

# Cherry Creek Farm HOA

## R u l e s   &   R e g u l a t i o n s



### Second Addendum

WHEREAS, Article No. 6.4 of the By-Laws of the Cherry Creek Farm Homeowners Association (the "Association") adopted by the Board of Directors thereof (the "Board") on August 25, 1982, provide that the Board may establish, make and enforce compliance with, and amend from time to time, such rules and regulations as may be necessary for the operation, use, occupancy and enjoyment of the properties and lots subject to the declaration of Covenants, Conditions and Restrictions for Cherry Creek Farm (the "Declaration"); and

WHEREAS, on the 3rd day of September, 1982, the Board did adopt those certain Rules and Regulations of Cherry Creek Farm Homeowners Association ("Rules and Regulations"), a copy of which is attached hereto and incorporated herein as Exhibit A; and

WHEREAS, the Association has the authority and obligation to collect assessments and other charges payable to the Association and desires to clarify the costs and charges incidental thereto which shall be payable by an Owner; and

WHEREAS, the Board has deemed it necessary and appropriate to make and enforce certain additional rules and regulations of the Association, to be effective as of the date specified herein in order to preserve, promote and protect the financial existence and integrity of the Association so that the Association can continue to effectively perform and operate.

NOW, THEREFORE, the Board hereby establishes, makes and adopts the following Second Addendum to the Rules and Regulations of Cherry Creek Farm Homeowners Association:

1. **Basketball Backboards.** These no longer need to be painted the same color as the house.
2. **Home Occupation Regulations.** The Board of the Cherry Creek Home Owner's Association has accepted the following Home Occupation Regulations put forth and enforced by Arapahoe County:
  - A. *Intent.* To allow for the use of a residence for an occupation which does not change the character of the neighborhood in which it is located.
  - B. *Requirements and Restrictions.* In order for a home occupation to be considered compatible with the neighborhood in which it is located the following criteria must be met:
    1. The home occupation must be conducted entirely within the principal dwelling structure. Not more than 20 percent of the garage area shall be used for storage of permitted materials and goods associated with the home occupation.
    2. The home occupation shall be conducted only by the residents of the principal dwelling.
    3. There shall be no visible advertising of the home occupation on the premises upon which it is located.
    4. There shall be no outdoor storage of goods or materials associated with the home occupation.
    5. There shall be no excessive or offensive noise, vibration, smoke, dust, odors, heat, glare or light, or dumping of materials produced by the home occupation.

6. The receipt or delivery of merchandise, goods or supplies for use in a home occupation shall be limited to the United States mail, parcel post or general delivery service or private passenger vehicle, but shall exclude truck and/or trailer delivered goods or merchandise.
7. A home occupation shall not change the appearance or character of the dwelling and/or neighborhood. Only materials, goods and services normally associated with a dwelling unit shall be considered eligible for a home occupation.
8. Sales conducted in conjunction with the home occupation shall be primarily by telephone or direct mail. Incidental pick-up of goods is permitted; however, a home occupation shall not generate an amount of traffic which affects the residential character of the neighborhood, nor shall it encourage congregations of people for extended periods of time.
9. A "day care home" shall be permitted subject to the following provisions:
  - a. Such "day care home" shall not be allowed signage.
  - b. Such "day care home" shall provide care for children as follows:

Provider's children not attending full-time school	Maximum number of day care children permitted at one time
6 or more	0
5	1
4	2
3	3
2	4
1	5
0	6

Provider's children under 12 years attending full-day school	Additional day care children permitted permitted during school hours
0	0
1	1
2	2

- c. Such "day care home" shall obtain proper licensing as may be required by the State Department of Social Services, as administered by the Arapahoe County Department of Social Services and/or any other agency as may be required by Colorado laws.
  - d. A six foot (6') high fence must enclose outdoor play areas used by the children.
  - e. A "day care home is exempt from provisions B1 and B4-B.7 above.
3. **Effective Date.** The effective date of this Second Addendum to the Rules and Regulations shall be \_\_\_\_\_ ( ) days from the date hereof.
4. **Miscellaneous.** Except as set forth in this Second Addendum, the Rules and Regulations of Cherry Creek Farm Homeowners Association, as previously adopted, shall remain in full force and effect. In the event of any conflict between the Rules and Regulations and this Second Addendum thereto, the provisions of the First Addendum shall govern.

IN WITNESS WHEREOF, the undersigned, constituting the Board of Directors of the Association, have hereunto set their hands and seals (if any) this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, for the purpose of adopting this First Addendum to the Rules and Regulations of Cherry Creek Farm Homeowners Association.

CHERRY CREEK FARM HOMEOWNERS ASSOCIATION

\_\_\_\_\_  
Director

\_\_\_\_\_  
Director