

RESOLUTION
PINE CREEK VILLAGE ASSOCIATION, INC.

SUBJECT: Confirmation of responsibility for fence between Blossom Hill I and II and Challenger Middle School/Mountain View Elementary School

AUTHORITY: The Declaration, Articles of Incorporation and Bylaws of the Association and Colorado law.

EFFECTIVE DATE: February 25, 2020.

RESOLUTION: The Board has determined the following:

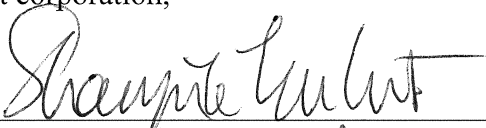
1. There is a perimeter fence separating individually-owned Lots in Blossom Hill I and Blossom Hill II from the grounds of Challenger Middle School and Mountain View Elementary School. With the exception of 2-3 small areas, the fence is not located on or bordering Common Area owned by the Association.
2. The Declaration of Covenants, Conditions and Restrictions for Pine Creek Village at Briargate (“Declaration”) does not expressly require the Association to maintain a perimeter fence that is not located on Common Area, but gives the Association the authority to maintain property it does not own if the Board determines such maintenance to be desirable to conform to the Community-Wide Standard.
3. In 2012, the Board of Directors examined whether the Association should take on the maintenance responsibility for this perimeter fence and determined that the Association does not have easement authority to access the fence to provide maintenance. The Board, therefore, determined that the Association would not assume maintenance responsibility for the portions of the fence that are not located on or bordering the Common Area.
4. The Board has since learned that the Declaration grants easements to the Association in order to perform any of its maintenance responsibilities. Therefore, if the Association were to determine that assuming maintenance of the perimeter fence between the Blossom Hill I and II Lots and the two schools is needed to conform to the Community-Wide Standard, it would have the access needed.
5. The Board has determined that assuming maintenance of the fence is not needed at this time to maintain the Community-Wide Standard. Further, the Association has not included maintenance or replacement of this fence in its long-term financial plans. Therefore, the Board reaffirms the decision from 2012 that the

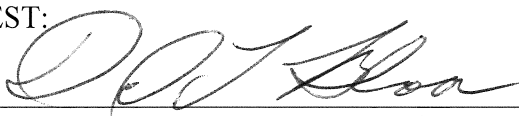
Association will not be responsible for the fence between the Lots and the school grounds, but acknowledges that this reaffirmation is based on an updated understanding of the Association's access rights.

**PRESIDENT'S
AND
SECRETARY'S**

CERTIFICATION: The undersigned, respectfully being the President and Secretary of Pine Creek Village Association, Inc., a Colorado nonprofit corporation, certify that the foregoing Resolution was approved and adopted by the Board of Directors of the Association at a duly called and held meeting of the Board of Directors of the Association on February 25, 2020, and in witness thereof, the undersigned have subscribed their names.

PINE CREEK VILLAGE ASSOCIATION, INC., a Colorado nonprofit corporation,

By: 
Staryn McWhorter, PCVA, President

ATTEST:
By: 
PCVA, Secretary