

**RESOLUTION OF TRAILMARK HOMEOWNERS ASSOCIATION, INC.  
ADOPTING A POLICY FOR LANDSCAPING ALLOWANCES**

**SUBJECT:** Adoption of a policy and procedure for allowed landscaping improvements submitted by Owners.

**PURPOSE:** To adopt a policy and provide notice of the Association's adoption of specific rules and restrictions regarding landscaping allowances and restrictions.

**AUTHORITY:** The Declaration, Articles of Incorporation, Bylaws of the Association, and Colorado law.

**EFFECTIVE DATE:** MARCH 20<sup>th</sup>, 2024

**RESOLUTION:** The Association hereby adopts the following Resolution:


1. **Definitions.** Unless otherwise defined in this Resolution, initially capitalized or terms defined in the Declaration shall have the same meaning herein.
2. **Design Review Committee.**
  - (a) Owners may request landscaping improvements and modifications to their property by submitting a request as required in the Declaration through the Design Review Committee (DRC).
  - (b) All improvements must be submitted to and approved by the DRC prior to the commencement of any project.
3. **Xeriscape and Artificial Turf.**
  - (a) An Owner is permitted to use, **upon DRC request and approval**, xeriscape, non-vegetative turf grass, also known as artificial turf and drought-tolerant, nonvegetative landscaping.
  - (b) The DRC may limit the use of artificial turf in the front yard but must allow the use of artificial turf in any backyard if requested and approved.
  - (c) The DRC must allow Owners to install at least 80% drought-tolerant plants **if requested and approved in writing.**
  - (d) The DRC will not unreasonably require the use of hardscape on more than 20% of the landscaped areas of an Owner's property.
4. **Vegetable Gardens.** Vegetable gardens may be grown in the back, side or front yard of an Owner's home if requested and approved.

5. **Pre-Approved Waterwise Landscaping Designs.**
- (a) The Association and the DRC shall adopt at least three pre-approved waterwise landscaping designs for installations in the front yard of an Owner's property.
  - (b) The Association and the DRC shall have the option, when adopting waterwise landscaping designs, to select a downloadable design from the Colorado State University Extension Plant Select Program, or from the municipality in which the property is located, or from other entities that create garden designs, such as landscape designers or landscaping companies.
6. **Supplement to Law.** The provisions of this Resolution shall be in addition to and in supplement of the terms and provisions of the Declaration and the law of the State of Colorado governing the Project.
7. **Survival.** In the event a court of competent jurisdiction finds a provision of this landscaping policy void or otherwise unenforceable, the other provisions shall remain in full force and effect.
8. **Amendment.** This Policy may be amended from time to time by the Board.

**PRESIDENT'S CERTIFICATION:**

The undersigned, being the President of TrailMark Homeowners Association, Inc., a Colorado nonprofit corporation, certifies that the foregoing Resolution was adopted by the Board of Directors of the Association, at a duly called and held meeting of the Board of Directors on the 20TH of MARCH, 2024 and in witness thereof, the undersigned has subscribed his/her name.

TRAILMARK HOMEOWNERS  
ASSOCIATION, INC., a Colorado  
Nonprofit Corporation

By:   
TRAILMARK HOA PRESIDENT