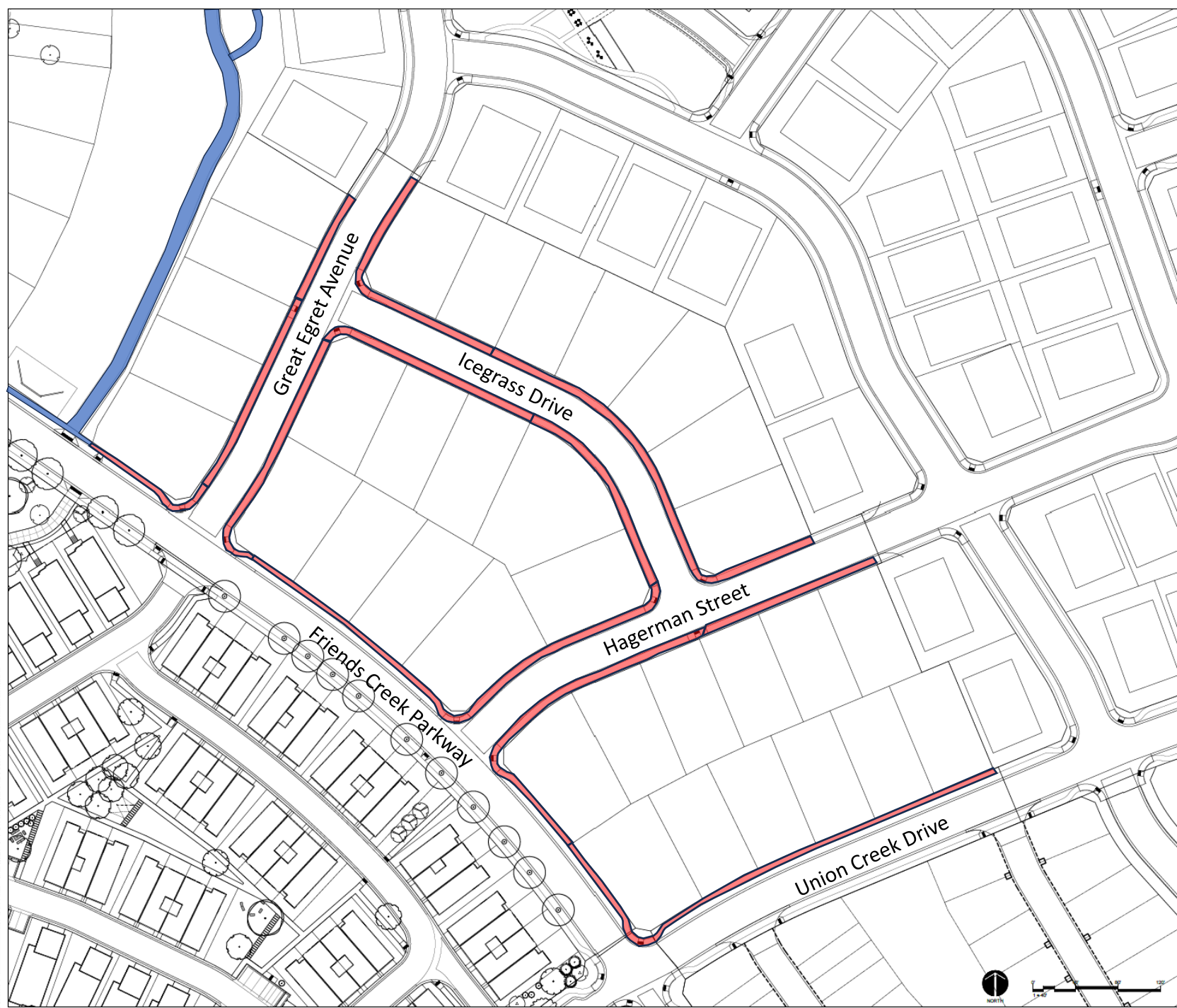
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KEY MAP



KINSTON– Millennium East 11th Subdivision Sidewalk Snow Removal and Maintenance “Alley Loaded Garage, Paired Homes”

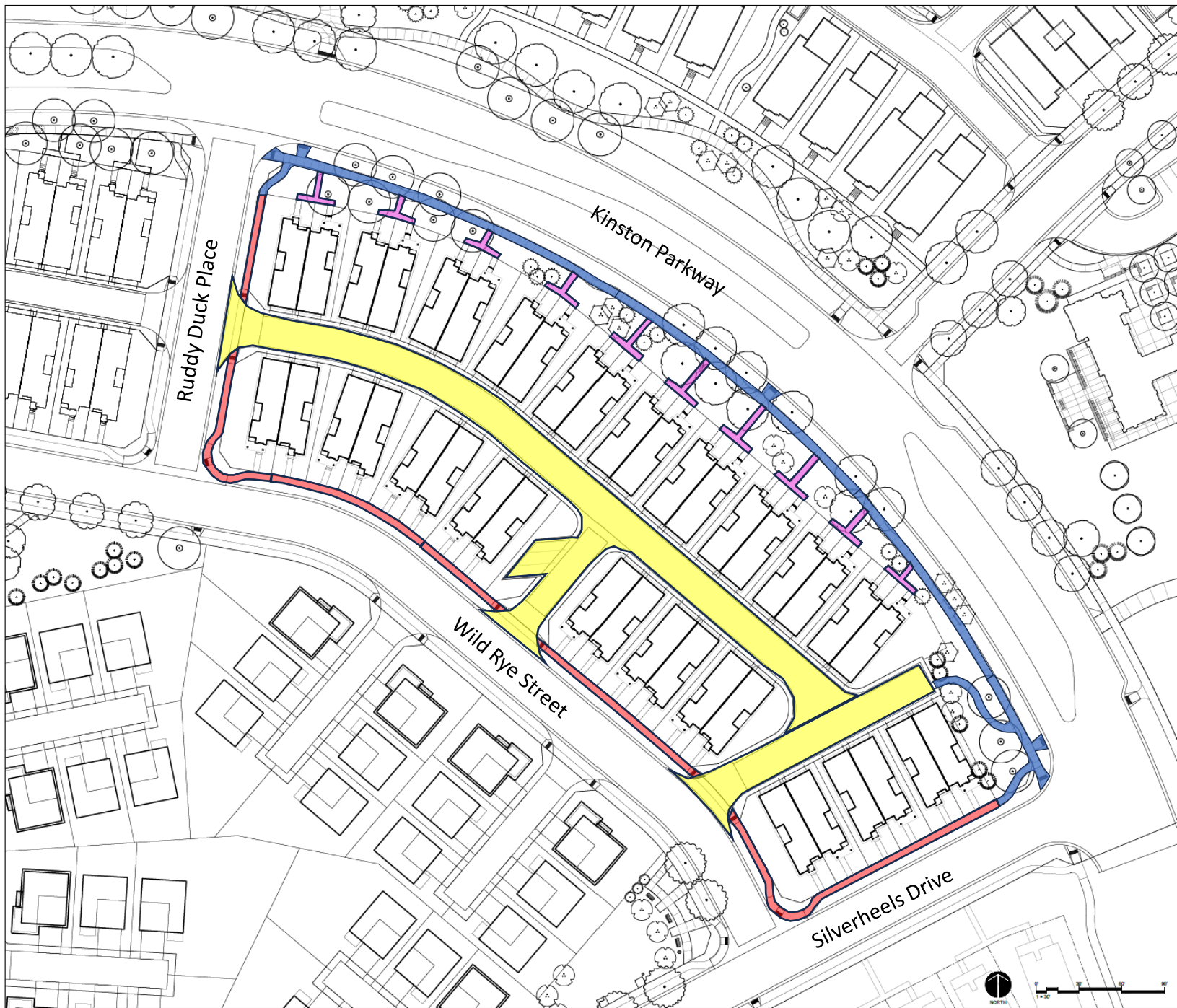
-  Blue- Snow Removal Responsibility and Funding by Kinston Metro District (KMD). Managed by Kinston Community Association (KCA).
-  Red – Snow Removal and Maintenance by Adjacent Private Property Owner (per City Code). Note: Private Property Owner also responsible for landscape maintenance of ‘street tree lawn’ area between sidewalk and back of street curb (if applicable per lot type).
-  Pink – Snow Removal and Maintenance by Private Property Owner(s) served by sidewalk. These sidewalks located on Metro District owned landscape Outlots.
-  Yellow – KMD owned District Drive. Snow Removal and maintenance responsibility managed by KCA. Funded by KCA Special Service Area Assessment to Homeowners served by District Drive.

KEY MAP




NOTES:

- All Sidewalks (uncolored) **within** any Private Residential Lot Property Line are the responsibility of that Private Resident for Snow Removal and Maintenance
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- Public Street Snow Removal and Maintenance by City of Loveland.



KINSTON– Millennium East 12th Subdivision Sidewalk Snow Removal and Maintenance “Kinston Hub and Surrounding Areas”

 Blue- Snow Removal Responsibility and Funding by Kinston Metro District (KMD). Managed by Kinston Community Association (KCA).

KEY MAP





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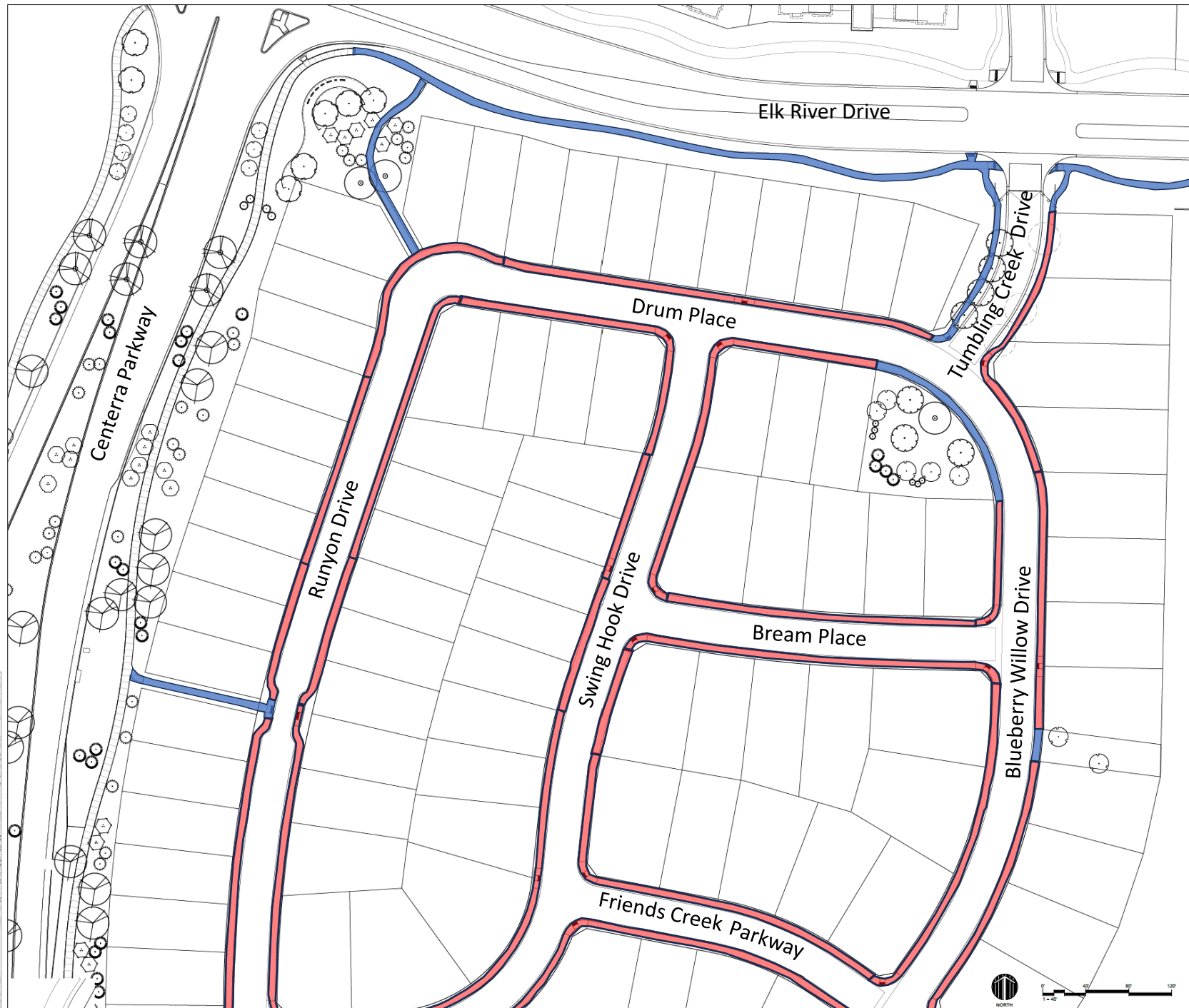
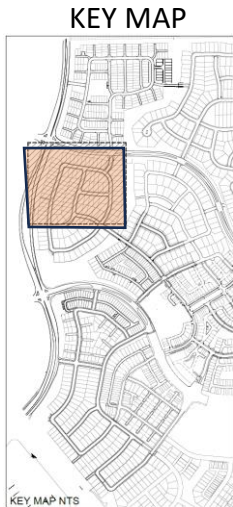
KINSTON– Millennium East 13th Subdivision Sidewalk Snow Removal and Maintenance “Garage Forward, Single Family Detached Homes”

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KINSTON– Millennium East 13th Subdivision Sidewalk Snow Removal and Maintenance “Garage Forward, Single Family Detached Homes”

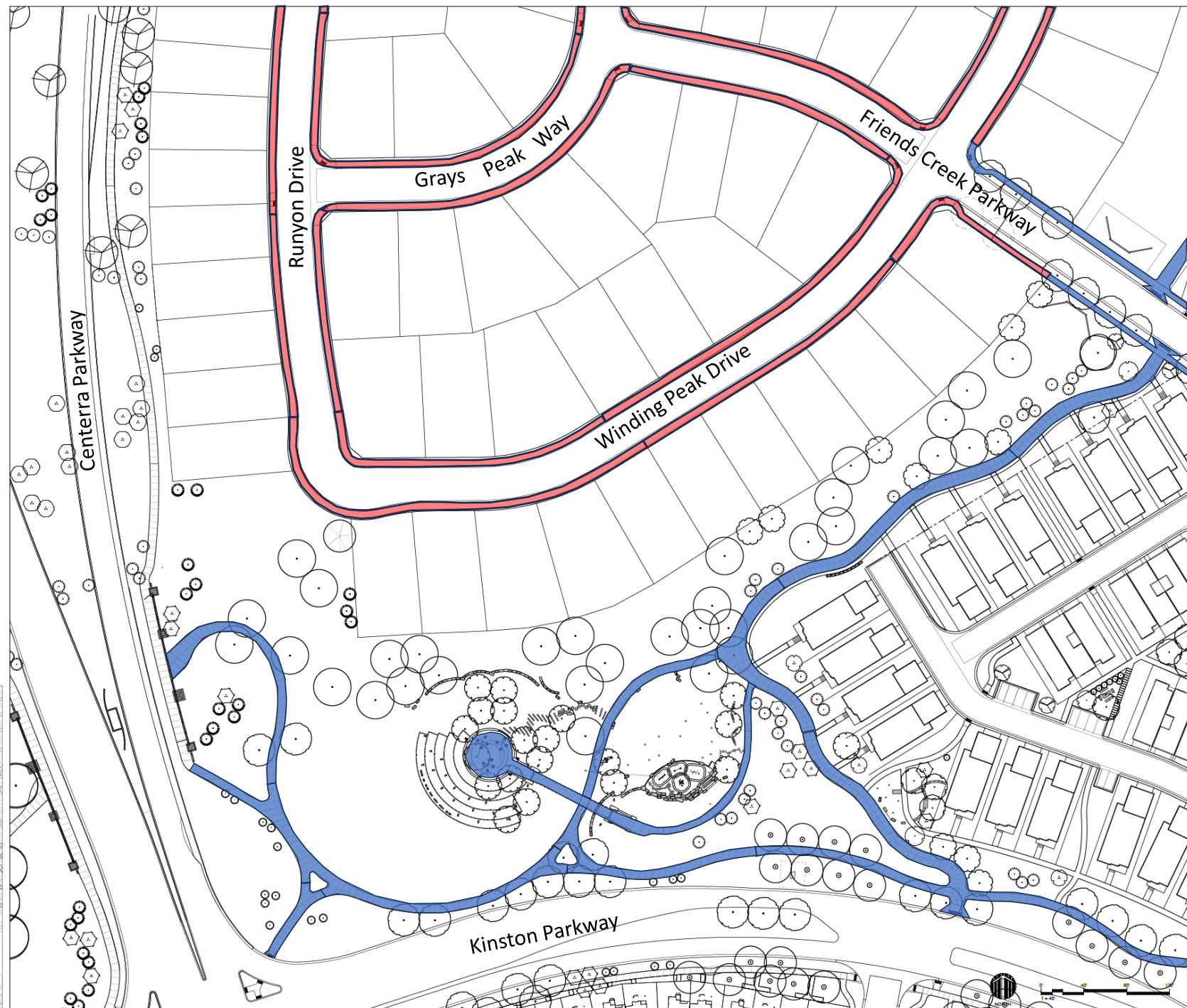
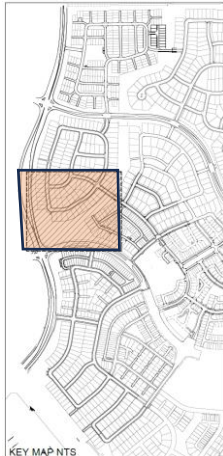
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- Public Street Snow Removal and Maintenance by City of Loveland.

KEY MAP



KINSTON– Millennium East 14th Subdivision Sidewalk Snow Removal and Maintenance “Rental Neighborhood, Paired Homes”

 Blue- Snow Removal Responsibility and Funding by Kinston Metro District (KMD). Managed by Kinston Community Association (KCA).

 Red Outline – all streets, alleys, sidewalks within the red outline are the snow removal and maintenance responsibility of the private Rental Project operator; except for the **public** streets, which are the responsibility of the City of Loveland. Public sidewalks and street tree lawn landscape areas adjacent to the public streets are the responsibility of the Rental Project operator.

KEY MAP




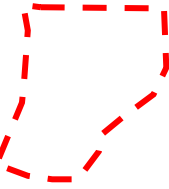
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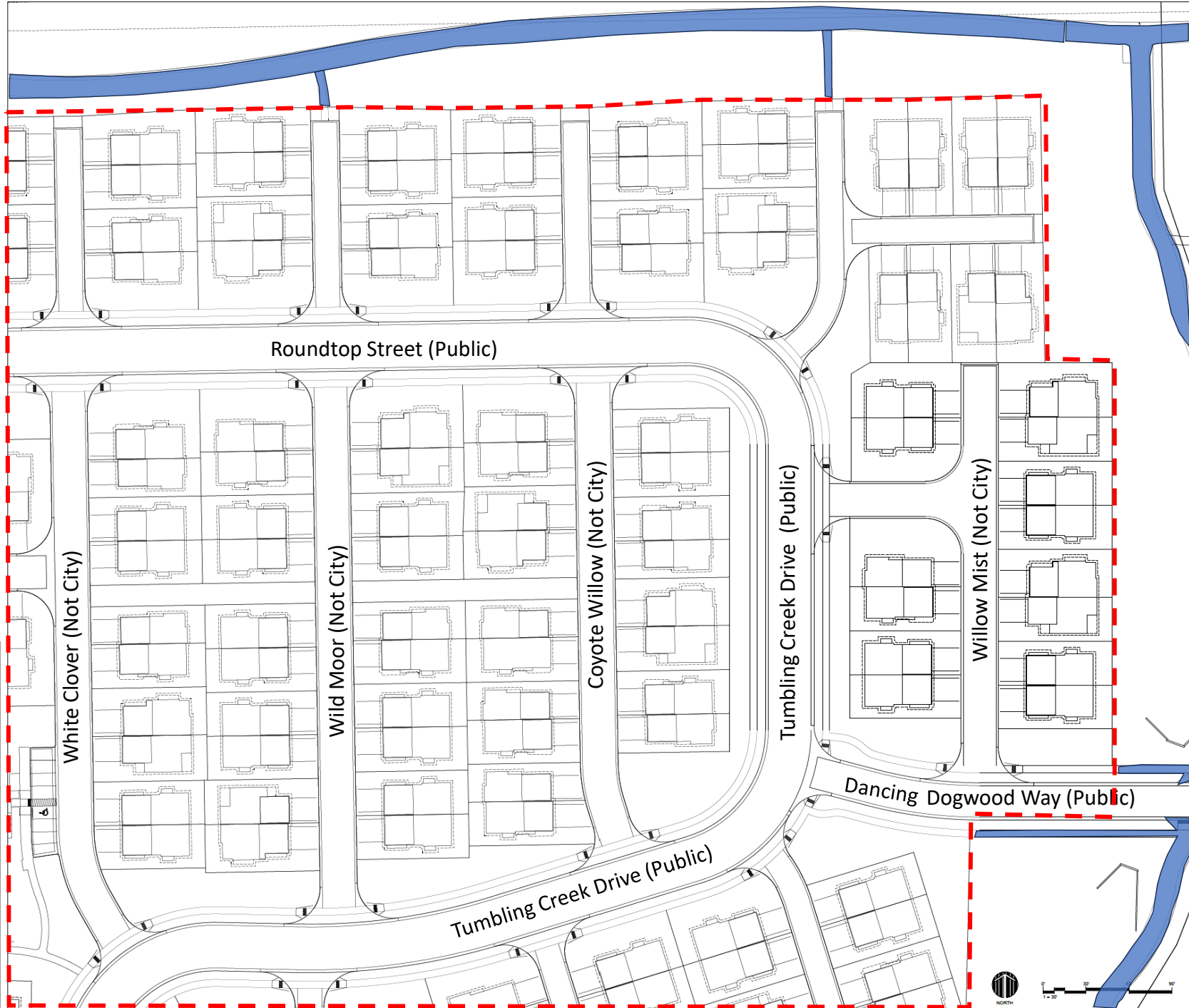
KINSTON– Millennium East 14th Subdivision Sidewalk Snow Removal and Maintenance “Rental Neighborhood, Paired Homes”

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- NOTES:**
- Sidewalks along Centerra Parkway (uncolored) are the responsibility of Centerra Metropolitan District for snow removal & maintenance.
 - Public Street Snow Removal and Maintenance by City of Loveland.



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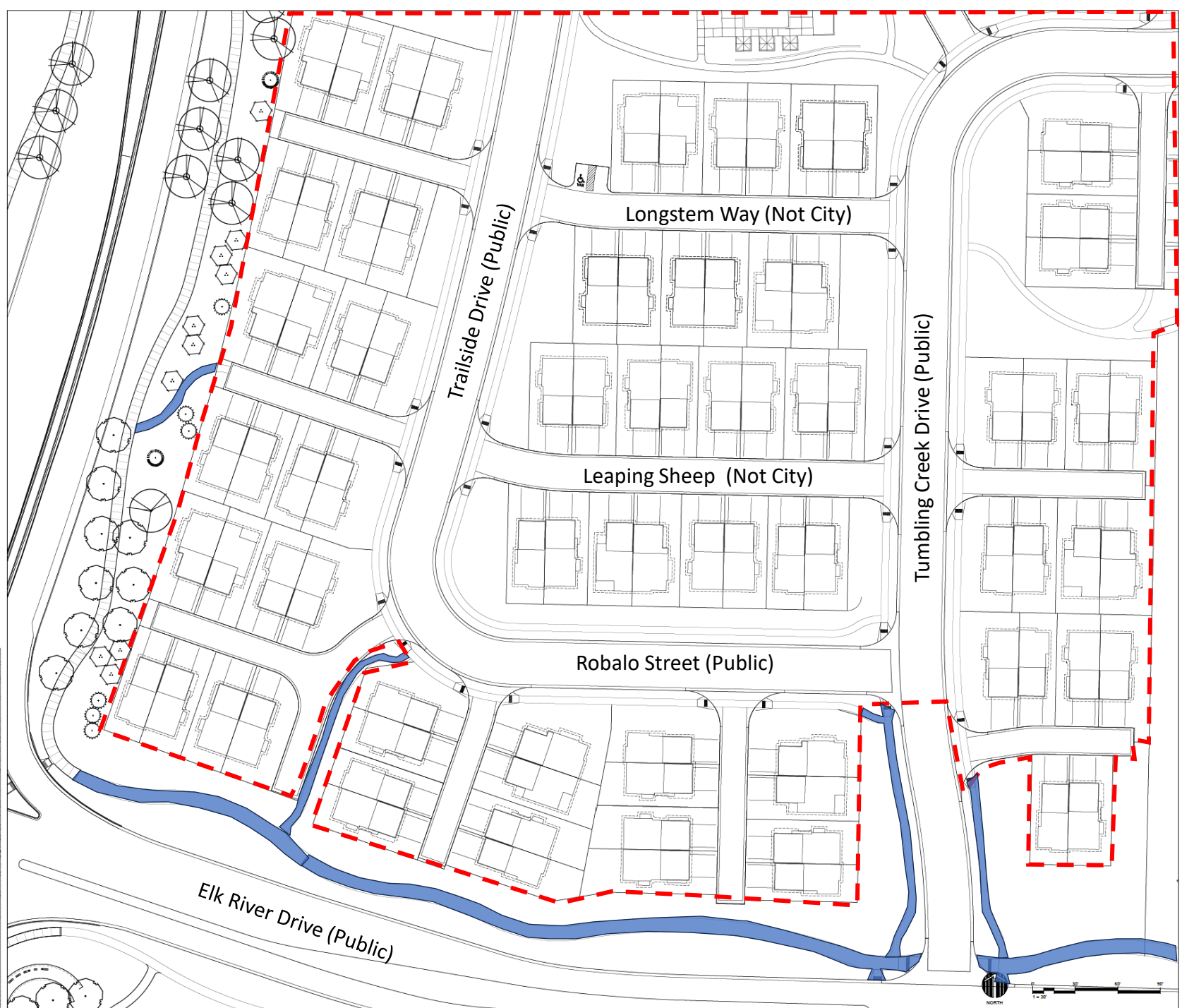
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KINSTON– Millennium East 15th Subdivision Sidewalk Snow Removal and Maintenance

“Alley Loaded Garage, Single Family Detached and Townhomes”

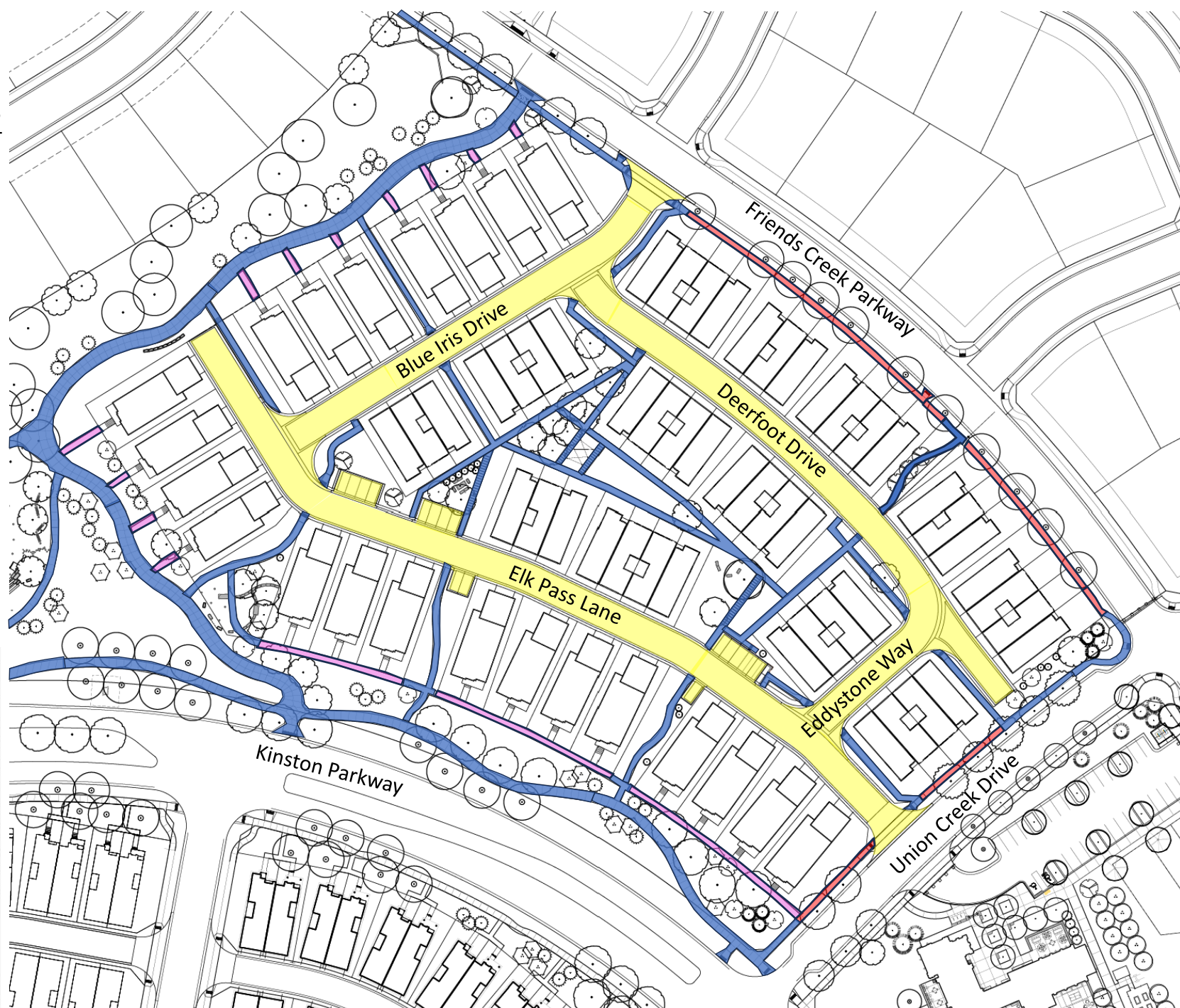
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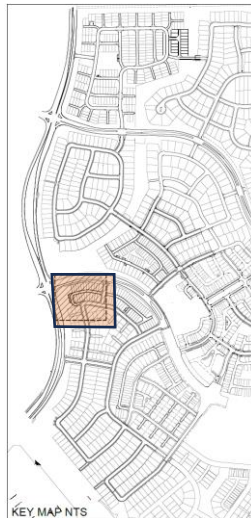
KINSTON– Millennium East 15th Subdivision

Sidewalk Snow Removal and Maintenance

“Alley Loaded Garage, Paired Homes”

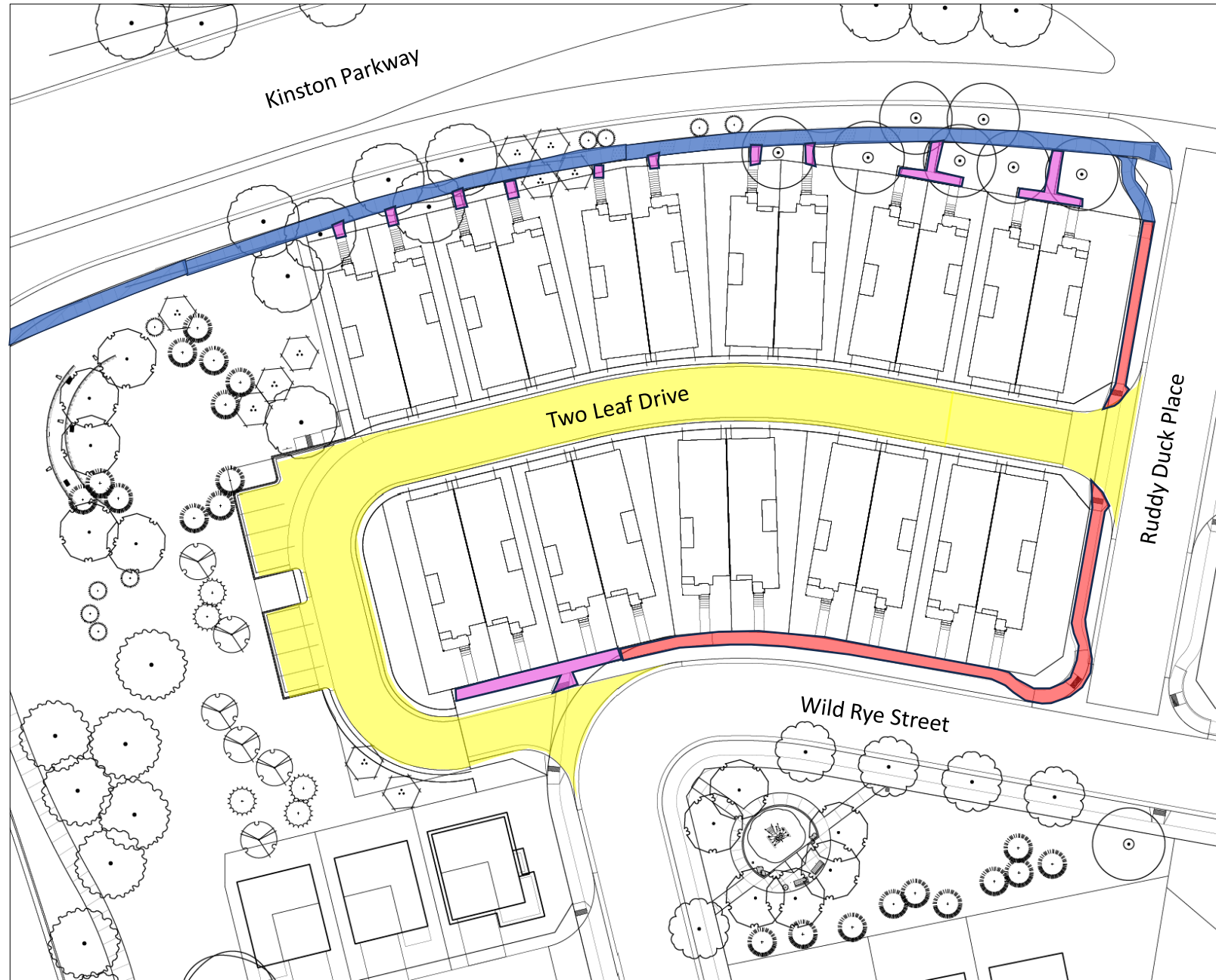
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KINSTON– Millennium East 16th Subdivision Sidewalk Snow Removal and Maintenance “Garage Forward, Single Family Detached Homes”

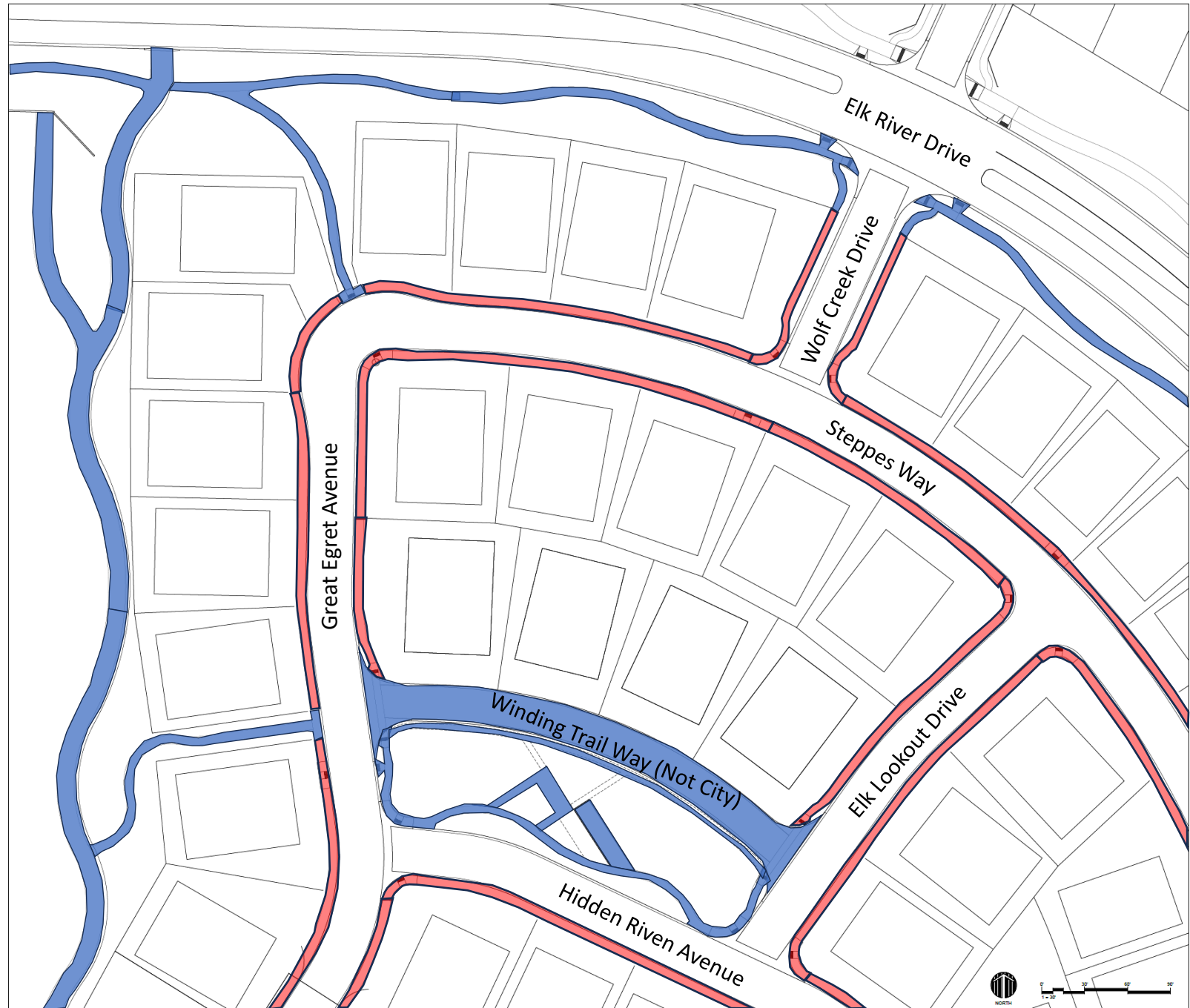
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