

**RESOLUTION
OF THE BOARD OF DIRECTORS OF
ROXBOROUGH VILLAGE METROPOLITAN DISTRICT
DOUGLAS COUNTY, COLORADO**

**A RESOLUTION ADOPTING RULES AND REGULATIONS FOR ROXBOROUGH
VILLAGE METROPOLITAN DISTRICT PARKS AND OPEN SPACE PURSUANT TO
SECTION 18-9-117 AND SECTION 32-1-1001, C.R.S.**

WHEREAS, the Board of Directors (the "Board") of Roxborough Village Metropolitan District, a quasi-municipal corporation and political subdivision of the State of Colorado ("District"), has determined that it is in the best interest of the residents of the District to adopt rules and regulations pertaining to the use of the District's parks, trails and open space, in order to maintain, preserve and protect public property and facilities owned and/or operated by the District, and prohibit activities that substantially interfere with the use and enjoyment of such public use areas.

WHEREAS, pursuant to Section 32-1-1001 (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 state for carrying on the business, objectives, and affairs of the Board and of the District.

WHEREAS, pursuant to Section 32-1-1001 (n), C.R.S., the District 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 32, C.R.S.

WHEREAS, pursuant to Section 32-1-1001 (j)(I), C.R.S., the District is authorized to fix and from time to time increase or decrease fees, rates, tolls, penalties or charges for services, programs, or facilities furnished by the special district. Until paid, all such fees, rates, tolls, penalties, or charges shall constitute a perpetual lien on and against the property served, and any such lien may be foreclosed in the same manner as provided by the laws of Colorado for the foreclosure of mechanics' liens.

WHEREAS, pursuant to Section 18-9-117 (1), C.R.S., in addition to any authority granted by any other law, the District may adopt orders, rules and regulations as are reasonably necessary for the administration, protection, and maintenance of public property under its control, management, or supervision, regarding preservation of property, vegetation, wildlife; restriction or limitation of the use of such public property; necessary sanitation, health, and safety measures; camping and picnicking, public meeting and other individual or group usages; prohibition of activities or conduct on public property; use of all vehicles; and control and limitations of fires or other regulation of fires.

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

WHEREAS, "Parks or Open Space" shall mean all public recreational lands, trails, waters, buildings, structures, roads, parking lots and facilities located on such lands owned and/or operated by the District.

WHEREAS, the Board has determined it is in the best interest of the residents of the District to adopt the following Rules and Regulations, pertaining to the use of the District's Parks or Open Space.

NOW, THEREFORE, be it resolved by the Board of Directors of Roxborough Village Metropolitan District, Douglas County, Colorado that:

Section 1: The following Rules and Regulations are hereby approved and it shall be unlawful for any person:

- 1.1 To enter, use, or occupy any Parks or Open Space, or any portion thereof, during the time such Parks or Open Space, or any portions thereof, are closed to entry, use or occupancy, including seasonal closures, unless approved in writing by the District Manager, or such other person as may be appointed in writing by the Board.
- 1.2 To remove, destroy, deface or damage any building, structure, facility, sign, vegetation, rock, or other object located within any Parks or Open Space.
- 1.3 To construct, place, or maintain any kind of road, trail, structure, sign, fence, marker, enclosure, communication equipment or other improvement within any Parks or Open Space without written approval from the District Manager.
- 1.4 To deposit or leave any refuse, trash, litter, household or construction debris, or commercial garbage or trash, including but not limited to brush, lawn trimmings, and Christmas trees, in or upon any Parks or Open Space except by depositing such refuse, trash, debris and litter in refuse receptacles specifically designated for such purpose by the District.
- 1.5 To build, start, or light any fire of any nature in an outdoor fireplace grill or camp stove, or any other place whatsoever, even within designated areas, within any Parks or Open Space at any time when such fires are banned due to fire danger in the District or neighboring areas.
- 1.6 To feed, hunt, trap, catch, molest, take, harass, harm or kill any wild animal, bird, fish, reptile or amphibian or to disturb their habitat within any Parks or Open Space.
- 1.7 To plant any tree, shrub, plant or other vegetation without written approval of the District Manager.
- 1.8 To have within any Parks or Open Space any animals except domestic pets (dogs or cats). All domestic pets shall be restrained by means of a leash, cord, rope or chain under the physical control of a person. It is prohibited to allow domestic pets to harm, kill, chase, or

- otherwise harass any wild animal, bird, fish, reptile or amphibian within any Parks or Open Space.
- 1.8.1 To have vicious dogs, as the term is defined in Douglas County Resolution No. R-998-100 (Control and Licensing of Dogs and Pet Animals), as authorized pursuant to Section 30-15-101(1)(a)(III), C.R.S., within any Parks or Open Space.
 - 1.8.2 To leave any domestic pet unattended within any Parks or Open Space.
 - 1.8.3 For any person who brings a domestic pet into any Parks or Open Space to not pick up and dispose of the animal's excrement in designated refuse receptacles.
- 1.9 To relocate or release animals, fish, birds or insects onto any Parks or Open Space without written approval of the District Manager.
 - 1.10 To possess, use, cock, aim, or discharge any firearm, including but not limited to B-B guns, pellet guns, paint ball guns, and air guns onto or within any Parks or Open Space.
 - 1.11 To possess, use, draw, discharge any archery equipment, including but not limited to bows, longbows, crossbows, arrows, darts, and bolts onto or within any Parks or Open Space.
 - 1.12 To possess, use or discharge any device capable of discharging any projectile by any means whatsoever, including but not limited to slingshots and wrist rockets onto or within any Parks or Open Space.
 - 1.13 To ignite or launch any model rockets and airplanes onto or within any Parks or Open Space.
 - 1.14 To use, ignite, or fire any fireworks or explosives, onto or within any Parks or Open Space.
 - 1.15 To golf or hit golf balls onto or within any Parks or Open Space.
 - 1.16 To operate any motorized vehicle within any Parks or Open Space, except on public roads or within public parking areas. Emergency, maintenance, and patrol vehicles are specifically excluded.
 - 1.17 To park vehicles, trailers, or campers within any Parks or Open Space except within designated parking lots, and only between the hours of 6:00 a.m. and 10:00 p.m.
 - 1.18. To camp within any Parks or Open Space.
 - 1.19 No semi or commercial trucks may be parked within any Parks or Open Space or any parking lots within any Parks or Open Space.
 - 1.20 To enter, use or occupy any Parks or Open Space between 10:00 p.m. and 6:00 a.m.

- 1.21 To swim, wade, or operate any boat or other flotation device in waters located within any Parks or Open Space.
- 1.22 To engage in any activity within any Parks or Open Space that unreasonably endangers the health, safety, and welfare of any person, animal or property.
- 1.23 To engage in disorderly conduct (as defined in Section 18-9-106 (1), C.R.S.) within any Parks or Open Space.
- 1.24 To carry, possess or consume alcoholic beverages within any Parks or Open Space, without written approval of the District Manager, and unless all required licenses and permits have been issued by all state and local liquor licensing authorities.
- 1.25 To walk, run, jog, hike, or bicycle within any Parks or Open Space except on a designated trail for such use. Maximum trail speed for bicyclists is 15 mph.
- 1.26 To amplify sound by any means within any Parks or Open Space, without written approval of the District Manager.
- 1.27 To build, or place any kind of structure, fence, tree house, rope or other swing within any Parks or Open Space.
- 1.28 To interfere or attempt to interfere with any authorized law enforcement, County or District personnel or to give false or misleading information with the intent to mislead said persons in the performance of their duties.

Section 2: The Board hereby approves that the Parks and Open Space Rules described on Exhibit A attached hereto, be posted at all public entrances to the District's Parks and Open Space.

Section 3: The Board hereby authorizes the District Manager to grant written variances for good cause shown to any one or more of these Parks and Open Space Rules and Regulations.

Section 4: Violators of any of the above Parks and Open Space Rules and Regulations shall be subject to criminal and civil penalties.

Criminal Remedies: Pursuant to Section 18-9-117 (3)(a) and (b), C.R.S., when said rules and regulations have been prominently posted as required by Section 18-9-117 (2), C.R.S., any violation of the Parks and Open Space Rules and Regulations is unlawful and violators shall be subject to criminal penalties enforceable by the Douglas County Sheriff's Office or authorized county enforcement personnel who have been designated pursuant to Section 29-7-101 (3)(a), C.R.S.

Civil Remedies: A violation of any Parks or Open Space Rules and Regulations that have been prominently posted, is subject to any and all civil remedies available to the District under Title 32, C.R.S. or other applicable laws, including the imposition of fines, penalties, charges, costs and attorney fees incurred by the District with respect to any damages or other losses sustained by the District because of the violation of any of the Parks and Open Space Rules and Regulations. Such


finest, penalties, charges, costs and attorneys fees shall be assessed against the owners of any real property located within the District, on which a violator of the Parks and Open Space Rules and Regulations resides on a permanent or temporary basis.

The District may collect such fines, penalties, charges, costs and attorneys fees it incurs by any means authorized by law. Until paid, such fines, penalties, charges, costs and attorneys fees shall constitute a perpetual lien on and against such real property which lien may be foreclosed in any manner authorized by the laws of the State of Colorado.

APPROVED AND ADOPTED this 9th day of August, 2005, by a vote of 5 for and 0 against.

ROXBOROUGH VILLAGE
METROPOLITAN DISTRICT,
a quasi-municipal corporation and
political subdivision of the State of Colorado

By:


David R. Heldt, President

ATTEST:

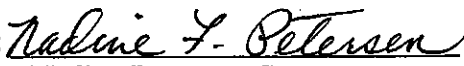
By: 
Nadine Petersen, Secretary

EXHIBIT A

ROXBOROUGH VILLAGE METROPOLITAN DISTRICT

PARKS AND OPEN SPACE RULES

- Parks and Open Space are open 6:00 a.m. to 10:00 p.m.
- Only domestic pets (dogs and cats) are permitted, which must be leashed, and their waste picked up and properly disposed of
- Shelter/field use is subject to prior reservation
- Alcohol beverages allowed only upon written approval of District Manager
- Walking, jogging, running, hiking and biking on designated trails only
- Maximum trail speed for bicyclists is 15 mph.
- Vehicles, trailers or campers may be parked only at designated parking lots between 6:00 a.m. and 10:00 p.m.

PROHIBITED

- Unauthorized motorized vehicles
- Overnight parking of vehicles, trailers or campers between 10:00 p.m. and 6:00 a.m.
- Semi or commercial trucks within any Parks or Open Space or parking lots at any time
- Camping
- Littering/dumping
- Fires
- Fireworks
- Firearms and archery
- Model rockets and airplanes
- Amplified sound
- Hitting golf balls
- Construction of any kind of road, trail, sign, tree house, rope or other swing, fence, marker, or any other structure or improvement
- Planting trees, shrubs, plants or other vegetation
- Swimming, wading, or boating
- Disorderly conduct
- Misuse of public property
- Harassment of wildlife
- All animals except leashed domestic pets (dogs and cats)
- Relocating or releasing animals, fish or insects

To report violations or accidents call 911 and provide specific location

Full text of the Resolution Adopting Rules and Regulations can be obtained from the District Manager at (303) 779-4525

Parks and Open Space Rules are enforced as authorized by Colorado Revised Statutes Sections 18-9-117, 29-7-101, and 32-1-1001.

**RESOLUTION OF THE BOARD OF DIRECTORS
OF ROXBOROUGH VILLAGE METROPOLITAN DISTRICT
DOUGLAS COUNTY, COLORADO**

**A RESOLUTION AMENDING A POLICY WITH RESPECT TO
RESERVATION OF SPORTS FIELDS**

WHEREAS, the Board of Directors of the Roxborough Village Metropolitan District (the "District") adopted a Resolution Regarding a Policy with Respect to Reservation of Sports Fields (the "Resolution") on August 9, 2005; and

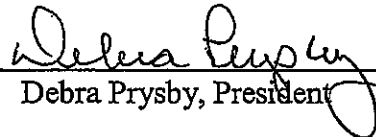
WHEREAS, the Board of Directors wishes to amend the Resolution which states that not less than fifty (50) percent of team members be Roxborough Village Metropolitan District residents in order for sports teams to reserve specific times for use of sports fields, located within the District's Parks.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of Roxborough Village Metropolitan District, Douglas County, Colorado that the Resolution is hereby amended to read as follows:


1. The District hereby adopts a policy that in order for sports teams to reserve specific times for use of sports fields located within the District's Parks, at least fifty (50) percent of team members shall be Roxborough Village Metropolitan District residents or shall attend schools within Roxborough Village Metropolitan District,

ADOPTED AND APPROVED this 12th day of September, 2006 by a vote ___ for, ___ against, and ___ abstaining.

ROXBOROUGH VILLAGE
METROPOLITAN DISTRICT

By: 
Debra Prysby, President

ATTEST:

By: 
Robert Clinard, Secretary

**RESOLUTION OF THE BOARD OF DIRECTORS
OF ROXBOROUGH VILLAGE METROPOLITAN DISTRICT
DOUGLAS COUNTY, COLORADO**

**A RESOLUTION AMENDING A POLICY WITH RESPECT TO
RESERVATION OF SPORT FIELDS AND ESTABLISHING A FEE
FOR USE OF SPORT FIELDS**

The Board of Directors of the Roxborough Village Metropolitan District (the "District") adopted a Resolution Regarding a Policy with Respect to Reservation of Sports Fields on August 9, 2005, and adopted a Resolution Amending a Policy with Respect to Reservation of Sports Fields on September 12, 2006;

The Board has decided to implement a player fee ("Player Fee") to partially offset administrative costs incurred by the District that are associated with sport field reservations; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of Roxborough Village Metropolitan District, Douglas County, Colorado that:

Section 1: The Board approves the use of Application and Revocable Park Use Permit for Sport Fields for Youth Sport Team Practices, and Sport Fields Release Waiver and Indemnification, attached as Exhibit A.

Section 2: A non-refundable Player Fee of \$5.00 per District resident (including students that attend schools located within the District) per season and a non-refundable Player Fee of \$10.00 per a non-District resident per season payable to the District as set forth in Exhibit A, is hereby approved.

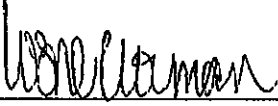
Section 3: Sport fields may be reserved for team practices for the following sports and seasons:

- a) Baseball: April – September
- b) Football: August – October
- c) Soccer: i) Spring: March – June
 ii) Fall: August – November

Section 4: The provisions of this Resolution shall take effect immediately and shall supersede all previous resolutions that are in conflict with the provisions of this Resolution.

ADOPTED AND APPROVED this 15th day of February, 2011 by a vote 4 for, and 0 against.

ROXBOROUGH VILLAGE METROPOLITAN DISTRICT, a quasi-municipal corporation and political subdivision of the State of Colorado

By: 
Lisa Lorman, President

ATTEST:

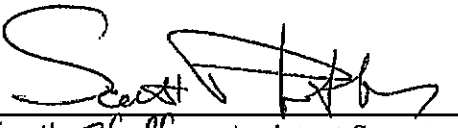
By: 
Scott Pfeiffer, Assistant Secretary
Yresch

EXHIBIT A

Application and Revocable Park Use Permit for Sport Fields for Youth Sport Team Practices, and
Sport Fields Release Waiver and Indemnification

Roxborough Village Metropolitan District

8390 E. Crescent Pkwy., Suite 500
Greenwood Village, CO 80111-2814
303-779-4525
303-773-2050 (fax)

**Application and Revocable Park Use Permit for Sport Fields for Youth
Sport Team Practices, and
Sport Fields Release Waiver and Indemnification**

Only teams comprised of players not less than half of which are residents of or attending schools within Roxborough Village Metropolitan District ("District") may reserve sport fields. At least one team coach must be a resident of the District, who is not less than 21 years of age. A resident coach must be present at all reserved times.

_____ Number of Resident Players
_____ Number of Non-Resident Players

Name of Organization: _____

Address of Organization: _____

Name of Park: Community Park Chatfield Farms Fields

Dates of Use: From _____ to _____

Times of Use: _____ a.m./p.m. to _____ a.m./p.m.

Resident Coach's Name _____

Address _____

Phone: Office _____ Home _____

E-mail Address: _____

Additional Coach's Name _____

Address _____

Phone: Office _____ Home _____

E-mail Address: _____

Age Group: _____ M F Sport: _____

POLICY

Teams may reserve practice times from 3:30 p.m. until dusk Monday through Saturday. No practices are permitted on Sunday. There is a \$5.00 per player fee for District residents (including students that attend schools located within the District) and \$10.00 per player fee for non-residents of the District.

Revocable Park Use Permits for Sport Fields for Youth Sport Team Practices ("Practice Permit") will be issued seasonally on a first come first serve basis starting February 15th of each year. The following must be submitted in order to be considered for a Practice Permit:

- 1) A completed Application for Revocable Park Use Permit for Sport Fields for Youth Sport Team Practices;
- 2) A formal roster of all team players with their addresses or addresses of schools they attend within the District;
- 3) A Sport Fields Release Waiver and Indemnification signed by a parent or guardian for each player;
- 4) A Sport Fields Release Waiver and Indemnification signed by each coach;
- 5) A Sport Fields Release Waiver and Indemnification signed on behalf of the sponsoring organization.

The applicable fees are due at the end of the first week of practice. The fees are charged per season. There is one season each year for baseball and football. There are two seasons each year for soccer – spring and fall. The fees are payable to Roxborough Village Metropolitan District.

PERMIT CONDITIONS

- i. Motorized vehicles are prohibited (this includes vehicles for purposes of unloading or loading equipment) unless a prior written approval of the District is granted (for such purposes as dragging the infield with ATV).
- ii. No commercial concessions may be operated, nor charge or donation requested of the public on the premises.
- iii. Upon completion of each practice, the area shall be restored to a litter free condition. The applicant agrees to be responsible for costs incurred by the District for repairs or cleanup by the District necessitated by the team's use.
- iv. Tents, booths, stands, awnings, canopies, or other structures are prohibited without the prior written approval of the District.
- v. Destruction, damage, or removal of any vegetation or defacement of District property is prohibited. The applicant agrees to be responsible for all such damage.
- vi. Disorderly conduct and / or abusive language are prohibited and shall be cause for revocation of the Practice Permit.
- vii. Any machine or device for the purpose of amplification of human voice, music or any other sound is prohibited without the prior written approval of the District.
- viii. No alcoholic beverages are permitted. Consumption of alcoholic beverages on the premises shall be cause for revocation of Practice Permit.
- ix. A copy of Practice Permit must be in the possession of the resident coach and shown to District personnel upon request.
- x. District parks and facilities are patrolled by local law enforcement agencies. Use of the facilities is subject to all applicable state and local laws and regulations.
- xi. This Practice Permit is non-assignable.

VIOLATION OF ANY OF THE PRACTICE PERMIT CONDITIONS MAY RESULT IN IMMEDIATE REVOCATION OF THE PRACTICE PERMIT.

I have read, understand, fully agree with and accept all responsibility for the terms and conditions of this Practice Permit.

Signature of
Applicant _____

Organization _____

(Name of Organization)

Date _____

Roxborough Village Metropolitan District
Revocable Park Use Permit for Sport Fields for
Youth Sport Team Practices
(to be completed by District office personnel)

Name of Organization: _____

Address of Organization: _____

Name of Park / Location: _____

Dates of Use: From _____ to _____

Times of Use: From _____ to _____

Approved Disapproved Date _____

Fee: (\$5.00 / player for residents & \$10.00 / player for non-residents)

Cash Check # _____ Other _____ Total \$ _____

Special Conditions: _____

Signature

Title

Date

**SPORT FIELDS RELEASE WAIVER AND INDEMNIFICATION
(PARENT/LEGAL GUARDIAN)**

I, _____, am an adult signing on my own behalf and on behalf of my minor child/minor child for whom I am the legal guardian named _____ who wishes to participate in sports activities on sport fields operated by Roxborough Village Metropolitan District, Douglas County, Colorado.

I recognize the possibility of physical injury associated with athletic activities including but not limited to soccer, football, baseball, and softball. I agree that my minor child, and I will abide by the Rules and Regulations of the District, and release the District from all liability for property damage and bodily injury, occurring directly or indirectly, in connection with such use of District property.

I RELEASE, INDEMNIFY AND HOLD HARMLESS the Roxborough Village Metropolitan District, its directors, employees, agents, subcontractors, from and against any and all claims, actions, causes of action, liabilities, suits resulting from my child's participation in athletic activities on the District property.

I have read the Release Waiver and Indemnification and fully understand its content.

Parent's/Legal Guardian's Signature

Date

Name of Minor: _____

SPORT FIELDS RELEASE WAIVER AND INDEMNIFICATION
(COACH)

I, _____, wish to participate in sports activities on sport fields operated by Roxborough Village Metropolitan District, Douglas County, Colorado.

I recognize the possibility of physical injury associated with athletic activities including but not limited to soccer, football, baseball, and softball. I will abide by the Rules and Regulations of the District, and release the District from all liability for property damage and bodily injury, occurring directly or indirectly, in connection with such use of District property.

I RELEASE, INDEMNIFY AND HOLD HARMLESS the Roxborough Village Metropolitan District its directors, employees, agents, subcontractors, from and against any and all claims, actions, causes of action, liabilities, suits as a result of my participation in athletic activities and use of the District property.

I have read the Release Waiver and Indemnification and fully understand its content.

UNDERSIGNED

_____ (signature)

Name: _____ (print out)

Title: Coach

Date: _____

Address: _____

SPORT FIELDS RELEASE WAIVER AND INDEMNIFICATION
(ORGANIZATION)

I, _____, am authorized to sign this Release Waiver and Indemnification on behalf of _____ (name of organization) ("Organization"). The Organization accepts responsibility for any damage to District property including, but not limited to, bodily injury, occurring directly or indirectly, in connection with such use of District property.

The Organization releases the District from all liability for property damage and bodily injury, occurring directly or indirectly, in connection with such use of District property. The Organization RELEASES, INDEMNIFIES AND HOLDS HARMLESS the Roxborough Village Metropolitan District its directors, employees, agents, subcontractors, from and against any and all claims, actions, causes of action, liabilities, suits as a result of my participation in athletic activities and use of the District property.

UNDERSIGNED

_____ (Name of Organization)

By: _____ (signature)
Name: _____ (print out)
Title: _____

Date: _____

Address: _____

