

**RESOLUTION
OF THE
PAWNEE HILLS COMMUNITY ASSOCIATION, INC
REGARDING THE DEFINITION OF "COMMERCIAL ACTIVITY"**

SUBJECT: Adoption of a Board of Directors' policy concerning the interpretation of "Commercial Activity" as defined in Article VI, Section 13 of the Pawnee Hills Community Association Declarations of Protective Covenants, and the formation of a policy regarding enforcement of this provision.

PURPOSE: To establish a policy directing actions toward enforcement of said provision of the Declarations of Protective Covenants conditions and restrictions regarding Commercial Activity.

AUTHORITY: The Declaration of Protective Covenants, Articles of Incorporation and Bylaws of the Association and Colorado Revised Statutes.

EFFECTIVE DATE: Amended August 2019

RESOLUTION: The Association notes that Article VI, Section 13 of the Pawnee Hills Community Association Declaration of Protective Covenants states "no store, office, or other place of business of any kind shall be erected or permitted upon any of the residential lots or any part thereof, and no commercial activity may be permitted."

While not a change or addition to the current Declaration of Protective Covenants or By-Laws of Pawnee Hills Community Association, the following shall be used by the Board of Directors as a guide for determining a commercial activity as prohibited in Article VI, Section 13 of the Declaration of Protective Covenants.

1. Commercial Activity will be defined as any activity undertaken as part of a commercial enterprise which creates/includes the following:

- a. A store front.
- b. Requires a parking lot for customers which obstructs the street.
- c. Creates additional traffic volume (including, but not limited to customer traffic, delivery traffic etc.) which significantly affects the residential character of the area.
- d. Signage (excludes company cars, trucks or vans).
- e. Creates excessive waste or by-product.
- f. Creates excessive or offensive noise, vibration, smoke, dust, odors, heat, glare or light noticeable or extending beyond the property.

- g. Requires outside storage of materials or equipment that is not fenced or enclosed.
 - h. The business is the primary use of the principle residence.
2. Definitions. Unless otherwise defined in this Resolution, initially capitalized or terms defined in the Declaration shall have the same meaning herein.
 3. Supplement to Law. The provisions of the Resolution shall be in addition to and in supplement of the terms and provisions of the Declaration and the law of the state of Colorado governing the Project.
 4. Deviations. The Board may deviate from the procedures set forth in this Resolution if in its sole discretion such deviation is reasonable under the circumstances.
 5. Amendment. This policy may be amended by the Board of Directors at their discretion.

CERTIFICATION:

The undersigned certify that the foregoing Resolution was adopted by the Directors of the Association, at a duly called and held meeting of the Board of Directors on August 27, 2019 and in witness thereof, the undersigned has subscribed his/her name.

PAWNEE HILLS COMMUNITY ASSOCIATION, INC.
A Colorado non-profit corporation

Cynthia E. Creggie
President

David J. Powell
Vice President