

**DEER RUN HOA REGULATIONS FOR RESIDENTIAL
RETAINING WALL MAINTENANCE**

This Rule is adopted pursuant to the Amended and Restated Declaration of Covenants, Conditions, Restrictions and Easements of Deer Run Homeowners Association, recorded October 18, 2016 in Reception No. 216120730 of the real property records of El Paso County, Colorado

This regulation interprets and clarifies HOA responsibilities for landscape maintenance as described in Section 8.1(a), pursuant to Deer Run Amended and Restated Declaration & Covenants, Section 11 allowing the HOA Board to adopt Rules and Regulations “to interpret, enforce or clarify any provision of the Association Documents”.

Referring to the Covenants Section 8.1(a), *“Following the initial landscaping of each Lot by a builder, the Association will water, mow, repair, keep clean and maintain all the Yards”*. To clarify, the Association shall not provide for the maintenance or repair of retaining walls on Owner property or adjoining properties. Any maintenance, repair, or restoration of those items shall be the responsibility of the Owner and at the Owner’s sole cost.

The Board’s acceptance of this regulation is to align with the Association’s historical practice since 1995 to maintain cohesive exterior residence appearance, and by the powers under the Declaration to adopt Rules, as well as under Article IIIc of the Association’s Article of Incorporation and Section 38-33.3-302 of the Colorado Common Interest Ownership Act (CCIOA).