

**RESOLUTION
OF THE BOARD OF DIRECTORS OF
ST. VRAIN LAKES METROPOLITAN DISTRICT NO. 1**

**ADOPTING THE AMENDED AND RESTATED LAKE USE POLICY
EXHIBIT C TO THE
POLICIES AND PROCEDURES GOVERNING THE BAREFOOT LAKES
RECREATION AMENITIES**

WHEREAS, St. Vrain Lakes Metropolitan District No. 1 (the “**District**”) is a quasi-municipal corporation and political subdivision of the State of Colorado, duly organized pursuant to §§ 32-1-101, et seq., C.R.S. and in accordance with the “Service Plan” for the District, as approved by the Town of Firestone and the District Court of Weld County, Colorado; and

WHEREAS, in accordance with Section 32-1-1001(1)(m), C.R.S., the District is empowered to adopt, amend, and enforce bylaws and rules and regulations governing the operation of the District; and

WHEREAS, on May 9, 2018, the District adopted the Policies and Procedures Governing the Barefoot Lakes Recreation Amenities (the “**Policies and Procedures**”), which included a Lake Use Policy as Exhibit C (the “**Prior Lake Use Policy**”); and

WHEREAS, the District now desires to adopt the attached Amended and Restated Lake Use Policy, which shall replace and supersede, in its entirety, Exhibit C to the Policies and Procedures; and

WHEREAS, the District, its staff and consultants are authorized to take all actions necessary to implement this Resolution and the intent of this Resolution.

NOW, THEREFORE, be it resolved by the Board of Directors of the St. Vrain Lakes Metropolitan District No. 1 as follows:

1. Adoption of Amended and Restated Lake Use Policy. The Amended and Restated Lake Use Policy, attached hereto as **Exhibit A** and incorporated herein, are hereby adopted pursuant to § 32-1-1001(1)(m), C.R.S., and § 18-9-117, C.R.S. The Prior Lake Use Policy shall be replaced in its entirety by the Amended and Restated Lake Use Policy.

2. Variances. The Board hereby authorizes the District manager or legal counsel, as appropriate, to grant written variances for good cause shown.

3. Amendment. The District expressly reserves the right to amend, revise, redact, and/or repeal the Policies and Procedures 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 rules and regulations and/or policies and procedures, or update those rules and regulations and/or policies and procedures already in existence, as may be necessary, in the Board's discretion.

4. Effective Date. The provisions of this resolution shall take effect on February 5, 2020.

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 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.

[Remainder of page left blank intentionally]

EXHIBIT A
Amended and Restated Lake Use Policy

EXHIBIT C OF
POLICIES AND PROCEDURES GOVERNING THE
BAREFOOT LAKES RECREATION AMENITIES

LAKE USE POLICY

1.1 Permitted Recreational Use of the Lake. The District has been informed that a satisfactory water quality baseline standard has been established in the Lake. Based on this information, the District has determined to permit certain recreational uses of the Lake. Uses of the Lake not specifically permitted herein are prohibited. Any User wishing to use the Lake must complete and file an Individual and Parent/Legal Guardian Waiver of Liability and Release Form with the District's Manager prior to use of the Lake.

1.1.1 Fishing. A Colorado Fishing License is required to fish at the Lake. Fishing is permitted at designated fishing areas at the Lake and at the Pier, provided that the Pier is free of snow and ice. Fishing at other locations is prohibited. All Users must abide by the District's posted restrictions and limitations, including but not limited to restrictions on the number of fish that may be kept.

1.1.2 Use of Watercraft. The District has determined to permit the use of certain watercraft on the east side of the Lake. Those watercraft not specifically permitted herein are prohibited from being used on the Lake. Use of watercraft on the west side of the Lake is prohibited.

(a) **Lake Rental Vendor Watercraft.** The District has contracted with a third party vendor (the "**Lake Rental Vendor**") to provide rental kayaks and stand-up paddle boards for recreational use on the Lake. Only the kayaks and stand-up paddle boards provided by the Lake Rental Vendor are permitted to be used on the Lake. Personal watercraft are prohibited. Users must adhere to the Lake Rental Vendor's policies and procedures, which will be posted on-site at the Lake, as well as the District's Policies.

1.1.3 Dock Use. Users may only access the Dock when a District representative or the Lake Rental Vendor is present. Fishing off of the Dock is prohibited, unless permitted during a District-sponsored event.


1.2 Winter Use. No recreational use of the Lake is permitted when there is snow or ice present on the surface of the Lake.

1.3 Children. No children under the age of twelve (12) may use the Lake unless accompanied by a parent, legal guardian or other adult, as authorized by the parent or guardian.

1.4 Violations of Policy. Any violations of the rules set forth in this Resolution may be enforced by the District as more fully set forth in the Rules and Regulations.

RESOLVED AND ADOPTED this 13th day of November, 2019.

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



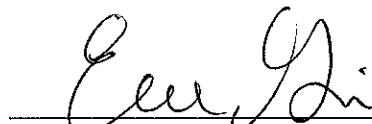
Officer of the District

ATTEST:



APPROVED AS TO FORM:

WHITE BEAR ANKELE TANAKA & WALDRON
Attorneys at Law



General Counsel to the District