

**AMENDED AND RESTATED POLICIES AND PROCEDURES GOVERNING THE BAREFOOT
RECREATION FACILITIES AND AMENITIES**

*Adopted and Enforced by
St. Vrain Lakes Metropolitan District No. 1*

Adopted May 15, 2024

Preamble

The Board of Directors (the “Board”) of St. Vrain Lakes Metropolitan District No. 1 (the “District”) adopted Policies and Procedures Governing the Barefoot Recreation Facilities and Amenities (“Prior Policies and Procedures”) pursuant to § 32-1-1001(1)(m), and § 18-9-117, C.R.S., by resolution dated May 9, 2018, to provide for the orderly and efficient , management, operation and control of the public recreational facilities and amenities and services of the District (as may be further amended or restated, the “Policies and Procedures”). Due to increased operations and on-going community development, the Board desires to amend and restate the Polices and Procedures which shall replace and supersede the Prior Policies and Procedures in their entirety.

The District, pursuant to the provisions of its Consolidated Service Plan, currently owns, maintains and operates recreation facilities and amenities that include a swimming pool (“The Cove Swimming Pool”), a gathering building (“The Cove”), a fitness center located within the gathering building (“The Cove Fitness Center”), multi-use sports courts located at The Cove (“The Cove Sports Courts”), several community playgrounds (“Playgrounds”), a lake (“Lake”), landscaped common areas/open space areas (“Parks”), and pedestrian trails in common area/open space areas (“Trails”). The Cove Swimming Pool, The Cove, The Cove Fitness Center, and The Cove Sports Courts, shall be individually referred to herein as a “Recreation Facility,” and collectively referred to herein as the “Recreation Facilities”. Recreation Facilities, in addition to, Playgrounds, Lake, Parks, and Trails shall be individually referred to herein as a “Recreation Amenity,” and collectively referred to herein as the “Recreation Amenities.” The District, pursuant to the provisions of its Consolidated Service Plan is currently constructing, or intends to construct additional recreation amenities that will become subject to these Polices and Procedures and may be individually identified through amendments to these Policies and Procedures from time to time.

As of the adoption of these Amended and Restated Policies and Procedures, the District is the current owner and operator of the Recreation Amenities pursuant to certain agreement(s) between and among the St. Vrain Lakes Metropolitan District Nos. 1-4 (collectively, the “Districts”), for the use and benefit of all of the Districts and the residents and property owners thereof. In its capacity as owner of the Recreation Amenities, the District is the party responsible for operation and control of the Recreation Amenities. The Districts have authorized the District to act as the “Operating District” on their collective behalf relative to the financing, construction, operation and maintenance of facilities, and regarding administration of the affairs of the Districts, including the collection, management and expenditure of funds of the Districts. Further, all rules and regulations, and amendments thereto, placed in force by the District, from time to time, concerning the operation of facilities and provision of services shall be fully enforceable in all of the Districts. All references herein to "District Manager" shall refer to an independent contractor, its employees and affiliates, engaged by the District to perform such services, with and to the extent authorized by the District, by contract or other valid allocation of authority. In the event recreational facility management and operations have been contracted to contractor separate and distinct of District Management, references to “Community Manager” shall refer to independent contractor, its employees and affiliates engaged by the District to perform such services with and to the extent authorized by the District to contract or other valid allocation of authority.

The District herein articulates its policies and procedures for the general operations and maintenance of

the Recreation Amenities. **Exhibit A** hereof contains the District's Forms. **Exhibit B** hereof contains the official policies and procedures of the District for the Lake. **Exhibit C** hereof contains the official policies and procedures of the District for the use of the Parks and Community Playgrounds. **Exhibit D** hereof contains the official policies and procedures of the District for the Trails. **Exhibit E** hereof contains the official policies and procedures of the District for the use, reservation, and rental of the Recreation Facilities: The Cove Swimming Pool, The Cove, and The Cove Fitness Center. **Exhibit F** hereof contains the official policies and procedures of the District for the use of multi-use Sports Courts to include The Cove Sports Courts. The Policies of the District may be enacted and/or amended by Resolution of the District's Board of Directors. The District's Board of Directors shall have the right, at all times, to repeal and re-enact Resolutions of the Board of Directors regarding these policies and procedures attached hereto as **Exhibits A through F** and incorporated herein as part of these Policies and Procedures. In all circumstances, the Board of Directors retains authority and responsibility for the policies of the District.

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ARTICLE I
ACCESS TO AND USE OF THE RECREATION AMENITIES

- 1.1. Persons within District Boundaries. All residents and owners of taxable property within the legal boundaries of the Districts, as amended from time to time (“District Residents” or “Property Owners,” as applicable), shall be entitled to use the Recreation subject to the terms and conditions set forth in these Policies and Procedures. Any household member over the age of sixteen (16) years claiming status as a District Resident or Property Owner shall present proof of such residency or property ownership to the Community Manager upon submission of the forms identified in Article 1. hereof in order to receive an access card for use of Recreational Facilities (“Access Card”). Use of the Recreation Amenities by District Residents or Property Owners is subject to timely payment of all District fees, charges and taxes, and compliance with adopted Policies and Procedures. In the event that such fees, charges and taxes are not timely paid, or in the event of non-compliance with Policies and Procedures, such District Residents or Property Owners may not be issued an Access Card, and/or any privileges for use of the Recreation Amenities may be suspended or revoked, at the District's sole discretion.
 - 1.1.1. Acceptable Proof Of Residency Or Property Ownership may include, but is not limited to: a valid Colorado driver’s license or I.D. issued by the Colorado Department of Motor Vehicles, a deed or other conveyance document listing the applicant as an owner of an eligible property, or a current lease listing the applicant as a tenant of an eligible property. The District Manager or Community Manager may accept or reject any such proof of residency or property ownership at its discretion.
- 1.2. Persons not within the District Boundaries. All persons not residing or owning taxable property within the legal boundaries of the Districts, as amended from time to time (“Outside Users”), shall be entitled to use the Recreation Amenities as permitted herein. The Board shall determine and fix the fees to be paid by Outside Users for use of The Recreation Facilities. Outside User Fees can be found in the current Fee Schedule, attached hereto as **Exhibit A-7**. All persons desiring access to Recreation Facilities under this Article 1.2 shall pay the Outside Users fee as set forth in the Fee Schedule and complete the Outside User Information Form, attached hereto as **Exhibit A-5**. The District retains the right to limit access to the Recreation Amenities to Outside Users based upon the safe and reasonable capacity of the Recreation Amenities, as determined by the Board, in its discretion. Use of the Recreation Amenities by Outside Users shall be allowed on a first-come, first-served basis in the event of any such limitations. In addition to the timely payment of relevant fees as set forth in this Article 1.2, use of the Recreation Amenities by Outside Users is subject to compliance with adopted Policies and Procedures. In the event that such fees are not timely paid, or in the event of non-compliance with the Policies and Procedures, such Outside Users may not be issued an Access Card and any privileges for use of the Recreation Facilities may be suspended or revoked, at the District's sole discretion.
- 1.3. “User” Defined. The term “User,” as used herein, shall refer to all persons entitled to use the Recreation Amenities hereunder, subject to the terms and conditions set forth herein. Such persons shall include District Residents or Property Owners as defined in Article 1.1., Outside Users as defined in Article 1.2., and other such persons as the Board determines to be entitled to use the Recreation Amenities from time to time. The privileges of Users with respect to the Recreation Amenities shall be subject to the terms and conditions set forth herein.

1.4. Issuance of Access Card. All Users who desire to access to Recreation Facilities shall complete and submit required User forms dependent on User type as required to the Community Manager. Upon adequate submittal of required forms, the Community Manager shall issue an Access Card to the User who is listed on the Property Owner/Resident Form or Outside User Information Form (“User Information Form”) on behalf of such User’s entire household. The Access Card shall be utilized by all household eligible Users for access to Recreation Facilities during permitted times. Each household may be issued up to two (2) active Access Cards at no cost. The User will be charged per the Recreation Amenity Fee Schedule as attached hereto as **Exhibit A-7** for each additional Access Card issued. Each minor aged 13-17 with a current and signed Minor Release Form attached hereto as **Exhibit A-4** on file may be issued a Youth Access Card. The Community Manager shall, from time-to-time, determine how many active Access Cards may be issued per household at the cost established in the District’s Recreation Amenity Fees Schedule, as may be amended from time-to-time, attached hereto as **Exhibit A-7**.

1.4.2. Required User Forms for District Property Owners and or District Residents:

1.4.2.1. All Users who both own property within the District and reside within the District shall complete (1) the Property Owner/Resident Form attached hereto as **Exhibit A-1** as property owner; and (2) the Individual and Parent/Legal Guardian Waiver of Liability and Release Form (“Release Form”), attached hereto as **Exhibit A-3**, for submission to the Community Manager.

1.4.2.2. All Users who reside in the District but do not own property within the District shall complete (1) the Property Owner/Resident Form attached hereto as **Exhibit A-1** as a resident of the District (opposed to a property owner within the District); (2) Individual and Parent/Legal Guardian Waiver of Liability and Release Form (“Release Form”) attached hereto as **Exhibit A-3**; and (3) submit an “Assignment of Recreational Rights Form,” attached hereto as **Exhibit A-6** as completed by the property owner.

1.4.2.3. All Users listed as Additional Authorized Users on the Property Owner/Resident Form shall complete an “Additional Authorized User Form” attached hereto as **Exhibit A-2**.

1.4.2.4. All Users over the age of 18 and by parents or legal guardians on behalf of any User under the age of 18 as listed on the User Information Form and Additional Authorized User Form shall complete and submit individual Release Forms.

1.4.2.5. The parent or legal guardian of Users between the ages of 13 and 18 may complete and submit a Minor Release Form attached hereto as **Exhibit A-4** to

authorize Minor's access of Recreation Facilities without adult supervision pursuant to Section 1.6. and additional User Age Restriction policies as adopted.

1.4.3. Required User Forms for Outside Users:

1.4.3.1. Outside User shall complete (1) the "Outside User Information Form" attached hereto as **Exhibit A-5** and (2) the "Individual and Parent/Legal Guardian Waiver of Liability and Release Form" ("Release Form"), attached hereto as **Exhibit A-3**, for submission to the Community Manager.

1.4.3.2. All Users over the age of 18 and by parents or legal guardians on behalf of any User under the age of 18 as listed on Outside Information User Form shall complete and submit individual Release Forms.

1.4.3.3. The parent or legal guardian of Users between the ages of 13 and 18 may complete and submit a Minor Release Form attached hereto as **Exhibit A-4** the authorize Minor's access of Recreation Facilities without adult supervision pursuant to Section 1.6. and additional User Age Restriction policies as adopted.

1.4.4. Annual Renewal of Access Cards. In the absence of suspension or revocation of any User's privilege to use the Recreation Facilities, and upon the timely completion of the necessary forms as described in this Section, renewal of the Access Card shall be provided to all eligible Users on an annual basis.

1.4.5. Replacement of Lost Access Cards. In the event of a lost Access Card, a User listed on the User Information Form shall be entitled to a new Access Card upon verification that the User, and all Additional Authorized Users, are in compliance with these Policies and Procedures. Lost cards will be deactivated by the District and a fee will be assessed to issue a new Access Card, as shown on the Recreation Amenities Fee Schedule attached hereto as **Exhibit A-7**.

1.4.6. All Access Cards issued by the Community Manager are the sole property of the District and may not legally be assigned, sold, loaned or otherwise transferred without the prior written authorization of the Community Manager. Any transfer without the Community Manager's approval shall be void and the District shall retain the right to suspend or revoke any User's privileges to the Recreation Amenities for such violation.

1.4.7. If at any time a District Resident or Property Owner moves outside of the Districts' boundaries or ceases to own property therein, such individual shall immediately notify the Community Manager and any privileges to use the Recreation Facilities Pursuant to Section 1.1 shall immediately cease. Such person shall thereafter only be entitled to use the Recreation Amenities in accordance with the terms of Section 1.2

herein.

- 1.5. Recreation Facility Access Restrictions. All Users who desire to access Recreation Facilities shall have a signed and current Release Form, attached hereto as **Exhibit A-3** on file with the Community Manager prior to accessing or using facility.
- 1.6. User Age Restrictions. Unless otherwise stated herein, no person aged twelve (12) or under may use the Recreational Amenities unless accompanied by a parent, legal guardian or other adult or authorized minor over the age of 16, as authorized by the parent or guardian.
 - 1.6.8. The Cove Swimming Pool. No person under the age of 18 may access The Cove Swimming Pool unless accompanied by a parent, legal guardian or other adult aged 18 or older as authorized on the User Information Form. Persons between the ages of 13 and 17 are permitted to access the pool without adult supervision provided such person has a current and signed Minor Release Form on file. Persons aged 12 years and under are permitted to be accompanied by a minor over the age of 16 as authorized by the parent or legal guardian on the Minor Release Form.
 - 1.6.9. The Cove Fitness Center. No persons aged 18 years and under may access The Cove Fitness Center unless accompanied by a parent, legal guardian, or other adult aged 18 or older as authorized on the User Information Form. Persons between the ages of 16 and 17 are permitted to access and utilize the equipment without adult supervision provided such person has a current and signed Minor Release Form on file. No person aged 12 years and under is permitted to use The Fitness Center equipment.
- 1.7. User Guests. Users are permitted to bring guests to Recreation Amenities pursuant to this section and any additional Policies as adopted. User Guests shall adhere to all District rules, regulations, policies and procedures while accessing Recreation Amenities. Guests of Users shall not be permitted to access The Fitness Center.
 - 1.7.10. District Resident Guest Pass. Each District household is provided one annual 10-Visit Guest Pass at no cost in which will cover one District Resident's guest's Daily Outside User Fee for access to The Cove Swimming Pool, The Cove, or other District Amenity as determined by the Board, when guest is accompanied by District Resident. Additional Guest Passes are available for purchase. Guest Passes are non-transferrable between households, cannot be applied towards Amenity Rental Fees, or District Events requiring registration fees. District Resident Guests entering without Guest Pass or with Guest Pass but not accompanied by District Resident will be considered Outside User and subject to Outside User Fees. Additional Guest Pass and Guest Fees are set forth in the Recreation Amenity Fee Schedule attached here to as **Exhibit A-7** or can be obtained directly from the Community Manager. District Resident Guests will be required to complete a Release Form attached hereto as **Exhibit A-3**, and a Minor Release Form, if applicable, attached hereto as **Exhibit A-4** and submit to Community Manager prior to accessing Recreation Facilities.
 - 1.7.11. Outside Users and Guests. Outside Users are entitled to access the

Recreation Amenities as permitted in Section 1.2. Outside users will not be provided Guest Passes. Guests of Outside Users will be subject to requirements in Section 1.2 and will be required to pay Daily Guest Fee. Outside User Fees are set forth in the Recreation Amenity Fee Schedule attached here to as **Exhibit A-7** or can be obtained directly from the Community Manager

- 1.8. Hours of Operation. Hours of the Recreation Facilities are posted on-site or on the District website. All Parks shall be open sunrise to sundown. The Recreation Amenities' hours of operation shall be subject to seasonal adjustments or changes deemed necessary and appropriate by the Board in its discretion. Users may contact the District Manager or Community Manager for up to date information relating to the hours of operation for any of the Recreation Amenities. Additionally, the District, the District Manager, and the Community Manager reserve the right to close any Recreation Amenity due to weather conditions, preparation for major events, temporary staffing problems, or other reasons. Any such required closing will not result in any adjustments to User fees, charges, or taxes. Hours of all Recreation Amenities are subject to change without notice in the sole discretion of the District.
- 1.9. Recreation Amenities Rental. The District may, from time to time and within its sole discretion, allow Users to reserve and/or rent the Recreation Amenities for private events. Unless stated in writing and approved by the District, rental of any Recreation Amenity shall not give a User exclusive right to use a Recreation Amenity. Completion of Rental Request Form attached hereto as **Exhibit A-8**, Rental Applicant Waiver of Liability and Release Form attached hereto as **Exhibit A-9** are required for any Recreation Amenity rental. Additional forms and agreements may be required as determined by The District, the District Manager, or Community Manager. Policies have been adopted by the District concerning the terms and conditions of reservations and/or rentals of the Recreation Facilities attached hereto in **Exhibit E**. Additional policies and amendments may be adopted by the District concerning the terms and conditions of such reservations and/or rentals, inclusive, without limitation, of permitted times of rentals and rental charges and deposits.

ARTICLE II MISCELLANEOUS

- 2.1. Lost Articles. The District is not responsible for any lost or stolen articles within or surrounding the Recreation Amenities. All personal articles should be locked or secured as appropriate to avoid loss to the owner. There will be a lost-and-found for all lost articles designated in the Cove. All lost articles which are not claimed may be donated to a non-profit collection agency on a monthly basis by the District.
- 2.2. Limitation of Liability of District. Use of the Recreation Amenities is at the sole risk of any User, their guests or any other member of the public. Except as provided by the Colorado Governmental Immunity Act, §§ 24-10-101 *et seq.*, C.R.S., the District shall not be responsible for any claims for damage by reason of any action or inaction of the District or its agents or representatives in connection with any of the Recreation Amenities.
- 2.3. Equipment. All recreational items and equipment located on or around the Recreation Amenities are the property of the District and shall not be taken from the premises without prior written consent of the District. Any violations may result in criminal prosecution by

the District and/or the revocation of usage of any Access Card(s).

- 2.4. Smoking, Drugs and Alcohol. Smoking is not permitted within twenty-five (25) feet of the Recreation Amenities, and the use of marijuana or illegal drugs is not allowed and shall not be permitted on or around the Recreation Amenities. The consumption of alcohol on or around the Recreation Amenities is prohibited, except consumption of alcohol by adults over the age of twenty-one (21) years during District events or private events may be permitted, as described further in **Exhibit E**.
- 2.5. Weapons. With the exception of squirt guns and unless otherwise authorized pursuant to § 18-12-214, C.R.S. no weapons of any kind shall be allowed on or around the Recreation Amenities by any Users, including, but not limited to, pocket knives or firearms.
- 2.6. Food and Drink. Food and non-alcoholic drinks are permitted in the Recreation Amenities. Glass containers are absolutely prohibited in the Recreation Amenities. Users shall clean up after themselves and dispose of all waste in the appropriate trash and/or recycling receptacles.
- 2.7. Pets. Pets are allowed in the Parks and on the Trails. All pets must be always accompanied and leashed in the Parks and on the Trails. All Users are responsible for cleaning up after their pets.
 - 2.7.1. The Cove and Cove Fitness Center. Pets are not allowed in The Cove nor The Cove Fitness Center. Animals are not permitted to be tethered to The Cove building, gates, or Cove property for an extended period of time.
 - 2.7.2. The Cove Swimming Pool. Pets are not allowed in The Cove Swimming Pool area nor pool deck. Pets including licensed service animals are prohibited from entering the swimming pool, unless explicitly authorized during District events.
 - 2.7.3. The Cove Sports Courts. Pets are not allowed in or on Sports Courts. Animals are not permitted to be tethered to sports court gates, benches, or tables for an extended period of time.
 - 2.7.4. Notwithstanding the foregoing, nothing contained herein shall prevent Users from being accompanied by lawfully- licensed disability-related assistance animals in the Recreation Amenities.

ARTICLE III ENFORCEMENT

- 3.1. Disorderly, Criminal or Offensive Conduct. The District and its authorized representatives may request any User cease conduct that:
 - Violates any part of the Policies and Procedures; or
 - Interferes with, or is abusive, toward any employee in the normal operation of the Recreation Amenities; or
 - Interferes with the use or enjoyment of the facilities by any User or User's guest, or is abusive to any such person; or
 - Is abusive or damaging toward any of the Recreation Amenities; or
 - Is criminal.

3.2. Continuation of Misconduct by User. In any event the offending party fails to cease such conduct after being requested and given verbal warnings to do so, the District Manager, Community Manager, or on duty staff in the event neither the District nor Community Manager is present, is authorized to use all reasonable means they deem necessary to stop such conduct. This includes, but is not limited to, having the offender removed from the Recreation Amenities and barred from further privileges to use the Recreation Amenities without the necessity of any action of the Board, for a time period to be determined by the District Manager or Community Manager, but not to extend beyond the next regular meeting of the Board at which a quorum of Directors is present for Board review. All such removals shall be reported to the Board, District Manager, and Community Manager. Disorderly, criminal or offensive conduct may also be reported to local law enforcement in the discretion of the District Manager, the Community Manager, and or authorized on duty staff, and criminal penalties, including fines and/or incarceration, may result.

3.3. Disciplinary Measures. If the District Manager or Community Manager, in their sole discretion, determines that any User has engaged in conduct as noted in Section 3.1 and or is in contrary to adopted Policies and Procedures, disciplinary measures shall be administered by the District Manager or Community Manager as follows, without the necessity of any action of the Board:

First offense:	Verbal warning issued by District Manager or Community Manager
Second offense:	Written warning issued by District Manager or Community Manager kept in User's file
Third offense:	Written notice issued by District Manager or Community Manager, with copy to Board. User and all other Users associated with the same property address will be restricted from the Recreation Amenities for one calendar year

3.4. Board Notification. The Board shall be notified of all disciplinary measures by the District Manager and Community Manager and shall, in its discretion, have the ability to impose other disciplinary measures as it deems appropriate at any point in time, which may include revocation of Recreation Amenities privileges for a User and/or User's family members. Any violations and disciplinary measures taken will be recorded in writing and kept on file by the District Manager and or Community Manager. All violations may be reported to local law enforcement authorities as deemed necessary by the District Manager, Community Manager, or the Board.

3.5. District Discretion. The District may, in its sole discretion, elect to enforce, modify, or waive any of the terms and conditions set forth in these Policies and Procedures at any time. Any such enforcement, modification or waiver shall not impact any future decision made by the District with regard to these Policies and Procedures.

CONTACT INFORMATION

RECREATION AMENITIES

THE COVE, SWIMMING POOL, FITNESS CENTER

St. Vrain Lakes Metropolitan District No. 1

c/o Management Trust

12636 Lake Terrace St

Firestone, Colorado 80504

Attention: Community Manager

303-862-8934 (phone)

info@stvrainlakesmd.live

LAKES, TRAILS, PARKS, SPORTS COURTS

St. Vrain Lakes Metropolitan District No. 1

c/o Pinnacle Consulting Group, Inc.

550 West Eisenhower Boulevard

Loveland, Colorado 80537

Attention: District Manager

(970) 617-2466 (phone)

stvlmdadmin@pcgi.com

info@stvrainlakesmd.live