

**SECOND AMENDED AND RESTATED RESOLUTION
OF THE BOARD OF DIRECTORS OF
MIRABELLE METROPOLITAN DISTRICT NO. 1**

ADOPTING PARKING RULES AND REGULATIONS

WHEREAS, the Board of Directors (the “**Board**”) of Mirabelle Metropolitan District No. 1, a quasi-municipal corporation and political subdivision of the State of Colorado (the “**District**”), has determined that it is in the best interest of the District and the residents and property owners of the District to adopt parking rules and regulations in order to preserve and protect public property controlled, managed, or supervised by the District and to prohibit activities that interfere with the use and enjoyment of such property; and

WHEREAS, pursuant to § 32-1-1001(1)(m), C.R.S., the Board of the District is authorized to adopt, amend, and enforce bylaws and 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 the District; and

WHEREAS, pursuant to § 32-1-1001(n), C.R.S., the Board is authorized to have and exercise all rights and powers necessary or incidental to or implied from the specific powers granted to the District by Article 1, Title 32, C.R.S.; and

WHEREAS, pursuant to § 32-1-1001(1)(j), C.R.S., the District is authorized to fix and impose fees, rates, tolls, charges, and penalties for services or facilities provided by the District; and

WHEREAS, pursuant to § 18-9-117(1), C.R.S., in addition to any authority granted by any other law, the District may adopt such orders, rules, or regulations as are reasonably necessary for the administration, protection, and maintenance of public property under its control, management, or supervision, regarding place, time, and manner of vehicle use on public property owned or operated by the District; and

WHEREAS, pursuant to § 18-9-117 (2), C.R.S., such limitations or prohibitions must be prominently posted at all public entrances to such property or such notice must be given by an officer or agency, including any agent thereof, or by any law enforcement officer having jurisdiction or authority to enforce the limitations, restrictions, or prohibitions; and

WHEREAS, pursuant to the Declaration of Architectural, Use and Maintenance Restrictions for Solstice, recorded at Reception No. 2020007055 on January 31, 2020 (the “**Declaration**”), the covenants contained therein run with the land, and said covenants allow the District to adopt rules pertaining to vehicles and parking within the Property, as defined therein;

WHEREAS, the Board has determined that it is in the best interest of the District and its property owners and taxpayers to adopt parking rules and regulations in order to provide for the preservation of the health, safety, and welfare of residents, property owners, taxpayers, and the

general public.

WHEREAS, on March 13, 2024, the Board adopted the First Amended and Restated Resolution of the Board of the District Adopting Parking Rules and Regulations, (the “**Prior Resolution**”), and the Board desires to adopt this Resolution to amend and restate the Prior Resolution in its entirety.

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

1. Adoption of Parking Rules and Regulations. The parking rules and regulations attached hereto as **Exhibit A** and incorporated herein by this reference (the “**Parking Rules and Regulations**”) are hereby adopted pursuant to § 32-1-1001(1)(m), § 18-9-117, C.R.S., and the Declaration.

2. Variances. The Board hereby authorizes the district manager or general counsel to grant written variances for good cause shown.

3. Amendment. The District expressly reserves the right to amend, revise, redact, and/or repeal the Parking Rules and Regulations adopted hereby in whole or in part, from time to time in order to further the purpose of carrying on the business, objects, and affairs of the District. The foregoing shall specifically include, but not be limited to, the right to adopt new parking rules and regulations and/or policies and procedures as may be necessary, in the Board’s discretion.

4. Effective Date. The provisions of this resolution shall take effect as of the date of this resolution.

5. Severability. If any term or provision of this resolution or if any rule or regulation is found to be invalid or unenforceable by a court of competent jurisdiction or by operation of any applicable law, such invalid or unenforceable term or provision shall not affect the validity of the remainder of the resolution or parking rules and regulations, as a whole, but shall be severed, leaving the remaining terms or provisions in full force and effect. In addition, in lieu of such void or unenforceable provision, there shall automatically be added a provision similar in terms to such illegal, invalid, or unenforceable provision so that the resulting reformed provision is legal, valid and enforceable.

[Signature page follows.]

ADOPTED this 11th day of June, 2025.

**MIRABELLE METROPOLITAN
DISTRICT NO. 1**, a quasi-municipal corporation
and political subdivision of the State of Colorado

Michele Miller

[Michele Miller \(Jun 12, 2025 09:19 MDT\)](#)

Officer of the District

ATTEST:

Jessica McDonagh

APPROVED AS TO FORM:

WHITE BEAR ANKELE TANAKA & WALDRON
Attorneys at Law



General Counsel to the District

*Signature page to Second Amended and Restated
Resolution Adopting Parking Rules and Regulations.*

EXHIBIT A
Parking Rules and Regulations
Adopted June 11, 2025

The following Parking Rules and Regulations are hereby approved and adopted by the Board of Directors of Mirabelle Metropolitan District No. 1:

ARTICLE I. AUTHORITY AND APPLICABILITY.

A. Pursuant to the Declaration and Sections 32-1-1001(1)(m) and 18-9-117, C.R.S., the District has the authority to regulate place, time, and manner of vehicle use on driveways, streets, roadways, and other public rights of way on behalf of Mirabelle Metropolitan District Nos. 1-4 and within the Districts' Boundaries as shown on the map included with this Resolution as **Exhibit A-1**.

ARTICLE II. DEFINITIONS.

Automobile: means all forms of any self-propelled vehicle designed primarily for travel on the public highways, including but not limited to (a) passenger automobiles of all types; (b) Commercial Vehicles; and (c) motorcycles.

Camper Trailer: means 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.

Commercial Vehicle: means any commercial vehicle as such term is defined by § 42-4-235, C.R.S, as well as vehicles with visible commercial writing on their exteriors, and any vehicles, including without limitation buses and vans, primarily used, designed ,or marketed for commercial purposes, except for a commercial vehicle that is required to be available at designated periods at the occupant's residence as a condition of the occupant's employment for emergency services as set forth in § 32-1-1004.5(6)(c) C.R.S.

District: means the Mirabelle Metropolitan District No. 1, a quasi-municipal corporation and political subdivision of the State of Colorado.

Districts' Boundaries: means the property described as Mirabelle Metropolitan District Nos. 1-4's boundaries set forth in **Exhibit A-1**, as amended.

District Manager: means the property manager contracted by the District to manage the day-to-day operations of the District.

Guest: means a visitor of a Homeowner or Resident who does not reside at the Homeowner or Resident's residence.

Homeowner: means every natural person, corporation, partnership, limited liability company, trustee or other legal entity, or any combination thereof, whether one or more, holding fee simple title of Record to any portion of property located within the Districts' Boundaries.

Inoperable Vehicle: means any vehicle that does not have an operable propulsion system installed therein, that is missing parts or equipment necessary to operate the vehicle, or that is not currently registered and licensed.

Motor Home: means any self-propelled vehicle designed to provide living or sleeping quarters contained therein, as well as vans, buses or other vehicles modified to provide living or sleeping quarters as may be evidenced by external features such as bump outs, flares, window design, attachments, etc.

Off-Highway Vehicle: means any off-highway vehicle, as defined in § 42-6-102(11.5), C.R.S., including but not limited to toy vehicles, golf carts, and all-terrain vehicles.

Oversized Vehicle: means any Vehicle that is more than 22 feet in length, including attached gear, bumpers, racks, Trailers, or similar items, or that extend beyond the Owner's driveway boundaries if parked on the Lot.

Recreational Vehicle: means any vehicle intended primarily for recreational purposes, which includes, but is not limited to any boat, jet-ski, snowmobile, golf cart (electric or gas powered), pickup truck with a camper shell, Camper Trailer, Motor Home, Off-Highway Vehicle, or bus or van designed for recreational use (excluding vans used by used by handicapped persons, mini-vans or sport utility vehicles used as passenger vehicles), as well as any recreational equipment and/or Trailer used to transport such vehicle or equipment.

Resident: A natural person, corporation, partnership, limited liability company, trustee or other legal entity, or any combination thereof, whether one or more, other than a Homeowner or Guest, who is a tenant or occupant of a residence within the Districts' Boundaries.

Towing Service: means a company contracted by the District to remove a vehicle that is parked illegally otherwise in violation of these Parking Rules and Regulations.

Trailer: means 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.

Vehicle: means any device for transporting people or goods, such as a car, truck, car or watercraft, and collectively refers to any Camper Trailer, Commercial Vehicle, Inoperable Vehicle, Automobile, Motor Home, Off-highway Vehicle, Recreational Vehicle, Trailer, and any other vehicle identified in these Parking Rules and Regulations and the Declaration.

ARTICLE III. RULES AND REGULATIONS.

A. Parking of Vehicles by Homeowners and Residents on driveways shall be in accordance with the Declaration, except as otherwise noted herein.

B. Homeowners and Residents may park any Camper Trailer, Commercial Vehicle,

Motor Home, or Trailer on their driveway for a period not to exceed twenty-four (24) consecutive hours for the purpose of temporary loading and unloading.

C. It shall be unlawful for any Homeowner, Resident, or Guest to:

1. Park any Camper Trailer, Commercial Vehicle, Motor Home, Recreational Vehicle, Off-Highway Vehicle, or Trailer in any driveway for a period exceeding twenty-four (24) consecutive hours unless prior permission is obtained in writing from the District Manager.

2. Park any Vehicle on any streets within the Districts' Boundaries for a period exceeding forty-eight (48) consecutive hours unless prior permission is obtained in writing from the District Manager;

3. Park any Vehicle on any streets within the Districts' Boundaries designated as a fire lane;

4. Park any Vehicle on any streets within the Districts' Boundaries in a manner that may obstruct the free movement of traffic; or

5. Park any Vehicle on any streets within the Districts' Boundaries for the purpose of repairing the Vehicle, except in circumstances when emergency repairs are necessary to remove the Vehicle.

6. Park any Oversized Vehicle on any streets within the Districts' Boundaries or on the Owners' Lots unless capable of being parked within the Owner's garage with the garage door in the closed position.

D. Enforcement of Violations:

1. The District does not require the District Manager, security, nor any other law enforcement officer to patrol the streets or driveways within the Districts' Boundaries. If any Homeowner or Resident reasonably suspects a Vehicle is parked in violation of these Parking Rules and Regulations, they may report said violation to the District Manager in accordance with Section D.2. below. The District Manager may, upon their reasonable suspicion, report a Vehicle that is parked in violation of these Parking Rules and Regulations in accordance with Section D.2. below.

2. Violation reports shall be in writing and shall contain the following information:

- a. Contact information of the person reporting the violation;
- b. The date and time of the report;
- c. A description of the violation;
- d. A description of the Vehicle and the Vehicle's license plate number,

if applicable;

- e. A description of the location of the Vehicle;
- f. A basis for belief the Vehicle belongs to a Homeowner, Resident, or Guest; and
- g. Photographs with date and time stamps or other supporting documentation showing said violation.

3. The District may, upon the District Manager's observation of a violation or good faith belief, based on a Homeowner or Resident's report, that a violation exists, issue or cause to be issued on the violating Vehicle a written notice demanding the Vehicle's removal within twenty-four (24) hours of the notice. The notice shall contain the following information:

- a. The date and time the notice is issued;
- b. A description of the Vehicle and the Vehicle's license plate number, if applicable;
- c. A description of the violation that has caused the notice to be given;
- d. A statement that, if the Vehicle is not removed within twenty-four (24) hours of the notice, the Vehicle may be towed without consent or further notice.

4. In addition to or in place of towing, the District may impose fines for violations of the Parking Rules and Regulations in accordance with the Amended and Restated Resolution of the Board of Directors of Mirabelle Metropolitan District No. 1 Regarding Policies, Procedures, and Penalties for the Enforcement of the Governing Documents, adopted June 11, 2025, and as amended.

5. The District may maintain a database of all violations and Vehicle descriptions, including but not limited to make, model, color, vehicle identification numbers, license plate numbers, and disposition. The District will retain these records indefinitely for its sole use.

EXHIBIT A-1
Parking Rules and Regulations
Adopted June 11, 2025
Map