

**RESOLUTION OF THE RASPBERRY MOUNTAIN RANCH PROPERTY MEMBERS' ASSOCIATION,
INC.**

ROAD MAINTENANCE AND SNOW REMOVAL POLICY

The Board of Directors of the Raspberry Mountain Ranch Property Members' Association, Inc. (herein after known as the "Association") adopted the following Policies and Procedures.

AUTHORITY: In case of any conflict between the Articles of Incorporation, the Declaration of Covenants, Conditions and Restrictions and the Bylaws, and these listed "Policies and Procedures"; such provisions of the Articles, Declaration and Bylaws shall take precedence and supersede any provisions of these "Policies & Procedures".

In the event a Court of competent jurisdiction finds a provision of any of these Policies and Procedures void or otherwise unenforceable, the other provisions shall remain in full effect.

EFFECTIVE DATE: _____

1/1/2012

RESOLUTION: **The Association hereby adopts the following Road Maintenance and Snow Removal Policy:**

1.0 Legal Requirements

1.1 Legal requirements as stated in the Raspberry Mountain Ranch Property Members' Association governance documents state that among the purposes of the Association is to repair, maintain and improve our roads.

1.2 According to the Declaration of Covenants, Conditions and Restrictions, Article II.c.3:
To incur such costs and expenses as may be necessary to keep in good order, condition and repair all of the areas in the Property required to be maintained by the Association;

1.3 According to the Bylaws Article IV.2.c, Board of Directors Powers and Duties
Incur Costs and Expenses: To incur such costs and expenses as may be necessary to keep in good order, condition, and repair all of the Property required to be maintained by the Association;

2.0 Responsibility of Roads

2.1 Members own the private roads as depicted on the Plats of Raspberry Mountain Ranch Phase I, II and III. Each Member, to the extent of its Membership interest in and to portions of the Property, grant a non-exclusive perpetual right-of-way for ingress and egress over and across the Property along the existing Private Roads. The private roads are maintained as follows:

2.2 Raspberry Mountain Ranch Property Owners' Association, Inc. is responsible for the maintenance, repair and Improvements for 7.7 miles of gravel roads including Maverick, Longhorn, Crossfire, Muleshoe, Rilling Canyon, Latiqo, Saddle Spur and Saddle Notch roads.

2.3 Cuchara River Estates Property Members' Association (CREPOA) is responsible for 2.2 miles of roads including all of Mountain Valley Road and Terrace Trail. Access Members beyond Rilling Canyon Road are responsible for their own access roads and easements. The Association

does not have a maintenance staff and is supported by property owner volunteers and by subcontract work on an as needed basis.

3.0 Front Entry

Raspberry Mountain Ranch Property Members are granted an easement to pass through the Front Entry gate and Mountain Valley Road to access their properties.

4.0 Common Area

A Common Reservoir Site of 18.84 acres is shared and maintained equally between RMRPOA and CREPOA through a Bargain and Sale Deed dated March 4, 2005. Trash dumpsters on a concrete pad are managed by existing home owners for their private use.

5.0 Equipment

The Association owns and insures a 2005 all wheel drive articulating Volvo G736 VHP Motor Grader equipped with a wing plow for the removal of snow and general road maintenance. The commercial insurance policy restricts its use to experienced volunteer drivers or subcontractors with their own liability insurance. The equipment is not available for lease or rental.

6.0 General Road Maintenance Plan

This policy defines the parameters of road maintenance, repair and improvements the Association will undertake:

- 6.1 The decision for general road maintenance (grading/snow removal) and improvements up to one thousand dollars (\$1,000.00) will be made by the Ranch Manager. Any improvements or repairs beyond one thousand dollars will be upon Board of Director approval.
- 6.2 All roads will be graded on an as needed basis when adequate moisture is in the gravel surfaces.
- 6.3 New road base will be installed on an as needed basis.
- 6.4 Culverts and ditches alongside roads will be cleaned of debris on an as needed basis.
- 6.5 Railings alongside roads are strictly decorative and not considered as "guard rails".

7.0 Road Safety

Raspberry Mountain Ranch roads are wide enough for two vehicles to pass safely if drivers maintain proper rules of the road and abide by the following:

- 7.1 The speed limit in the ranch is no more than 25 mph. Excessive speed on the slopes causes wash boarding. Be careful to stay to the right side, particularly when approaching blind curves.
- 7.2 ATVs and Snowmobiles are to respect the same rules of the road as autos and trucks. Do not ride them on private property without the permission of the Members.
- 7.3 RMRPOA and CREPOA equally maintain a grazing lease for an agricultural exemption. Cattle freely roam the ranch within fenced boundaries from spring to fall. If you encounter them on the road, please go slow, be patient and treat them with respect. They will move out of the way.
- 7.4 Go slow over the cattle guards.

7.5 If you enter or exit through easement gates, be certain to close and lock them as they may contain livestock.

8.0 Snow Removal Plan

8.1 Snow removal is not maintenance nor is it repair. Snow removal is a service provided solely within the limits of the Association's budget.

8.2 This policy defines the parameters of snow removal the Association will undertake:

8.2.1 During snow/ice events, all roads shall be deemed "travel at your own risk".

8.2.2 Snow to be removed on those roads that have completed homes or homes under construction in order to provide for emergency services, if necessary.

8.2.3 The decision to remove snow accumulation will be made by the Ranch Manager.

8.2.4 Plows may leave a berm of snow at the driveway encroachment onto the road. These berms of snow are the responsibility of the driveway owner to remove and must not be plowed or shoveled onto the road.

8.2.5 No person, except for those under contract to RMRPOA, shall use snow removal equipment on RMR roads.

8.2.6 The Association will not attempt snow removal until more than six inches of snow has accumulated.

8.2.7 Measurements will be taken generally at mid-elevations (8,000 feet above sea level).

8.2.8 Important factors include the pending weather forecast, wind and the proximity of warmer weather.

8.2.9 Whenever possible, snow will be pushed to the downwind side to prevent future drifting.

8.2.10 No clearing will take place until the snowstorm is over and the weather is clear to ensure the safety of the snowplow driver.

8.2.11 The Association has no facilities to de-ice, salt or sand the roads.

8.2.12 Mark or remove objects near the road that may turn into snow-covered obstacles.

Permanent fixtures near the road, such as wellheads, electrical/phone boxes and landscaping should be marked by a pole or stake which will remain clearly visible above the snow. Moveable items, including vehicles and signs should be positioned a safe distance away from the roadside.

8.2.13 Members are requested to not use rock salt (sodium chloride) on surfaces to melt ice. We need to protect our wells and our ground water source.

8.2.14 The snow removal plan has been designed to best serve the community as a whole.

Please do not ask to divert from the established plan unless there is a true emergency.

8.2.15 A snowplow is a heavy piece of equipment and precision isn't always guaranteed.

Snowplows make frequent stops and backup maneuvers. Do not drive your car up behind a snowplow, as the driver may be unable to see you and inadvertently back into your car. If you are behind a plow that stops, stop your vehicle in such a way that your car looks into the driver's outside rearview mirror, and please give it extra room.

8.2.16 The snow removal equipment is not to be used for assisting with snow bound vehicles.

9.00 Snow Removal Guidelines

9.1 The policy outlined below is intended to serve as normal operating procedures for winter maintenance and snow removal. Each winter season is different and each winter storm event really has to be judged and decisions made at that time. It is our policy to start to conduct snow removal operations upon accumulations of six inches of snowfall. The snowplow driver may, at his or her discretion based upon weather information reports, elect to remove snow at greater or lesser accumulations.

9.2 It is not possible to maintain bare, snow and ice-free roads during a storm. It is the intention of the Association to provide practical, safe passable access to homes during winter storms. The following guidelines will apply:

9.2.1 **Light Snow Event:** 1" to 5" of snow is not enough to plow and, depending on weather patterns, will probably melt the next day.

9.2.2 **Regular Snow Event:** 6" to 24" of snow will be plowed with the grader.

9.2.3 **Heavy Snow Event:** Over 25" and drifting snow or subsequent snowfalls may require additional equipment to remove snow at higher elevations (Switchbacks at upper Rilling Canyon, Saddle Spur and Saddle Notch).

9.3 Raspberry Mountain Ranch is in a snowstorm prone region and there are ways you can avoid becoming a victim of blizzards and winter storms. Snow is inevitable. Plan ahead, be prepared, be patient and don't travel if you don't have to.

9.3.1 Stay inside if you are home, and except for emergencies, don't leave until the storm has abated. Deaths are often caused indirectly by storms, due to traffic accidents and hypothermia (caused by overexposure to cold weather).

9.3.2 While shoveling snow, be sure to take frequent breaks. This will not only help your sore muscles, but may also prevent any chance of a heart attack, which can be triggered by rigorous shoveling.

9.3.3 It is ideal to stock your house even before winter begins, with non-perishable food, medicine, bottled water, wood, batteries, matches and candles. Blizzards are notorious for defying weather forecasts and arriving early, so don't wait until the day or morning before a blizzard is expected to strike to stock up on essential supplies.

9.3.4 If you are caught in a storm and your vehicle is immobilized, remain in or near your car or truck unless you can see a source of help. You may want to get out and clear the exhaust pipe to prevent possibility of carbon monoxide poisoning. Also, set flares, tie a bright piece of cloth to the antenna, or raise the hood of your car to make yourself visible and increase your chance for rescue. Once you have done this, get back in your vehicle and remain inside. Crack a window for ventilation. Turn on the engine for ten or fifteen minutes every hour for heat, and try to keep your blood circulating by exercising from time to time, moving arms, legs, fingers and toes.

9.3.5 Even after plowing, roads may remain slick, and safe travel on roads may still require 4-wheel drive or chains. Drive with extreme caution. Realize that although 4-wheel drive may make it easier to get going, it will not improve your ability to stop on slick roads. In some vehicles, steering may be improved by switching to 2-wheel drive when going downhill.

9.3.6 When significant snow is forecast or falling, seriously consider calling to postpone any scheduled deliveries or services. Service vehicles, especially those without 4-wheel drive or

chains, may be surprised by the conditions in the ranch and pose a hazard to residents as well as themselves.

9.3.7 Make sure that your snow tires are in good condition. To be legal, snow tires must have a minimum of 6/32 inch (3/16") of tread. Your tires may be legal in dry conditions, but no longer qualify as snow tires.

9.3.8 Always carry chains and know how to install them.

10.0 Adverse Conditions

One or more of the following, which may delay or prevent the implementation of this policy, may affect all or any part of this Policy:

- 10.1 Equipment Breakdown
- 10.2 Snow Accumulation in Excess of 1 inch per hour
- 10.3 Freezing Rain or Other Icing Conditions
- 10.4 Emergencies
- 10.5 Personnel illness

11.0 Adoption

The RMRPOA Board of Directors has adopted this Road Maintenance and Snow Removal Policy. All Property Members are encouraged to familiarize themselves with the content as it describes the condition that one might expect to encounter before, during and following a winter storm event.

PRESIDENT'S

CERTIFICATION: The undersigned, being the President of Raspberry Mountain Ranch Property Members' 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, and after a 30 day review by the authorized voting membership.

In witness thereof, the undersigned has subscribed his/her name.

RASPBERRY MOUNTAIN RANCH PROPERTY MEMBERS' ASSOCIATION, INC.
A Colorado nonprofit corporation

By: _____
President

J. Hamler

On the 23RD day of July in the year 2011.