

**BOARD OF DIRECTORS OF
BASELINE METROPLITAN DISTRICT NO. 1**

**A RESOLUTION APPROVING A SECOND AMENDMENT TO RESOLUTION REGARDING
DISTRICT FACILITIES**

WHEREAS, Baseline Metropolitan District No. 1 (the “District”) is a quasi-municipal corporation and political subdivision of the State of Colorado; and

WHEREAS, pursuant to § 32-1-1001(1)(m), C.R.S., the District’s Board of Directors (the “Board”) has authority to adopt, amend, and enforce rules and regulations not in conflict with the constitution and laws of the State of Colorado for carrying on the business, objects, and affairs of the Board and of the District; and

WHEREAS, pursuant to Colorado law and the District’s Service Plan, the District has the power to provide for parks and recreational facilities and programs and is empowered to regulate the use of and access to property it owns pursuant to § 32-1-1001(1)(f), C.R.S.; and

WHEREAS, the District owns, operates and maintains parks and recreation facilities (the “Park and Recreation Facilities”) within Baseline Metropolitan District Nos. 1 – 4 and anticipates owning, operating and maintaining Park and Recreational Facilities within Baseline Metropolitan District Nos. 1 – 9 in the future (the “Districts”); and

WHEREAS, to preserve and protect District property, prevent and assure accountability for damage, and to provide for the safety of visitors, the Board adopted, on June 1, 2023, a Resolution Regarding District Facilities, which included Park Use Rules, Facility Rules, and an Application for First Amendment Demonstration Permit (“District Facilities Resolution”); and

WHEREAS, on September 7, 2023, the Board adopted a First Amendment to Resolution Regarding District Facilities to amend its First Amendment Demonstration Permit and Park Use Rules (the “First Amendment to District Facilities Resolution”); and

WHEREAS, pursuant to Section 6 of the District Facilities Resolution, the District indicated that it would take steps to enforce the rules as appropriate; and

WHEREAS, the District desires to amend the District Facilities Resolution to clarify the application of the Park Use Rules and Facilities Use Rules for the Park and Recreation Facilities and to provide provisions for the enforcement of the Park Use Rules and Facilities Use Rules (the “Second Amendment to District Facilities Resolution”).

NOW, THEREFORE, THE BOARD OF DIRECTORS OF BASELINE METROPOLITAN DISTRICT NO. 1 HEREBY RESOLVES AS FOLLOWS:

1. Application of Park Use Rules and Facilities Use Rules. The term “Park and Recreation Facilities as defined in the District Facilities Resolution shall mean and include all District owned real property, facilities and public improvements located within the boundaries of the Districts now and in the futures.

2. Enforcement. The Board hereby amends Section 6 of the District Facilities Resolution to include the following provisions for enforcing the Park Use Rules and Facilities Use Rules:

(a) Enforcement Party. The Board designates its District Manager as the “Enforcement Party” to enforce the Park Use Rules and Facility Use Rules, as may be amended from time to time. The Enforcement Party shall initiate the procedures set forth herein upon an observation of a violation of the Park Use Rules and Facility Use Rules or upon confirmation of an alleged violation (“Alleged Violation”) reported by a member of the public as further set forth below.

(b) Reporting Alleged Violations. Complaints regarding Alleged Violations of the Park Use Rules and Facility Use Rules (“Complaint(s)”) may be reported to the Enforcement Party for review and investigation. All Complaints shall be in writing and submitted to the Enforcement Party at the following link: <https://www.baselineresidents.com/community-concern/>. The Complaint shall identify the party filing the Complaint (the “Reporting Party”), the “Alleged Violator” if known by the Reporting Party, and describe each Alleged Violation referencing the specific provisions of the Park Use Rules and Facility Use Rules that the Alleged Violator is alleged to have violated, where and when the Alleged Violation was observed, and any other pertinent information, including, if possible, a photograph or electronic image or video of the Alleged Violation. The Enforcement Party may (a) return the Complaint to the Reporting Party for additional information, if needed, prior to investigating an Alleged Violation, (b) decline to investigate the Complaint if it determines the Alleged Violation is not a violation of the Park Use Rules and Facility Use Rules, or (c) investigate the Alleged Violation further as the Enforcement Party may determine. If the Enforcement Party determines an Alleged Violation has occurred, the Enforcement Party shall take steps set forth in Paragraphs 2 herein. If a Reporting Party witnesses any Alleged Violations that threatens the welfare and safety of the public, such as the use, display, and brandishing of a firearm, the Reporting Party should immediately report the incident to law enforcement.

(c) Violations. Upon a determination by the Enforcement Party that a person (“Violator”) has committed a violation of the Park Use Rules and Facility Use Rules (“Violation”), the Enforcement Party will send a notice of violation (“Violation Notice”) to the Violator via hand delivery or via First Class Mail. If the Violator is a renter of a single family home (attached and detached), duplex, townhome, condominium, or apartment unit (collectively, a “Residence”) located within the Districts, the Violation Notice shall also be sent to the property owner (the “Owner”) of the Violator’s Residence. Unless otherwise hand delivered, all Notices shall be deemed to have been received by the Violator three (3) business days after said Violation Notice is mailed. The Violation Notice shall contain the following information:

- (i) the nature and date of the alleged Violation;
- (ii) the fine for the Violation and, if applicable, the repair costs due to the District for damage to District facilities and public improvements caused by the Violator and date amount of fine and repair costs are due;
- (iii) the procedure for the Violator to dispute the Violation within 30 calendar days from the date of the Violation Notice (unless a different time period is set forth in the Violation Notice); and
- (iv) a statement that failure to pay such fine or repair costs may result in

additional actions taken by the Districts.

(d) Fines. In addition to repair costs due to the District for any damage to District facilities and public improvements caused by the Violator, the following fine schedule is adopted for each Violation of the Park Use Rules and Facility Use Rules:

First Violation	Warning
Second Violation	\$100.00
Third Violation	\$200.00
Fourth Violation	\$300.00

Fifth and subsequent Violations shall be fined \$500.00 per Violation. In addition, the following charges will be imposed as applicable:

Late fee:	\$15.00 per month, not to exceed 25% of the amount due
Interest for Past Due Amounts:	18% per annum
Return Check Charge:	\$25.00
Filing of Lien Charge:	\$150.00
Release of Lien Charge:	\$150.00
Collection Costs:	Reasonable Attorney Fees and Court Costs
Other Charges:	As incurred and deemed appropriate by the Board

(1) Pursuant to C.R.S. § 32-1-1001(1)(j)(I), until such time that the Violator pays any fine, repair costs or other monetary penalty imposed herein (collectively, the “Fine”), such Fine shall constitute a perpetual lien on and against the Violator’s (or Owner’s) property located in the Districts. All Fines imposed herein shall be paid within thirty (30) days of the date of the Violation Notice unless the Violator has timely disputed the Violation.

(2) After any Fine becomes more than thirty (30) calendar days delinquent, the Enforcement Party shall mail or hand deliver a notice to the Violator and the Owner’s address, stating the amount past due, that interest has commenced to accrue as described herein beginning on the 10th day of delinquency, and that payment is due immediately.

(3) After any Fine becomes more than sixty (60) calendar days delinquent, the Enforcement Party shall mail or hand deliver to the Violator and the Owner’s address a second written notice (“Second Notice”) of non-payment including the amount past due and all late charges and interest.

(4) After any Fine becomes more than ninety (90) calendar days delinquent, the Enforcement Party shall turn the unpaid account (“Delinquent Account”) over to the attorney or law firm retained by the Board to assist in collection efforts (“District’s Attorney”). The District’s Attorney may take all legal action necessary to collect the unpaid Fines including, without limitation, filing of a suit against the delinquent Owner for a money judgment.

(e) Hearing and Appeal Procedure. If the Violator wishes to dispute any Violations and/or fines or penalties imposed, the Violator may appeal such fines, penalties, or determination by following the procedure set forth below (such Violator filing an appeal is referred

to in the remainder of this Section 2.d. as the “Appellant”). The hearing and appeal procedures established below shall apply to all disputes concerning the interpretation, application, or enforcement of the Park Use Rules and Facility Use Rules, as they now exist or may hereafter be amended. In the event a proper and timely request for a hearing is not made as provided herein, the right to a hearing shall be deemed forever waived.

(1) Appeal to Enforcement Party. The Appellant must first file a written request with the Enforcement Party within thirty (30) calendar days of the Violation Notice. Within thirty (30) calendar days of receiving the request from the Appellant and after a full and complete review of the record, the Enforcement Party shall issue a written determination regarding the application or enforcement of the fines, penalties, and/or application and enforcement of these Park Use Rules and Facility Use Rules, as may be applicable.

(2) Hearing Before Board of Directors. If the Appellant wishes to appeal the written determination of the Enforcement Party, the Appellant must file a written request with the Board for a hearing within thirty (30) calendar days of the date the written determination of the Enforcement Party was mailed. The request for a hearing shall be filed at the District’s principal business office as listed on its transparency notice and set forth with specificity the facts upon which the Appellant is relying and shall contain a brief statement of the Appellant’s reasons for the appeal. The Board shall hold a formal hearing on the appeal at the next regularly scheduled meeting that is held no earlier than ten (10) calendar days after the filing of the Appellant’s request for a hearing. At the hearing, the Enforcement Party and the Appellant shall be entitled to present all evidence that is relevant and material to the dispute, and to examine and cross-examine witnesses. The Board may establish rules and procedures in addition to these Alleyway Parking Rules governing the hearing. A record of the hearing shall be maintained.

(3) Written Determination. Based on the record established, the Board shall issue a written decision concerning the disposition of the dispute presented to it and shall cause notice of the decision to be hand delivered or sent by certified mail to the Appellant within fifteen (15) calendar days after the hearing.

(4) Board of Directors Determination Final. The decision issued by the Board shall be final and binding upon the District and the Appellant and shall constitute the final administrative action of the District. Any party to the hearing aggrieved or adversely affected by an order of the Board may appeal such order to the District Court in and for the County of Arapahoe, pursuant to Rule 106(a)(4) of the Colorado Rules of Civil Procedure.

(f) Other Remedies Provided at Law. In addition to the rights and remedies set forth in herein, the Enforcement Party may exercise any other rights or remedies it may be entitled to under law or in equity to Park Use Rules and Facility Use Rules, including notifying law enforcement in the event District facilities and public improvements have been vandalized or intentionally damaged.

3. Defenses. Failure of the District or Enforcement Party to comply with any provision in this Policy shall not be deemed a defense to payment of Fees.

4. Posting to Website. The District Facilities Resolution, First Amendment to District Facilities Resolution, and this Second Amendment to District Facilities Resolution shall be posted and available on the District’s website.

5. Severability. If any section, paragraph, clause or provision of this Second Amendment to District Facilities Resolution shall be adjudged to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining sections, paragraphs, clauses or provisions of this Second Amendment to District Facilities Resolution, it being the intention that the various parts hereof are severable.

6. Modification. Except as amended herein, the Park Use Rules and Facilities Rules, and the provisions of the District Facilities Resolution and First Amendment to District Facilities Resolution shall remain in full force and effect. The District may further modify the District Facilities Resolution at any time.

7. Effective Date. This Second Amendment to District Facilities Resolution shall take effect immediately upon adoption by the Board.

(Signature Page Follows.)

ADOPTED AND APPROVED THIS 2nd DAY OF APRIL, 2026.

BASELINE METROPOLITAN DISTRICT NO. 1

Signed by:

Kyle Harris

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By: Kyle Harris, President