

**RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE  
EAST BEND METROPOLITAN DISTRICT**

First Amendment to the Design Guidelines – Residential Landscaping Standards

**Recitals**

- A. The East Bend Metropolitan District (the “**District**”) is a quasi-municipal corporation and political subdivision of the State of Colorado located in Arapahoe County, Colorado; and
- B. The District was organized pursuant to Article 1 of Title 32 of the Colorado Revised Statutes to provide certain essential public facilities and services within the District; and
- C. Pursuant to § 32-1-1004(8), C.R.S., the District may provide covenant enforcement and design review services if the declaration containing the covenants to be enforced name the District as the enforcing and design review entity; and
- D. Pursuant to § 32-1-1001(1)(m), C.R.S., the District is authorized to adopt, amend, and enforce bylaws, rules, and regulations, not in conflict with the constitution and laws of this states for carrying on the business, objects, and affairs of the board and the District; and
- E. The property within the District is subject to the Declaration of Covenants, Conditions and Restrictions for East Bend, recorded in the office of the Arapahoe County Clerk and Recorder on August 23, 2021, at Reception No. E1148282 (the “**Declaration**”); and
- F. The Declaration provides for the enforcement of the Declaration and the establishment of Design Guidelines by the District; and
- G. The District adopted its current Design Guidelines in July 2022, which regulate alterations to real property within the District, including landscape or architecture, ensuring the effective enforcement of the Declaration; and
- H. Art. 3, Section 3.3 of the Declaration authorizes the District to modify or supplement the Design Guidelines from time to time upon the written approval of the District’s Board of Directors; and
- I. The District’s Board of Directors has determined it is necessary and in the best interest of the District and its residents to make amendments to those Design Guidelines pertaining to the residential landscaping standards.

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

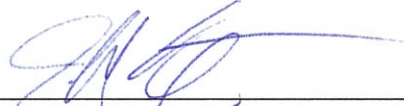
1. Amendment. The “Residential Landscaping Standards” section of the Design Guidelines is amended by deleting the entire “Landscape” subsection and replacing it as follows:

Landscape. The District shall maintain the exterior irrigation, plant material, rocks, mulch, and landscape fabric in the landscape bed areas. Homeowners shall not modify landscaping on their respective Residential Sites. Each Homeowner shall maintain the grading on its Lot (including grading around the foundation of the building constructed thereon) at the slope and pitch fixed by the final grading thereof, including landscaping and maintenance of the slopes, so as to maintain the established drainage that existed at the time of final grading, and conduct irrigation and surface waters away from buildings to protect foundations and footings from excess moisture.

2. Except as otherwise amended, the Design Guidelines remain in full force and effect.

Approved and adopted this 18 day of  
December, 2023.

EAST BEND METROPOLITAN DISTRICT

  
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Jeffrey Kutzer, Chair, Board of Directors

Attest:

  
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Secretary/Assistant Secretary, Board of  
Directors