

**RESOLUTION OF THE
BOARD OF DIRECTORS OF THE
WATERS' EDGE METROPOLITAN DISTRICT NO. 1**

**GRANTING VARIANCE TO SECTION 6.2(A) OF THE DECLARATION OF
COVENANTS, CONDITIONS, AND RESTRICTIONS FOR SONDEERS FORT COLLINS**

WHEREAS, Waters' Edge Metropolitan District Nos. 1-5 (collectively the "**Waters' Edge Districts**") are each a quasi-municipal corporation and political subdivision of the State of Colorado, duly organized and existing pursuant to §§ 32-1-101, et seq., C.R.S., as amended (the "**Special District Act**"); and

WHEREAS, pursuant to § 32-1-1001(1)(h), C.R.S., the Boards of Directors of the Waters' Edge Districts shall have the management, control, and supervision of all the business and affairs of the Waters' Edge Districts; and

WHEREAS, pursuant to that certain District Coordinating Services Agreement among the Districts, dated March 22, 2021, Waters' Edge Metropolitan District No. 1 (the "**District**") is responsible for all administrative and operational services for the Waters' Edge Districts; and

WHEREAS, pursuant to Section 6.9 of the Declaration of Covenants, Conditions, and Restrictions for Sonders Fort Collins, recorded on April 15, 2022, at Reception No. 20220024320 in the real property records of Larimer County, Colorado (the "**Declaration**"), the District has, in its sole discretion, based on concerns for good planning and design, the aesthetic, architectural and environmental interests of the community, or other factors as necessary or desirable to fulfill the intent of the Declaration, may grant variances from compliance with the Declaration; and

WHEREAS, to accommodate the variation in anticipated construction schedules for the Custom Home Lots, as defined herein, the District desires to grant a variance to the landscape installation deadlines set forth in the Declaration.

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

1. Incorporation of Recitals. The above recitals are hereby incorporated into and made a part of this Resolution.
2. Definition of Custom Lots. "**Custom Lots**" shall mean Lots 142 through 152, Waters Edge Second Filing, City of Fort Collins, Larimer County, Colorado (each, a "**Custom Lot**").
3. Landscape Installation Variance for Custom Lots. The District hereby grants the following variance to Section 6.2(a) of the Declaration with respect to the Custom Lots:

The deadlines set forth in Section 6.2(a) with respect to the installation of landscaping on a Custom Lot shall commence after the issuance of the Certificate of Occupancy, as opposed to after the Closing. The adjustments to the deadlines set forth in Section 6.2(a) related to the growing season shall likewise apply to the Custom Lots.

ADOPTED March 15, 2023.

WATERS' EDGE METROPOLITAN DISTRICT
NO. 1, a quasi-municipal corporation and political
subdivision of the State of Colorado

DocuSigned by:
Joe Knopinski
797B9FDE5EB34AD

Officer of the District

ATTEST:

DocuSigned by:
Angela Elliott
D2F394E77E9B4B1...

APPROVED AS TO FORM:

WHITE BEAR ANKELE TANAKA & WALDRON
Attorneys At Law

DocuSigned by:
Eve Velasco
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General Counsel to the District