

Resolution No. 2019-11-07

**RESOLUTION
OF THE BOARD OF DIRECTORS OF
INSPIRATION METROPOLITAN DISTRICT**

**ESTABLISHING POLICIES AND PROCEDURES FOR THE INSPIRATION
METROPOLITAN DISTRICT TREE PROGRAM**

WHEREAS, Inspiration Metropolitan District (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

WHEREAS, the District was organized for the purpose of providing certain improvements, facilities and services to and for the use and benefit of the District, its residents, users, property owners and the public; and

WHEREAS, pursuant to § 32-1-1001(1)(h), C.R.S., the District has the power to manage, control, and supervise all of the business and affairs of the District; and

WHEREAS, pursuant to § 32-1-1001(1)(m), C.R.S., the District has the power to adopt, amend, and enforce bylaws and rules and regulations not in conflict with the constitution and laws of this state for carrying on the business, objects, and affairs of the board and the District; and

WHEREAS, trees and plant material are not currently planted on the District-owned property behind every home in the District; and

WHEREAS, certain homeowners have expressed an interest to the District in planting a tree in the District-owned property behind their homes; and

WHEREAS, the Board of Directors has determined that it is desirable to establish a program whereby eligible homeowners can apply to the District to have the District plant a tree on the District-owned property behind their homes (“Tree Program”); and

Whereas, the Board of Directors desires to adopt Policies and Procedures for the Inspiration Metropolitan District Tree Program (“Policies and Procedures”).

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

1. Pursuant to the findings set forth above, the Board hereby adopts the Policies and Procedures, which are attached hereto and incorporated by this reference, as Exhibit A.

2. The Board hereby directs the District's Manager and as may be necessary, the Board, to implement and otherwise oversee compliance with the Policies and Procedures.

3. The District expressly reserves the right to amend, revise, redact, and/or repeal this Resolution and the Policies and Procedures 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.


4. This Resolution and the Policies and Procedures shall be effective immediately and shall remain in full force and effect until such time as such policies are repealed by the Board.

5. If any term or provision of the Policies and Procedures 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 Policies and Procedures as a whole but shall be severed herefrom, leaving the remaining terms or provisions in full force and effect.

(Signature Page Follows)


APPROVED AND ADOPTED THIS 19th DAY OF NOVEMBER, 2019.

INSPIRATION METROPOLITAN DISTRICT, a
quasi-municipal corporation and political
subdivision of the State of Colorado

DocuSigned by:

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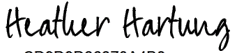
Officer of the Board

ATTEST:

DocuSigned by:

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APPROVED AS TO FORM:

WHITE BEAR ANKELE TANAKA & WALDRON
Attorneys at Law

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General Counsel to the District

Signature page to Resolution Establishing Guidelines for the Tree Program

EXHIBIT A

Policies and Procedures for the Inspiration Metropolitan District Tree Program

1. Homeowners may submit an application entitled *Inspiration Tree Program Application*, as included herein as **Exhibit B**, to the District for review, which application shall include, but not be limited to, the homeowner's contact information, tree preference selected from list provided, and the desired location for the tree to be planted.
2. After review, the District will provide the homeowner written notification of approval or disapproval of the application as well as information about what type of tree will be planted and when the District's contractor will plant the approved tree.
3. The homeowner will pay for the installation, cost of the tree and any necessary irrigation improvements. All trees planted by the District will be owned by the District.
4. The District shall be responsible for the maintenance, repair, and replacement of trees planted pursuant to the Tree Program.
5. The District and the homeowner will enter into an agreement memorializing the foregoing arrangement.

EXHIBIT B
TREE APPLICATION

INSPIRATION TREE PROGRAM APPLICATION

Homeowner: _____

Phone: _____

Address: _____

Email: _____

Desired Location of Tree to Be Planted on District-Owned
Property: _____

By my signature below, I hereby agree to water the tree planted by the District in the area noted above to a standard that will ensure the health of the tree.

Homeowner Signature: _____ Date: _____

Received By: _____ Date Received: _____

Acct. No.: _____

Decision by the Inspiration Metropolitan District

Approved

Approved as Noted:

Disapproved – Reason:

Date: