

RESOLUTION NO. 2025-11-4

**CONSOLIDATED BELL MOUNTAIN RANCH METROPOLITAN DISTRICT
DOUGLAS COUNTY, COLORADO**

**A RESOLUTION ADOPTING RULES AND REGULATIONS FOR THE
CONSOLIDATED BELL MOUNTAIN RANCH METROPOLITAN DISTRICT**

WHEREAS, the Board of Directors (“Board”) of the Consolidated Bell Mountain Ranch Metropolitan District (“District”) has the power and authority pursuant to § 32-1-1001(1)(m) C.R.S., to adopt rules and regulations not in conflict with the Constitution and the laws of this State for carrying on the business, objects and affairs of the Board and of the District; and

WHEREAS, pursuant to said authority the Board has reviewed and revised a draft set of Rules and Regulations for the District; and

WHEREAS, the District’s legal counsel has reviewed and approved as to form the draft Rules and Regulations; and

WHEREAS, the Board desires to adopt said Rules and Regulations and has determined that such action is in the best interest of the District and its inhabitants.

NOW THEREFORE BE IT RESOLVED by the Board of Directors of the Consolidated Bell Mountain Ranch Metropolitan District as follows:

Section 1. Adoption of Rules and Regulations. The Rules and Regulations attached hereto as Exhibit A and incorporated herein by this reference are hereby approved and adopted by the Board of Directors of the Consolidated Bell Mountain Ranch Metropolitan District effective as of November 4, 2025.

Section 2. Interpretation. The District, acting through its Board of Directors and based upon the advice of its legal counsel and other consultants, reserves the right to interpret and change or rescind the adopted Rules and Regulations at any time and in addition, reserves the right to determine the meaning, purpose and effect of the Rules and Regulations based upon generally accepted engineering standards and practices and rules of interpretation.

Section 3. Severability. If any part or provision of this Resolution is adjudged to be unenforceable or invalid, such judgment shall not affect, impair or invalidate the

remaining provisions of this Resolution, it being the Board's intention that the various provisions hereof are severable.

Section 4. All Acts, Order and Resolutions. All acts, orders, and resolutions or parts thereof of the Board which are inconsistent or in conflict with this Resolution, are hereby repealed to the extent only of such inconsistency or conflict.

Section 5. Prior Rules and Regulation Superseded. As of the effective date set forth below the Rules and Regulations as hereby adopted and shall supersede any previously adopted Rules and Regulations of the District.

Section 6. Effective Date. The provisions of this Resolution shall take effect as of November 4, 2025.

ADOPTED on the 4th day of November, 2015.

CONSOLIDATED BELL MOUNTAIN
RANCH METROPOLITAN DISTRICT:

By: 

Steve Vrabel, President

Attest:


Molly Rowells, Secretary

EXHIBIT A

Consolidated Bell Mountain Ranch Metropolitan District (Metro District)
Definitions, Rules and Regulations
Effective: November 4 , 2025

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EXHIBIT A

A. MEMBERSHIP AND PROPERTY DESCRIPTION

The Members of the Bell Mountain Ranch Homeowners Association are Unit Owners as herein defined, of real property in the County of Douglas, State of Colorado known as Bell Mountain Ranch, as shown and described on the following plats (collectively "Bell Mountain Ranch"):

1. Bell Mountain Ranch Subdivision Filing No. 1-A, as shown on the Plat recorded on January 11, 1996, in the office of the Clerk and Recorder of Douglas County, Colorado at Reception No. 9601921, and any and all amendments thereto;
2. Bell Mountain Ranch Subdivision Filing No. 1-B, as shown on the Plat recorded on April 23, 1998, in the office of the Clerk and Recorder of Douglas County, Colorado at Reception No. 9829016, and any and all amendments thereto; and
3. Bell Mountain Ranch Filing No. 2, (a. k. a. Steven's Ranch), Reception No. 2018022022 in the records Douglas County, Colorado.

B. NAMES OF GOVERNING BODIES

"Consolidated Bell Mountain Ranch Metropolitan District" or **"Metro District"** is the quasi-municipal corporation and political subdivision of the State of Colorado formed pursuant to Title 32, Colorado Revised Statutes, as evidenced by the order of the District Court of Douglas County, Colorado dated effective January 1, 1999, creating such Metro District, which consolidated and merged all property interests, rights and responsibilities of the Bell Mountain Ranch Park and Recreation District, the Bell Mountain Ranch Phase II Metropolitan District, and the Bell Mountain Ranch Phase III Metropolitan District and formed in part for the purpose of constructing, maintaining, and operating certain common facilities on real property within Bell Mountain Ranch.

The Metro District contracted with the Town of Castle Rock through an Inter-Governmental Agreement (IGA) to take over the water rights and water infrastructure serving Bell Mountain Ranch. The Town of Castle Rock now has full authority for the water taps, water supply service, distribution infrastructure, treatment plant, water storage tanks, water wells and any repairs required to maintain potable water service to Bell Mountain Ranch Residents and subsequent billing for services thereof.

"Metro Board" and "Metro Board of Directors" shall mean the governing body of the Metro District.

C. DEFINITIONS, INCLUDING DESCRIPTIONS OF METRO DISTRICT REAL ESTATE

"Association" or "HOA" - shall mean the Bell Mountain Ranch Homeowners Association.

"Common Areas and Activity Areas" - shall refer to all the property within Bell Mountain Ranch in which the Metro District owns a fee interest, an easement, or a leasehold interest, except any such areas that are not open to the public or a Unit Owner. Common Areas and Activity Areas are maintained by the Metro District but may be maintained by the Association.

"Common Elements" - shall refer to all the property in Bell Mountain Ranch in which the Association holds or owns a fee interest, an easement or a leasehold interest.

"Community Activity Areas" - refers to certain Common Areas located within Bell Mountain Ranch, as designated on the Plats, that are designated for recreational use in accordance with rules and regulations formulated by the Metro District. These are the Parks, Paths and Trails, and are maintained by the Metro District.

"Common Interest Community" - shall mean the planned community of Bell Mountain Ranch.

"Community Open Space", also referred to as "Metro District Open Space" - refers to certain Common Areas located within Bell Mountain Ranch as designated on the Plats. These areas are intended for less intense use than the Community Activity Areas and shall remain largely in a native state. The Community Open Space is maintained by the Metro District.

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"Development Plan" - is the Development Plan, including all amendments, approved by the Douglas County Board of Commissioners pursuant to Section 15, Planned Development District of the Douglas County Zoning Resolution and recorded at the office of the Clerk and Recorder of Douglas County, Colorado on June 9, 1995, and governs the use and development of the property within Bell Mountain Ranch, as the Development Plan is amended from time to time.

"Facilities" or "Common Facilities" - shall mean all those facilities and improvements constructed or authorized to be constructed by the Metro District, pursuant to its Service Plan and these Rules and Regulations.

"Fences" or "Fencing" - All barriers designed to contain, control, screen or decorate property, including invisible (underground or GPS locational) fencing.

"Guest(s)" - Person(s) invited by a Bell Mountain Ranch Unit Owner or Resident to use Metro District Community Open Space or Community Activity Areas (Parks, Paths, and/or Trails). These Rules limit the number of Guests per day. Guests on Metro District properties shall be accompanied by a Unit Owner or Resident. Further restrictions on Guest numbers are applied to Guest Horseback Riders on Equestrian Trails.

"Hiking/Equestrian Trails" (also referred to as "Trails" or "Trail System") - are easements of 25' in width, located within certain POSPE, designated by marker points and/or signage and are for the exclusive use of Hikers and Equestrians ("Horseback Riders").

"Improvements" - shall mean all buildings and structures, parking areas, loading areas, fences buried electronic fences, walls, hedges, plantings, poles, driveways, ponds, recreational facilities, signs, excavation and all other site work including without limitation, grading, road construction, utility improvements, removal of trees or plantings, and any new exterior construction or exterior improvement which may not be included in the foregoing, located on property or within an easement or other property interest owned by the Metro District. "Improvement" does not include landscape, turf, shrub, or tree replacement of a magnitude "Improvement" includes both the original improvement and all later changes and improvements.

"Local Streets" - shall mean those streets which serve individual neighborhoods and provide access into and out of Bell Mountain Ranch.

"Local Street Easements" - The Metro District owns the following additional easements along all the public streets and Residential plots. First ten (10) feet immediately from the edge of all public roads paving, plus additional fifteen (15) feet following the first ten feet as a utility easement. In the old Stephens Ranch which is now part of the Bell Mountain Ranch, the first easement is twelve (12) feet from the edge of street curb and gutter, plus additional fifteen (15) feet for utility easement. All our public roads are twenty (20) feet wide, except in the Cul-De-Sacs where the widths may vary.

First ten (10) foot easements generally consist of road edge gravel, ditches, slopes and drainage culverts under private residential driveways, which are all maintained by the Metro District. Any utility works, future improvements or repairs required in the next fifteen (15) feet of Metro District utility easement will usually be performed by an authorized utility company. The utility company is required to restore the disturbed land to as found condition, however replacing or replanting any damaged removed trees/ shrubs or landscaping is up to each Resident. It is also the Resident's responsibility to repair or rebuild their asphalt or concrete driveways due to the Metro District's replacement of any drainage culverts lying under the private driveways. The Metro District's will only replace and backfill the culverts.

"Lot" - A residential building lot designated on the Plats and shall have the same meaning as the term "Unit".

"Metro District"- The "Consolidated Bell Mountain Ranch Metropolitan District", a quasi-municipal corporation and political subdivision of the State of Colorado, formed in part for the purpose of constructing, maintaining, and operating certain common facilities within Bell Mountain Ranch.

"Paths"- Officially designated as "Walking/Bicycle Paths" are improved gravel paths and are for the exclusive use of walkers and runners ("Pedestrians"), and bicyclists. They are upon 25 ft easements, adjacent to the Local Streets, and may be within a POSPE.

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"Park" - shall mean the park located on Tract K, Bell Mountain Ranch Filing 1-A that is owned, operated and maintained by the Metro District.

"Pedestrians" - Walkers or runners using the Paths.

"Plat(s)" - shall refer to the plats titled Bell Mountain Ranch Subdivision Filing No. 1-A recorded on January 11, 1996, in the office of the Clerk and Recorder of Douglas County, Colorado at Reception No. 9601921 and Bell Mountain Ranch Subdivision Filing No. 1B recorded on April 23, 1998 in the office of the Clerk and Recorder of Douglas County, Colorado at Reception No. 9829016, as amended, and Bell Mountain Ranch Subdivision Filing No. 2 (a. k. a. Steven's Ranch) in the reception of Douglas County, Colorado. The term "Plat" shall also include any approved and recorded modifications to or amendments of a Plat or any portion thereof, or replat of a Plat or any portion thereof that has been approved and recorded.

"Private Open Space Preservation Easement" or "POSPE" (also referred to as the "Open Space Easement" or "C-Zone") - is the portion of each residential Unit as designated on the Plat in which a non-exclusive easement is granted to the Metro District. These easements are for the purpose of preserving the unique character of Bell Mountain Ranch by providing open space, maintaining wildlife habitat, migration corridors, natural drainageways and corridors for Hiking/Equestrian Trails and Walking/Bicycle Paths.

"Resident" - any person residing at Bell Mountain Ranch.

"Rules" - shall mean the current Metro District Rules and Regulations.

"Shall"- is mandatory; "may" is permissive.

"Street Facilities"- shall mean those portions of the facilities constructed or to be constructed for street and/or safety purposes as set forth in the Service Plan and Section 4 of these Rules and Regulations. The Street Facilities do not include Local Streets.

"Trails"- officially designated as "Hiking/Equestrian Trails" are 25 ft wide easements located within certain POSPE, designated by marker points and/or signage and are for the exclusive use of Hikers and Equestrians ("Horseback Riders").

"Trail System"- is the entire network of Trails in Bell Mountain Ranch.

"Unit" - shall refer to any plot of land or "Lot" shown upon the Plats.

"Unit Owner" - The recorded Owner, whether one or more persons, or entities of fee simple title to any residential Unit but excluding those having such interest merely as security for the performance of an obligation.

"User" - Any person authorized to use a Bell Mountain Ranch amenity (Community Open Space, Park, Paths, Trails and Local Streets), to include Bell Mountain Ranch Unit Owners, Residents and, with limitation, guests.

"Walking/Bicycle Paths" or "Paths" - are improved gravel paths and are for the exclusive use of walkers and runners ("Pedestrians") and bicyclists. They are upon 25-foot easements, adjacent to the Local Streets and may be within a POSPE.

1. **GENERAL RULES AND REGULATIONS OF USE OF COMMUNITY OPEN SPACES & COMMON & ACTIVITY AREAS (hereinafter collectively referred to as "Community Space")**

- 1.1. All Community Space is for the use and benefit of Unit Owners or Residents of Bell Mountain Ranch and their guests. No use shall be made of Community Space that will in any manner violate the statutes, rules, or regulations of any governmental authority having jurisdiction over the Community Space. Each User shall use Community Space in the manner intended and so as not to interfere with the enjoyment of other Users or the privacy of Unit Owners or Residents. The use of Community Space is subject to such rules and regulations as may be adopted from time to time by the Metro District.

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- 1.2. No Unit Owner shall place any structure whatsoever upon Community Space, nor shall any Unit Owner engage in any activity which will temporarily or permanently deny free access to any part of Community Space to all Bell Mountain Ranch Residents.
- 1.3. No use shall be made of Community Space that will deny ingress and egress to those Unit Owners having access to a public street or to their Units only over Community Space, and said rights of ingress and egress to all Units are hereby expressly granted.
- 1.4. Use or entry of any Community Space posted as "Closed" by the Metro District is prohibited.
- 1.5. No motorized vehicles are permitted on any Community Space unless authorized by the Metro District, except for use of the parking lot at the Park, or overflow parking in the maintenance area at the south side of the Park.
- 1.6. No launching or landing of remotely controlled, self-powered or launched water, surface or aircraft is permitted within Community Space without written approval from the Metro District.
- 1.7. No signage may be constructed, placed or posted within any Community Space without written approval from the Metro District.
- 1.8. **Any Resident or Guest using Community Space does so at their own risk and liability.** Users and Guests may encounter dangerous wildlife and/or dangerous natural conditions, and any activity involving the use of Community Space. For wildlife acting aggressively or abnormally, please contact Colorado Park and Wildlife - Statewide contact: (303) 291-7220. **If there is an emergency or the situation poses an immediate danger, call 911.**
- 1.9. ANIMAL CONTROL: To report an animal control issue endangering public safety (aggressive dog running at large) or a public health issue (domestic animal bite involving a human) please contact the Douglas County Sheriff's Office Regional Dispatch Center immediately at (303) 660-7500.
- 1.10. CAMPING: No camping, either temporary or permanent, is permitted on any Community Space, and in the POSPE.
- 1.11. COMMERCIAL ACTIVITY. Conducting any commercial activity, or providing any service, product or activity for which a fee is charged is prohibited within any Community Space without written approval from the Metro District.
- 1.12. DAMAGE TO PROPERTY OR RESOURCES: Users shall not remove, destroy, mutilate, deface or damage any structure, poster, sign, marker, vegetation, rock, or any object of archeological, biological, geological or historical value or interest on any Community Space. Any person causing property damage will be prosecuted for vandalism.
- 1.13. DISCHARGE OF WEAPONS: The discharge or use of firearms, fireworks, explosives, BB guns, pellet guns, air guns, crossbows, longbows, slingshots or any form of projectile is prohibited within any Community Space.
- 1.14. DOGS AND HORSES: All dogs in Community Space must be on a leash and dogs and horses under the physical control of their human companion. Use of Horses is strictly limited to designated **trails** only.
- 1.15. FIRES: The Douglas County Open Fire and Open Burning Restriction Ordinance, Ordinance No. 0-012-004, applies restrictions on open fires, open burning, and fireworks in the unincorporated areas of Douglas County. Unless the DC Sheriff lifts a Stage 1 Fire Ban, no open fires, fireworks, or open burning is permitted. This applies to ALL PROPERTIES within Bell Mountain Ranch. The only exception is the use of propane gas barbeque grills which are permitted within the Park.
- 1.16. HOURS OF USE: Entry and Use of the Community Space and Activity Areas is permitted only in the time period of (1) hour before sunrise to one (1) hour after sunset, except with written permission from the Metro District.
- 1.17. GUESTS: The number of daily Guests of Unit Owners or Residents is limited by these Rules and Regulations. Additional limits apply to Guest Horseback Riders on Trails. Six (6) Guests of a Unit Owner or Resident are permitted per day. Two (2) Guest Horseback Riders are permitted per day.) Guests within Common Areas shall be accompanied by a Unit Owner or Resident at all times. A larger number of Guests using Common Areas are permitted only with advance written permission of the Metro District.

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- 1.18. HUNTING: Hunting is strictly prohibited within the entire Bell Mountain Ranch Community Space.
- 1.19. LAUNCHING DRONES, MODEL AIRCRAFT: No launching or landing of remotely controlled, self-powered or launched water, surface or aircraft is permitted within any Community Space without written approval from the Metro District.
- 1.20. LITTERING: Users, Unit Owners, Residents or their Guests shall not deposit or leave litter, refuse or trash within Community Space. All trash, or refuse generated by individual use, or by an organized event may be deposited in trash cans at the Park or is encouraged to be taken to the Users residence for removal with normal community trash pickup in the interest of not attracting bears.
- 1.21. MOTORIZED VEHICLES OR BICYCLES: No motorized vehicle, or any type of bicycle, are permitted on Community Open Space and Activity Areas except within designated parking areas. (The exception are vehicles used by or under the order of the Metro District for the conduct of inspections, maintenance, or construction of improvements.)
- 1.22. NOISE: Users of Community Space shall not create or permit noise or sounds in excess of the maximum permissible noise levels as established by Douglas County from time to time.
- 1.23. PARK RESERVATIONS: Use of the Park may be reserved as follows:
- a. Any party may reserve the Park for an event.
 - b. Only one reservation will be made on any given day.
 - c. Signage will be placed at the entrance to the Park notifying that the use of the Park has been reserved.
 - d. Reservation of the Park is made through the President of the Metro District and must be done at least 14 days prior to the day of intended use by completion and submission of the Metro District Park Reservation form. The Park reservation form can be found on the Advance HOA Management Site under the Metro District Information folder or at the following link: <https://bell.eunify.net/LoginMod.asp?command=3>
 - e. User fee for Residents is fully refundable w/in 1 week at end of the event, non- refundable if canceled w/in 48 hrs of event (except for inclement weather).
 - f. Any Park reservation made by a party other than a BMR Unit Owner or Resident will be assessed a Park fee in the amount of \$500. Payment is required at the time of reservation. This fee is nonrefundable and will offset the Metro District's cost of operating and maintaining the Park.
 - g. After the event has been concluded, Park User shall restore the Park to the same condition it was in prior to the event no later than 12:00 p.m. the day after the event
- 1.24. PARKING: No vehicles, bicycles, motorcycles, construction equipment, or trailers may be parked within any Community Space, except in designated areas or by approval from the Metro District. No overnight parking is permitted at any time in any Community Space without written approval from the Metro District.
- 1.25. SMOKING: Use of cigarettes, cigars, and vaping is prohibited in Community Space out of respect for other Users.
- 1.26. WILDLIFE: Disturbance, harassment or feeding of wildlife is prohibited within the Community Open Space and Activity Areas.
- 1.27. SLASH PICK UP EVENTS: All slash pickup events require the organizing party to obtain a slash pick up event permit from the Metro District. The form of which can be found on the Metro District's website bmmmetro.org. All damage to Metro District properties will be repaired by Metro District maintenance contractors and charged to the organizing event entity.

2. WALKING/ BICYCLE PATH RULES AND REGULATIONS

- 2.1 The Paths are improved gravel paths and are for the exclusive use of walkers and cyclists. Users of the Paths are to remain on the Paths at all times and not trespass onto private property.

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- 2.2 The Paths are meant primarily for the use and benefit of Unit Owners, Residents of Bell Mountain Ranch and their guests. Each User shall use the Paths in the manner intended and so as not to interfere with the enjoyment of other Users or the privacy of Unit Owners or Residents.
- 2.3 CAUTION: Where the Paths and Local Streets share a common level and are adjacent to one another, Walkers/Bicyclists are responsible for staying out of the Local Street and being conscious of traffic on the road.
- 2.4 CROSSING STREETS: Where the Paths cross a Local Street, Pedestrians/Bicyclists are responsible for ensuring they cross at designated crossings and look both ways prior to crossing.
- 2.5 YIELD: (a) Bicyclists are required to yield to Walkers, (b) Pedestrians and Bicyclists are required to yield to Horseback Riders where Paths - Hiker/Horseback Rider Trails intersect.

3. HIKING & EQUESTRIAN TRAIL RULES AND REGULATIONS:

WARNING

Under Colorado Law, specifically Section 24-10-101, et seq. and Section 13-21-119, C.R.S., the Consolidated Bell Mountain Ranch Metropolitan District is afforded various protections, defenses, and immunities for personal injury or property damage, including but not limited to damage that may arise out of the inherent risk of equine activities and/or the use of its trail facilities.

- 3.1 The Trails are designated by marker points and/or signage and are for the exclusive use of Hikers and Equestrians ("Horseback Riders"), except for mountain bikes, any use of bicycles or motorized vehicles of any kind is prohibited on the hiking and equestrian trails.
- 3.2 The Trails are meant primarily for the use and benefit of Unit Owners and Residents of Bell Mountain Ranch and their guests.
- 3.3 Users of the Trails are to use only marked Trails, remain on the Trails at all times, and not trespass onto private property.
- 3.4 Horseback Riders shall use the Trails in a manner so as not to be a hazard to Hikers or other Horseback Riders.
- 3.5 Hiker/Horseback Rider use of the Trails posted as "Closed" by the Metro District is prohibited.
- 3.6 DOGS/HORSES: (a) Dogs on the Trails must be on a leash and under the physical control of their human companion. (b) Horses are not permitted on Paths, or on Local Streets, except at designated crossings. (c) Horses must be always kept under control.
- 3.7 PICNICKING: Hikers/Horseback Riders are to picnic only at designated picnic table areas within Community Open Space. Picnicking within private property near Trails or within Private Open Space Preservation Easements is prohibited.
- 3.8 TRASH: Hikers/Horseback Riders are to leave no litter. Pack-it in, pack-it-out.

4. LOCAL STREET USE / TRAFFIC

The Local Streets within Bell Mountain Ranch serve individual neighborhoods, are publicly owned and maintained. Use of the roads shall be in accordance with all applicable laws, codes, statutes and regulations of the State of Colorado, Douglas County, and the Metro District, as amended from time to time for the regulation of vehicular traffic.

- 4.1. Drivers are to drive at speeds at or below posted Speed Limits. Road, weather or other conditions may dictate a lesser speed be maintained in order for the driver to retain control of the vehicle.
- 4.2. The reckless operation of any vehicle is strictly forbidden. Drivers are responsible for damage to any Common Areas or personal or real property resulting from the reckless operation of any vehicle.
- 4.3. Drivers shall yield to Pedestrians, Bicyclists and Horseback Riders. Drivers shall use extra caution when nearing marked Pedestrian and Horseback Rider cross walks and blind corners.

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- 4.4. Residents who observe reckless driving or excessive speeding are encouraged to report these to the Douglas County Sheriff's Department at (303) 660-7500. Please provide vehicle make, model, color, and license plate number. The Sheriff's dispatch office will take the information, and a deputy will contact the vehicle's owner.
- 4.5 No portable restrooms are to be placed on streets, street shoulders, or Metro District easements without written Metro District approval.

5. **SIGNAGE ON LOCAL STREETS:**

- 5.1. Only signage belonging to the Metro District is allowed within any easement, right of way or other property owned by the Metro District. No billboards, signs, notice or advertisement, whether of a permanent or temporary nature, shall be constructed or posted. The two exceptions are:
 - a. Real estate Directional Open House signs are to be placed at intersections and only on the day of the open house.
 - b. "Garage Sale Signs" are limited to a sign placed on a single property stating only "Garage Sale".

6. **PARKING ON LOCAL STREETS:**

- 6.1. No trucks, motorhomes, trailers, commercial carriers, construction or earthmoving equipment, or similar Vehicles shall be parked on streets, street sides or street shoulders, except for the temporary purpose of loading or unloading.
- 6.2. No vehicles, trailers, or construction equipment are to be parked, at any time, in a manner that impedes ingress or egress from a private Lot driveway or any Local Street intersection.
- 6.3. No trucks, motorhomes, trailers, commercial carriers, construction or earthmoving equipment, or similar Vehicles, shall be parked on streets, street sides or street shoulders overnight.
- 6.5 Temporary parking along the road shoulder is permitted by Residents and guests for the purpose of attending social gatherings, provided the event does not restrict traffic flow or prevent a neighboring resident from accessing their property. No overnight parking on the road shoulder is allowed, except when a Unit Owners driveway is under maintenance that prohibits or substantially restricts the Unit Owners or Residents access to his or her garage.

7. **RESIDENTIAL TRASH, LANDSCAPE DEBRIS, AND SNOW:**

- 7.1. Unit Owners and Residents shall not deposit any trash tubs, mow clippings, slash, debris, snow, construction, or other materials from residential activities onto Local Streets. If such an event were to occur, Residents are required to immediately remove debris, snow or material from the street. Placement of such items on the shoulder of the road is acceptable, provided there is a scheduled commercial removal of such items.
- 7.2. From April through mid-November, trash tubs shall be placed on the street shoulder on the morning of trash and recycling removal to prevent the attraction of bears or overnight wind-blown trash.
 - a. If the trash removal vendor fails to pick up trash on the designated day, trash tubs shall be removed to a location secure from bears and be replaced by the street the next confirmed day of trash pick-up.
 - b. In the event that a bear does get into a trash or recycle bin or wind disperses the trash, it is the Resident's responsibility to immediately clean up the mess and prevent the trash from blowing into the adjacent Resident's property. **All trash bins should have the opening lids secured by a heavy rock to prevent trash being dislodged during windy days.**

8. **PRIVATE OPEN SPACE PRESERVATION EASEMENT (POSPE) OR "C ZONE" DEFINITION, RULES AND REGULATIONS, RIGHTS, AND RESPONSIBILITIES**

The Private Open Space Preservation Easements ("POSPE"; historically referred to as "Open Space Easements" "Easements" or "C zones") is the portion of each residential Unit as designated on the Bell Mountain Ranch Subdivision Filing Nos. 1-A and 1-B, and Filing No. 2, Douglas County, Colorado (the "Plats") in which a non-exclusive easement was originally granted to the Bell Mountain Ranch Park and Recreation District, and subsequently merged into and under the control of the Metro District. These POSPE's are for the purpose of preserving the unique character of the property within Bell Mountain Ranch and for providing open space, maintaining wildlife habitat, fire mitigation corridors, natural drainageways, and corridors for the Trails and Paths.

- 8.1 **ACCESS:** Access to any portion of any POSPE other than that designated as Trails and Paths, is limited to the Unit Owner, Resident or their Guests, Metro Board, or Metro District contractors.
- 8.2 **CAMPING:** No camping, either temporary or permanent, is permitted on any POSPE.

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- 8.3 IMPROVEMENTS. No Improvements, fences, or pet barriers or containment systems shall be placed or constructed within the POSPE without the written approval of the Metro District.
- 8.4 MOTORIZED VEHICLES OR BICYCLES: No motorized vehicles are permitted on POPSE unless in the conduct of maintenance of Trails, Paths or POSPE within the Lot/Unit.
- 8.5 PARKING: No vehicles, bicycles, motorcycles, construction equipment, or trailers **may be** parked within the POSPE, except when parked temporarily for conduct of maintenance of Trails, Paths or POSPE.
- 8.6 VEGETATION. It is the responsibility of each Unit Owner to control noxious weeds within their entire Lot, including the POSPE. Vegetation such as dead trees or branches may be removed without the Metro District approval, however any major dead tree clearings must receive prior Metro District approval. Noxious weeds, may be removed, trimmed, cut, mowed or otherwise chemically maintained within the POSPE without the prior written approval of the Metro District. Identification and management recommendations can be found at: <https://douglasconserves.org/noxious-weeds/>

If a fire mitigation or mastication plan is developed by the Douglas County Wildfire Mitigation office, Larkspur Fire Protection, Castle Rock Fire and Rescue or a professional forestry expert, and is recommending removal of vegetation within a POPSE, the Unit Owner must submit copies of the plan to the Metro Board for review and recording. Written approval from the Metro District to the Unit Owner is required before fire mitigation within any POSPE may be initiated. Contact information for each of these jurisdictions or entities can be found on the Advance HOA Management website under the May 2025 Newsletter, Page 10 & 11.

- 8.7 WILDLIFE: Disturbance, harassment or feeding of wildlife is prohibited within the POSPE. Feeding of deer and elk promotes the congregating of the animals which in turn promotes the proliferation of chronic wasting disease. Residents observed feeding wildlife will be reported to Colorado Parks and Wildlife for Resident educational purposes and/or possible fines for repeat offenders.
- 8.8 INDEMNITY To the extent permitted by law, and subject to the immunities, defenses, limitations and other protections afforded Metro District under the Colorado Governmental Immunity Act Section 24-10-101 et seq. C.R.S., the Metro District shall indemnify and hold Unit Owner or Unit Owner's licensee, or guest harmless from and against any loss, damage, cost, expense (including reasonable attorneys' fees), suit, action, or injury incurred by Unit Owner or Unit Owner's licensee, invitee or guest, as a result of the use of the POSPE by the Metro District. The Metro District shall maintain a policy of liability insurance for its use of the POSPE, including coverage for bodily injury, property damage and personal injury in the amount of \$1,000,000 per occurrence.