

**RULES, REGULATIONS AND POLICIES
CONCERNING HUNTING, TRAPPING AND SIMILAR ACTIVITIES**

LAWSON HILL SUBDIVISION/PUD

Effective Date: March 22, 2017

Background/Authority

These Rules, Regulations and Policies (“**Rules**”) of The Lawson Hill Subdivision/PUD (“**Community**”) have been adopted and implemented to protect the investment of the members and to enhance the values of the properties subject to regulation by The Lawson Hill Propertyowners’ Company, a Colorado nonprofit corporation (“**HOC**”).

These Rules are promulgated in accordance with the authority of the HOC as provided for in the Declaration for Lawson Hill Subdivision/PUD, recorded April 16, 1992, at No. 276371 in Book 490 at page 925 (“**Declaration**”), the Plats for the Community, the Articles of Incorporation and Bylaws for the HOC, as the same have been or may be amended and supplemented from time to time (“**Governing Documents**”). Terms which are defined in the Governing Documents shall have the same meaning herein, unless defined otherwise in these Rules. In the event of a conflict between these Rules and the terms and conditions of the Declaration, the terms and conditions of the Declaration shall control.

The HOC, through its Executive Board, is authorized, empowered and directed to, among other things: (a) adopt, amend and enforce rules and regulations applicable within Lawson Hill with respect to any Facility or Function, (b) to enforce rules and regulations applicable within Lawson Hill with respect to any Facility or Function, and to implement the provisions of this Declaration, the Articles of Incorporation or Bylaws of the HOC (c) to regulate use of any and all Facilities to assure fullest enjoyment of use by the persons entitled to enjoy and use the same, (d) to regulate the use, maintenance, repair, replacement and modification of the Common Elements, (e) to promote the general health, safety and welfare of persons within Lawson Hill; and (f) to protect and preserve property, property values and property rights.

The Declaration regulates hunting in the Community as follows:

9.6. No Hazardous Activities: No activities shall be conducted on any Property and no improvements may be constructed on any Property which are or might be unsafe or hazardous to any person or Property. **Without limiting the generality of the foregoing, no hunting shall be allowed and no firearms shall be discharged upon any Property**; and no open fires shall be lighted or permitted on any Property. This section shall not be construed to prevent the use of explosives, approved by the Review Board, required for the preparation of a Unit to allow the construction of approved improvements on the Unit.

9.30. No Hunting: **No hunting shall be allowed within Lawson Hill.**

Hunting/Trapping Rules, Regulations and Policies

1. The HOC has determined that the term hunting is intended to be broadly construed and shall mean and refer to the practice of hunting, killing, taking or trapping animals, or pursuing or tracking animals with the intent of doing so for any purpose or reason. As used herein, an animal means any domesticated animal or wildlife and is intended to include a so called nuisance animal. As

used herein, hunting means the use of any type of firearm or other device used for hunting, killing or taking an animal and shall include, without limitation a gun, rifle, pellet gun, BB gun, bow and arrow, sling shot, stun gun and the like as well as the use of poison. As used herein, trapping means the use of any type of device to trap an animal, whether a live trap or a trap designed to dispatch an animal.

2. Except if authorized by the HOC in advance, in writing, no person shall hunt, take, trap, set traps, place bait or otherwise engage in the action of hunting, trapping, capturing or otherwise dispatching any animals anywhere within the Community.

3. If a property owner identifies a nuisance animal in the Community, the person should endeavor to document information about the animal and present the information to the HOC. The information, where possible, should indicate the actions and conduct giving rise to the claim of nuisance, information about the dates, times, frequency and location of the nuisance actions; photos of the animal (if available) and the action requested by the HOC. In response to the request or by its own initiative, the HOC may decide on a course of action to be undertaken by the HOC, which may include, without limitation, trapping, capturing and relocating the animal or, if and when appropriate based upon compelling facts and circumstances, to dispatch the animal. The HOC shall retain a party to implement the action or may give permission to the Property Owner who brought the request to the HOC to implement the action at the property Owner's expense.

4. In the event the HOC disagrees with action requested by a property owner, the HOA will provide the property owner with written explanation. The property owner may then request a hearing to discuss the nuisance animal and any proposed action. Such hearings will be noticed to property owners in the manner prescribed in 12.22 of the Declarations.

5. The HOC acknowledges that Lawson Hill includes large open space tracts and the development exists within a natural environment. The HOC believes the majority of Lawson property owners value the occasional presence of higher predators within the community. As such, predators such as bobcat, lynx, mountain lion or black bear will not be regarded as a nuisance unless there is clear evidence indicating a specific animal has become habituated to living within developed areas.

6. The foregoing notwithstanding, if an animal such as a bear breaks into a house and is threatening the occupants of the residence, the occupant under those very limited circumstances may dispatch the animal without first securing approval by the HOA.

7. The fact that a person may have secured a permit from the Colorado Parks and Wildlife Department does not supersede these Rules and provide a basis for the person not comply with these Rules.

8. Subject to applicable provisions of federal, state or county laws and regulations, the foregoing shall not limit reasonable and customary trapping and capturing of rodents such as mice, rats and packrats or other nuisance animals in their home, for pest control purposes.

9. These Rules are to be enforced in the manner provided for in the Declaration.

10. **MISCELLANEOUS.**

a. **Conflict of Documents.** In the event of a specific conflict between the Governing Documents and these Rules, the Governing Documents shall prevail.

b. **Notices.** Notices called for by these Rules shall be sent by the HOC to property owners via certified mail at the address on file with the HOC.

c. **No Waiver.** Failure by the HOC, the Board or any person to enforce any provision of these Rules shall in no event be deemed to be a waiver of the right to do so thereafter.

d. **Definitions.** Unless otherwise defined in these Rules, initially capitalized or terms defined in the Declaration and Bylaws shall have the same meaning herein.

e. **Supplement to Law.** The provisions of these Rules shall be in addition to and in supplement of the terms and provisions of the Declaration, Bylaws, and the applicable law.

f. **Deviations.** The Board may deviate from the procedures set forth in these Rules if in its sole discretion such deviation is reasonable under the circumstances.

g. **Severability.** The provisions of these Rules shall be deemed to be independent and several, and the invalidity of any one or more of the provisions hereof, or any portion thereof, by judgment or decree of any court of competent jurisdiction, shall in no way affect the validity or enforceability of the remaining provisions, which provisions shall remain in full force and effect.

h. **Construction.** Unless the context provides or requires to the contrary, the use of the singular herein shall include the plural, the use of the plural shall include the singular, and the use of any gender shall include all genders.

i. **Caption and Headings.** The captions and headings to the sections are inserted herein only as a matter of convenience and for reference, and are in no way to be construed so as to define, limit or otherwise describe the scope of these policies and procedures or the intent of any provision hereof.

APPROVAL AND EXECUTION

The foregoing Rules are hereby adopted by the HOC as of the Effective Date.

The Lawson Hill Propertyowners' Company, a Colorado nonprofit corporation