

JOINT RESOLUTION OF THE BOARDS OF DIRECTORS OF
MURPHY CREEK METROPOLITAN DISTRICT NOS. 1-4
CONCERNING THE IMPOSITION OF
UNIFORM PARKING REGULATIONS

WHEREAS, the Murphy Creek Metropolitan District Nos. 1-4 (collectively, the "Districts") are special districts duly formed pursuant to Title 32 of the Colorado Revised Statutes; and

WHEREAS, pursuant to § 32-1-1001(1)(m), C.R.S., the Districts have the power and authority to adopt, amend and enforce rules and regulations not in conflict with the constitution and laws of this state for carrying on the business, objects, and affairs of the Districts; and

WHEREAS, the Districts' Boards of Directors (collectively the "Boards") desire to adopt Uniform Parking Regulations as set forth herein.

NOW, THEREFORE, THE BOARDS HEREBY RESOLVE AS FOLLOWS:

1. Adoption of Uniform Parking Regulations. The Districts hereby adopt the Uniform Parking Regulations for Murphy Creek Metropolitan District Nos. 1-4 set forth in the attached **Exhibit A**. In the event anything contained in the Uniform Parking Regulations conflicts with any provision of Colorado law, such conflicting provision shall be deemed null and void.

ADOPTED AND APPROVED THIS 16TH DAY OF FEBRUARY 2011.

MURPHY CREEK METROPOLITAN DISTRICT
NO. 1

By: 

President

ATTEST:



EXHIBIT A

**UNIFORM PARKING REGULATIONS
MURPHY CREEK METROPOLITAN DISTRICT NOS. 1-4**

I. CODE ADOPTED AND AUTHORITY TO ENFORCE:

The Districts may regulate the time and manner in which Motor Vehicles are parked on property owned by the Districts within the geographical boundaries of the Districts. The Districts are empowered, by and through the Board to enforce the provisions of this article. It shall be the responsibility of each homeowner or resident of the Districts to inform their guests, tenants, visitors and contractors of these and other Rules and Regulations of the Districts. Persons authorized to enforce the provisions of this article include: (1) any member of the Board; (2) District Public Safety or any agent thereof; and (3) the District Manager or its authorized agents.

II. DEFINITIONS:

1. Board: Collectively refers to the Boards of Directors for the Murphy Creek Metropolitan District Nos. 1-4.
3. Camper Trailer: Refers to any wheeled vehicle, without motive power, which contains living or sleeping quarters and which may occasionally be drawn over the public highways by a Motor Vehicle and may be licensed as a vehicle.
4. Commercial Vehicles: Refers to commercial vehicles as such term is defined by § 42-4-235, C.R.S, as well as vehicles with visible commercial writing on their exteriors and vehicles primarily used or designed for commercial purposes.
5. Disabled Parking: Refers to any parking area designated and properly marked as parking reserved for disabled persons who display the proper permit to park in such spaces.
6. District Public Safety: Refers to the independently contracted security and protective services provider contracted by the Districts to provide protection and patrol services for District Parking Areas, buildings, property, and common areas.
7. Districts: Refers to the Murphy Creek Metropolitan District Nos. 1-4, quasi-municipal corporations and political subdivisions of the State of Colorado.
8. District Parking Areas: Refers to all parking areas within the Districts which are owned by the Districts. This shall also be meant to include the common parking areas attached to the swimming pools and any other area the Board determines is the responsibility of the Districts.
9. Fire Lane: Refers to any area designated and properly marked as a fire lane.
10. District Manager: Refers to the property manager contracted by the Districts to manage the day to day operations of the Districts.
11. Inoperable Motor Vehicle: Refers to any Motor Vehicle incapable of moving under its own power, or that may not be legally operated on the streets due to dilapidated condition or by the failure of the owner to display current registration.
12. Motor Vehicle: Refers to all forms of motorized transportation, including but not limited to the following: (a) passenger automobiles of all types; (b) Commercial

- Vehicles; (c) Trailers; (d) Camper Trailers; (e) Motor Homes; and (f) motorcycles, four-wheelers, and all other off-road vehicles.
13. Motor Home: Refers to any self-propelled vehicle with living or sleeping quarters contained therein, which is in excess of 22 feet in length or, if the vehicle itself is less than 22 feet in length, is connected to any boat, Trailer, or Camper Trailer which, in combination, exceeds 22 feet in length.
 14. Sub-Association: Refers to any neighborhood group within the Districts that has its own board of directors, Management Company, or is governed by its own rules and regulations.
 15. Towing Service: Refers to a company contracted by the Districts to remove Motor Vehicles that are illegally parked.
 16. Trailer: Refers to any wheeled vehicle, without motive power, which is designed to be drawn by a Motor Vehicle and to carry its cargo load wholly upon its own structure and which is generally and commonly used to carry and transport property over the public highways.

III. GENERAL VIOLATIONS:

A. Seventy-Two (72) Hour Notice Violations: It shall be considered a violation of this section for any person to:

1. Park or Abandon any Inoperable Motor Vehicle or Commercial Vehicle on District Parking Areas unless the owner or operator of the Commercial Vehicle is present and actively engaged in the performance of work on behalf of the Districts.
2. Park or store any boat, Trailer, Camper Trailer or Motor Home on District Parking Areas.
3. Any person who Parks a Motor Vehicle in District Parking Areas must be actively engaged in activity at that District Facility. Any person who parks a vehicle and leaves the facility is in violation of this section.
4. Park any Motor Vehicle on any District Parking Area that is designated no parking.
5. Park any Motor Vehicle after hours in any District Parking Areas unless prior permission is obtained in writing from an authorized representative of the Districts.

B. Penalty for Violations: Violations of Section III.A above shall be handled at the sole discretion of an authorized representative of the Districts and in the following manner:

1. *Demand for Compliance Notice.* A demand for compliance notice shall be conspicuously posted on any Motor Vehicle for a minimum period of Seventy-Two (72) hours.
2. *Towing.* After the notice has been posted and the Seventy-Two (72) hour time period has expired, should the violation fail to be remedied, an authorized representative of the Districts may cause such vehicle to be impounded by the

Towing Service. All costs associated with the removal and storage of the Motor Vehicle by the Towing Service shall be the responsibility of the owner of the Motor Vehicle. Subsequent violations may result in the Motor Vehicle being impounded immediately and without notice.

IV. IMMEDIATE IMPOUND VIOLATIONS:

A. Immediate Impound Violations: It shall be considered a violation of this section for any person to:

1. Park or leave any Motor Vehicle in any posted Fire Lane or designated emergency egress route.
2. Park or leave any Motor Vehicle in any Disabled Parking space without displaying a proper, valid permit to occupy such a space.
3. Park on District Parking Areas any Motor Vehicle that presents a health or safety hazard, including but not limited to: broken glass, jagged metal, leaking combustible material, being left unattended on a jack (to include jack stands or any variation thereof).
4. Park or leave any Motor Vehicle on any sidewalk, landscaping, unimproved areas or other public rights of way or common areas under control of the Districts.
5. Repeatedly violate the General Violations (Section III.A above) after having been properly warned or cited on the initial infraction.

B. Penalty for Violations: In the interest of public safety, any violation of Section IV.A above will result in immediate impounding of the Motor Vehicle by the Towing Service without notice to the owner or operator of the Motor Vehicle.

V. NON MOTOR VEHICLE VIOLATIONS:

A. Violations Not Involving Motor Vehicles: It shall be considered a violation of this section for any person to:

1. Obstruct any District Parking Area, sidewalk, landscaping, unimproved areas or other public rights of way or common areas under control of the Districts with material of any kind.
2. Park or abandon construction equipment of any kind on District Parking Areas, or on any sidewalk, landscaping, unimproved areas or other public rights of way or common areas under control of the Districts.

B. Penalty for Violations: The Districts, District Manager, and/or District Public Safety will make a reasonable attempt to ascertain the ownership of said material or construction equipment found in violation of this or any other section herein and assess fines accordingly. In addition, the Districts may order and/or execute the removal and disposal if necessary of said material or equipment found in violation of this or any other section herein.

VI. RECORD KEEPING:

On behalf of the Districts, District Public Safety will maintain a database of all violations and Motor Vehicle descriptions, plate numbers, VIN numbers and disposition. These records will be retained indefinitely by and for the use of the Districts.

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