

**HERITAGE HILLS METROPOLITAN DISTRICT
RESOLUTION ADOPTING RULES AND REGULATIONS
FOR DISTRICT TENNIS AND BASKETBALL COURT FACILITIES**

At a regular meeting of the Board of Directors of the Heritage Hills Metropolitan District, Douglas County, Colorado, held at 12:30 P.M. on November 14, 2019, at 9201 S. Heritage Hills Parkway, Lone Tree, CO 80124, at which a quorum was present, the following resolution was adopted:

WHEREAS, the Heritage Hills Metropolitan District (the “District”) is a special district organized and existing pursuant to the Special District Act, Sections 32-1-101 *et seq.*, C.R.S.; and

WHEREAS, pursuant to Section 32-1-1001(1)(m), C.R.S., the District is authorized to adopt, amend, and enforce bylaws, rules, and regulations not in conflict with the constitution and laws of this state for carrying on the business, objectives, and affairs of the Board of Directors (the “Board”) and of the District; and

WHEREAS, pursuant to Section 18-9-117(1), C.R.S., in addition to any authority granted by any other law, the District may adopt such orders, rules, and regulations as are reasonably necessary for the administration, protection, and maintenance of public property under its control, management, or supervision, specifically orders, rules, or regulations upon the following matters: preservation of property and other structures; restriction or limitation of the use of such public property as to time, manner, or permitted activities; prohibition of activities or conduct on public property which may be reasonably expected to substantially interfere with the use and enjoyment of such places by others or which may constitute a general nuisance; and necessary sanitation, health, and safety measures; and

WHEREAS, pursuant to and in accordance with the Service Plan for Heritage Hills Metropolitan District, as modified and refiled January 3, 2018, the District owns and operates certain recreational facilities within the District for the use and benefit of its taxpayers, residents, and the public; and

WHEREAS, among the facilities that the District owns and operates are two (2) tennis court facilities located, respectively, at 9201 East Heritage Hills Parkway, Lone Tree, Colorado 80124 (the “Clubhouse Courts”), and 9700 Winding Hill Avenue, Lone Tree, Colorado 80124 (the “Overlook Courts,” and together with the Clubhouse Courts, the “Tennis Courts”), and one (1) basketball court located adjacent to the Overlook Courts (the “Basketball Court”); and

WHEREAS, the Board deems it prudent and in the best interest of the District and its residents to adopt policies regarding to operation of the District’s Basketball Court and Tennis Courts (collectively, the “Courts”) to enhance the health, safety, welfare, and enjoyment of all users of such facilities; and

WHEREAS, pursuant to Section 32-1-1001(1)(j)(I), C.R.S., the District has the authority to fix and from time to time increase fees, rates, tolls, penalties, or charges for services, programs, or facilities furnished by the District; and

WHEREAS, a portion of the operations and maintenance mill levy imposed upon District residents is used to offset the costs of operating and maintaining the Courts and provide services related thereto; and

WHEREAS, in order to provide access and clean Courts to non-taxpaying members of the public, the District requires supplemental revenue to offset the additional costs it incurs for providing the Courts and related services to additional members of the public; and

WHEREAS, to defray the cost of providing the Courts and services related thereto to both taxpaying and non-taxpaying members of the public, the District's Board deems it necessary to impose a fee for the usage of the Courts by members of the public who are not District residents or taxpayers.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE HERITAGE HILLS METROPOLITAN DISTRICT AS FOLLOWS:

1. Rules and Regulations. The Board hereby adopts the Heritage Hills Metropolitan District Court Rules and Regulations attached hereto as **Exhibit A** and incorporated herein (the "Court Rules and Regulations").
2. Notice. The Board hereby directs the District Manager to post notice of the Court Rules and Regulations in the form attached hereto as **Exhibit B** and incorporated herein at the Basketball Court and Tennis Courts in accordance with Section 18-9-117(2), C.R.S.
3. Court Usage Fee. The Board adopts a "Court Usage Fee" of Three Thousand Dollars (\$3,000) per residence per calendar year for use of the Courts by members of the public who do not pay District taxes or otherwise reside within the District.
4. Enforcement. Failure to follow the Court Rules and Regulations will subject the individual to immediate expulsion from the Courts. If an individual has continued violations of the Court Rules and Regulations, his or her rights to continued use of the Courts may be forfeited, and he or she may no longer use the Courts. The Board hereby delegates authority to the District Manager and the District's facilities manager, if any, and their employees to enforce the Court Rules and Regulations.
5. Conflicting Policies Superseded. These Court Rules and Regulations shall supersede in full any conflicting policies and rules and regulations relating to the subject matter hereof, which are hereby repealed and shall be of no further force or effect.
6. Effective Date. The Court Rules and Regulations shall take effect upon the Board's adoption of this Resolution.

Whereupon, a motion was made and seconded, and upon a majority vote this Resolution was approved by the Board.

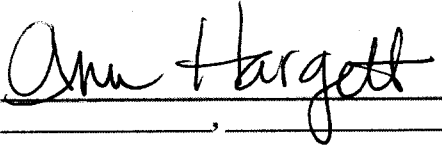
ADOPTED AND APPROVED THIS 14th DAY OF NOVEMBER 2019.

HERITAGE HILLS METROPOLITAN DISTRICT



Joyce Lew, President

ATTEST:



**Exhibit A
To Resolution**

Heritage Hills Metropolitan District
Court Rules and Regulations

Heritage Hills Metropolitan District

COURT RULES AND REGULATIONS

A.) Court Hours. The tennis and basketball courts (collectively, the “courts”) are open daily from 7:00 a.m. until dark. Individuals may not be in the court areas outside of these hours. Any resident who observes people on the courts before or after the allowed times should not confront them directly but should call the Lone Tree Police Department non-emergency number (303) 339-8150. Court hours are subject to change in the discretion of the District at any time and without prior notice.

Courts may not be reserved and are available on a first-come first-served basis. Players may use only one court at a time and may not use courts for longer than 1 ½ hours per session.

The District may close the courts in its sole discretion. District programs, including District-approved instructional programs and scheduled league use, will have first priority on all courts. If available, league and instructional program schedules will be posted in advance to provide notice that courts will not be available during those times. Regardless of any such posting, individuals on the courts during District-approved instructional programs and scheduled league times will be asked to leave or use other courts.

B.) Court Access. The gates to the court areas must remain locked at all times, and gates may not be propped open by rocks or other material. A key fob system is in place and opens the gate when swiped. The key fobs cannot be duplicated; there is a \$25.00 replacement charge for lost or stolen key fobs. Contact the District Manager for key fobs.

Residents. Up to two (2) key fobs are issued to each residence. Children and guests may not be admitted to the courts without a key fob. Guests must be accompanied by a Heritage Hills resident, and guests and residents shall at all times be subject to the Court Rules and Regulations and such other rules and regulations as may be established for the Heritage Hills community. Residents may be asked to show a photo ID to verify they are residents.

Non-Resident Membership. Non-residents may only use the courts after becoming a non-resident member by paying the Court Usage Fee for that calendar year. Non-resident members must present evidence of membership upon request. Non-residents shall at all times be subject to the Court Rules and Regulations and such other rules and regulations as may be established for the Heritage Hills community.

C.) Instruction and Leagues. All paid lessons and programs, including leagues, must be approved by the District prior to use of the courts through a personal services contract or other District-approved means. Unapproved paid lessons or programs are strictly prohibited. An individual providing unapproved lessons or programs will be asked to leave, and his or her rights to continued use of the courts may be forfeited. Contact the District Manager for information on approved lessons and programs.

D.) Children Safety. Children under fifteen (15) years of age must be accompanied by a person fifteen (15) years of age or older.

E.) Restricted Activities.

1. Tennis courts may only be used for actively playing tennis and pickleball. The basketball court may only be used for actively playing basketball.
2. Climbing on fencing is prohibited.
3. Leaning on nets is prohibited.
4. Leaving garbage or other materials on the courts is prohibited.
5. Using offensive language is prohibited.
6. Engaging in illegal activity is prohibited.
7. Pickleball lines and portable nets are available at the Overlook tennis courts and may only be used for playing pickleball. Pickleball nets must be returned to the sides of the court after use.

F.) Bicycles, Skateboards, and Other Restricted Items. No bicycles, skateboards, rollerblades, or similar wheeled vehicles or equipment are permitted inside the court areas. Drones, glass containers, and breakables are also prohibited inside the court areas. No animals other than domesticated service animals are allowed in the court areas or on lawn areas immediately adjacent to the courts.

G.) Proper Attire. Proper attire, including shoes with non-marking soles, must be worn at all times while using the courts.

H.) Smoking. SMOKING or the use of e-cigarettes IS NOT PERMITTED.

I.) Liability for Damage and Loss. Court users assume all liability for losses or damages arising out of or related to the use of the courts, including cleaning costs or repair or replacement of equipment and materials or other District real or personal property. The District is not responsible for lost or stolen items. Residents are responsible for any loss or damage caused by guests.

ADDITIONAL NOTES:

DISTRICT CAMERAS. The District has installed cameras at facilities within the District to help deter vandalism as well as help identify any individual who vandalizes these facilities. The court facilities may be monitored and recorded.

AFTER-HOURS USE. Individuals in the court areas after hours will be asked to leave. The Lone Tree Police Department will be dispatched if any crime is being committed or if individuals are present when the courts are closed.

**Exhibit B
To Resolution**

Notice for Posting

HERITAGE HILLS METROPOLITAN DISTRICT
TENNIS AND BASKETBALL COURT RULES
Parents are responsible for their children's safety
Dial 911 - in case of emergency

Courts are open daily from 7:00 a.m. until dark. NO court use is permitted after hours. Hours are subject to change in the discretion of the District at any time.

Courts may not be reserved and are available on a first-come first-served basis. District programs, including District-approved instructional programs and scheduled league use will have first priority on all courts. Individuals on the courts during District-approved instructional programs and scheduled league times will be asked to leave.

Tennis courts may ONLY be used for actively playing tennis and pickleball. The basketball court may ONLY be used for actively playing basketball.

Players may use only ONE court at a time and may not use courts for longer than 1 ½ hours per session.

NO paid lessons or programs, including leagues, without PRIOR District approval. Individuals providing unapproved lessons or programs, including league use, will be asked to leave and their rights to continued use of the courts may be forfeited.

NO climbing on fencing, leaning on nets, leaving garbage, using offensive language, or engaging in illegal activity.

NO animals.

NO glass, breakables, or drones in the court areas.

NO bicycles, skateboard, rollerblades, or other similar wheeled vehicles or equipment in the court areas.

NO propping gates open.

Proper attire, including non-marking shoes, must be worn at all times.

Pickleball nets must be returned to the sides of the court after use.

Children under 15 MUST be accompanied by an adult 15 years of age or older.

SMOKING or the use of e-cigarettes IS NOT PERMITTED.

Any damage to the facilities caused by a resident (or his or her guest) or non-resident member is the financial responsibility of that resident or non-resident member.

The full Court Rules and Regulations are available on the Heritage Hills Metropolitan District website <https://heritagehillsmetro.org/>.