

**REGULATION REGARDING THE BOARDING OF HORSES
ON SINGLE FAMILY LOTS AND THE USE OF HORSES WITHIN BEAVER CREEK**

Adopted 10-30-80

Revised 10-9-83

Revised 3/3/98

1. Pursuant to Section 7.9 of the Amended and Restated General Declaration, and subject to the regulations set forth below, not more than two horses may be permanently stabled, and not more than three horses may be temporarily stabled for a period not to exceed 30 consecutive days, between May 1 and November 1 of each year on each of the following lots:

☐ Borders, Tract H, Block 3: Lots 9, 10

☐ Borders, Tract H, Block 4: Lots 1, 2, 3, 4, 5, 6, 10, 11, 12, 13

☐ Holden Road, Tract J, Block 2: Lots 23, 24, 25, 27, 28, 29, 30, 31, 33

☐ Wayne Creek, Tract J, Block 1: Lots 13, 14

Horses shall be restricted from all other single-family lots.

2. The owner of any lot upon which a horse is being boarded (the "Owner") shall be subject to the following regulations:
 - a. Each horse must be stabled in a structure and/or corral which has been approved by the Beaver Creek Design Review Board in accordance with Design Regulations from time to time established by the Design Review Board regarding such stables or regarding structures generally;
 - b. The stables must be maintained in a clean condition that does not unduly interfere with the use and enjoyment of any adjoining land;
 - c. Each horse must remain within a fenced area on the Owner's land except at such time as it may be under the direct control of the Owner or someone authorized by the Owner to take the horse off the Owner's lot;
 - d. Whenever the horse is taken from the Owner's lot, and as long as the horse is within the Beaver Creek Subdivision, it must remain on an area designated on the Beaver Creek Subdivision plats as an "Equestrian Easement" or such unimproved "Open Space Recreation" land as may be reasonably necessary to obtain access to Forest Service or Bureau of Land Management Land, or on the Beaver Creek road system.

- e. The horses must be kept in a clean, well-fed and healthy manner and in accordance with all applicable governmental regulations.
 - f. No person shall allow manure to be deposited on any property other than that of the Owner.
 - g. Notwithstanding paragraph 2(f), it shall be the responsibility of the Owner to remove any manure deposited by their horse on property other than that of the Owner and an Owner shall, upon written demand, reimburse the Resort Company for any and all expenses incurred as a result of any person's failure to comply with paragraph 2(f).
3. (a) If, in the judgment of the Resort Company, the Owner or anyone acting on his behalf, or anyone authorized to use or look after his horse(s), violates any of the foregoing provisions, or (b) if the maintenance of any horse on any lot creates a legal nuisance, or (c) if the Owner is negligent with regard to the care of his lot, stable, or horse(s), the Executive Director or other officer of the Resort Company may give written notice thereof (the "Notice") to such Owner, by registered or certified mail addressed to the Owner at the address shown in the Resort Company's records. The Notice shall state
the violation or other matter complained of, state what corrective action may reasonably be required. Such Owner shall either cure the violation within 30 days from the date of the Notice; or, if such Owner contests any matter set forth in the Notice, he may request a hearing at the next meeting of the Resort Company's Board of Directors which is held at least 30 days after the date of the Notice. Such Owner shall be entitled to appear in person or by his representative at such meeting and present relevant testimony and evidence to support his position. Within 30 days after such meeting, the Resort Company shall make its written determination as to whether any violation of these regulations, nuisance or negligence exists. Such determination shall be mailed to the Owner and shall be binding
on the Owner except in the case of clear mistake.
4. The Resort Company may revoke the authority of any Owner to keep any horse on his lot (a) if such Owner fails to cure any violation in the manner set forth in the Notice or in the Board of Directors' determination (whichever is applicable) within 30 days after the date thereof, or (b) if such Owner is guilty of three violations, whether or not such violations are cured. Such revocation applies only to current owner, owner's spouse or direct descendants and not subsequent purchasers.
5. The Resort Company shall not amend this regulation in a fashion which would unreasonably alter the rights of owners to enjoy equestrian activities substantially in accordance with these regulations.