

## Resolution of the Board of Directors

### Regarding Commercial Communication Facilities and Towers

A RESOLUTION of the Board of Directors of Dallas Meadows Community Association (“DMCA”) made and entered into this \_\_\_\_ day of November, 2016 and effective immediately.

#### RECITALS

WHEREAS, the State of Colorado has created a regulatory framework by which communication facilities and communication towers may be used for commercial purposes;

WHEREAS, the County of Ouray has also adopted a method of approval for communication facilities and towers;

WHEREAS, all lots including Lot 21 owned in the Dallas Meadows Community Association are subject to that Amended and Restated Common Interest Community Declaration of the Dallas Meadows Community Association recorded at Reception Number 215247 of the Ouray County, Colorado Public records (the “Declaration”);

WHEREAS, the Board of Directors wishes to clarify the provisions of the Declaration as they relate to commercial communication operations and commercial communication towers within DMCA;

NOW THEREFORE, the Board of Directors hereby adopts the following resolution:

#### RESOLUTION

1. Notwithstanding provisions of state or local law, the Declaration does not permit any commercial communication facilities or commercial communication towers of any kind on any lot including Lot 21, subject to the Declaration.
2. Section 8.2 of the Declaration outlines “prohibited uses.” Those prohibited uses include any “commercial and/or manufacturing business” (8.2.1), any “commercial activities” (8.2.5) and any “unlawful use” (8.2.8).
3. The Declaration further clarifies that the prohibition of any unlawful use requires that lot owners (and their invitees or licensees) shall comply with “all applicable laws and regulations of the United States...” (8.2.8).
4. The Board finds that such provisions clearly prohibit any commercial communication facilities or commercial communication towers within any lot, including Lot 21 of the DMCA, notwithstanding state or local laws or rules to the contrary.

5. The Board further finds that violations of the above cited prohibitions would constitute major violations of the Declaration, as such uses would change the character and nature of the DMCA. The Board intends to impose fines and penalties upon any violators of such provisions in accordance with such determination, in addition to pursuing any or legal remedies available to the DMCA, including injunctive relief and other damages, costs, fees, including attorney fees.

IN WITNESS HEREOF, the Board of Directors has adopted this RESOLUTION this \_\_\_\_ day of November, 2016.

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Gordon Mull, President

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Judi Snelling, Secretary