

Horseshoe Ridge Estates Homeowners Association

Policy Clarification of Covenant Verbiage

(Ref. CCRs Third Amendment - Article V, Section 28)

On behalf of the Horseshoe Ridge Estates Homeowners Association (“the Association”) the Horseshoe Ridge Board of Directors (“the Board”) hereby adopts the following policy to clarify and supplement Article V – Allowed Uses, Section 28 (Leasing) of the Declaration of Covenants, Conditions, and Restrictions (“CCRs”).

Purpose:

The purpose of this policy is to provide additional clarification regarding leasing within Horseshoe Ridge Estates by defining the terms “Tenant,” “Landlord,” and “Lease,” and establishing occupancy requirements that are consistent with the intent of the CCRs while recognizing applicable Mesa County regulations governing residential occupancy and onsite wastewater treatment systems.

Nothing in this policy shall supersede or replace applicable, federal, state, or Mesa County laws, regulations, permit requirements, or public health requirements. Approval or enforcement of this policy by the Association does not relieve any Owner, Landlord, or Tenant from complying with all applicable governmental requirements.

Definitions:

“Tenant” a person or legal entity who pays rent for the use and occupancy of a dwelling (unit) pursuant to a written lease agreement.

“Landlord” The Owner of record or other person legally authorized to lease the premises.

“Lease” A written agreement between the Landlord (Lessor) and Tenant (Lessee) granting the Tenant the right to occupy the property for a specified period under agreed-upon terms and conditions.

Policy:

NOW, THEREFORE, IT IS RESOLVED that the Association hereby adopts the following policy to clarify Section 28 a, Article V of the Association CCRs.

1. **Tenant:** A third party “Tenant”: a single person or entity who occupies and pays for the rental property and is not affiliated with the “Landlord” who operates or leases the premises. The Tenant of any lease shall refer to and restrict the occupancy of the property to the members of a single family directly related to the named tenant that enters into the lease. The number of family members occupying the property shall not exceed the existing permitted Individual Sewage Disposal System, (septic system), design. For the purposes of leases in Horseshoe Ridge Estates that design capacity shall be limited to 2 persons multiplied by the recorded number of bedrooms reported to the Mesa County Health Department for the issued permit.
2. Property Owners are solely responsible for ensuring that any lease, occupancy, remodeling, bedroom additions, or changes in the use of the property comply with all applicable Mesa County regulations, including but not limited to building permits, land use regulations, and onsite wastewater treatment system requirements. Association approval does not constitute approval by Mesa County or any other governmental authority.

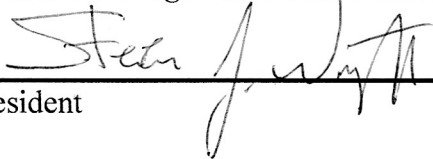
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3. If Mesa County or another governmental authority determines that occupancy exceeds the permitted capacity of the approved wastewater treatment system or otherwise violates applicable laws or regulations, the Owner shall promptly take all actions necessary to achieve compliance. Such violation may also constitute a violation of the Association's governing documents.
4. In the event of a conflict between this policy and applicable federal, state, or Mesa County laws or regulations, the applicable governmental law or regulation shall control. Where this policy is more restrictive than governmental requirements, this policy shall govern to the extent permitted by law.

This policy shall become effective upon adoption by the Board of Directors and shall remain in effect until amended or repealed in accordance with the Association's governing documents.

The undersigned, being the President of the Association certifies that the foregoing policy was duly adopted by the Board of Directors of the Association at a properly called and held meeting of the Association held on the 9th day of April, 2026.

Horseshoe Ridge Estates Homeowners Association



President