

## ELK STREAM RANCH

A Colorado Common Interest Community  
Located in T36N R13W, T35N R13W, T36N R12W and T35N R12W, N.M.P.M  
Montezuma County and La Plata County, Colorado

Elk Stream Ranch Property Owners Association, Inc.  
A Colorado Non-Profit Corporation

### POLICIES

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### POLICY #1-2010: ADOPTION AND AMENDMENT OF POLICIES

Adopted 6<sup>th</sup> Aug, 2010

The following procedures have been adopted by the Elk Stream Ranch Property Owners Association, Inc., a Colorado Non-Profit Corporation ("Association") pursuant to the provisions of C.R.S. §38-33.3-209.5, C.R.S. §38-33.3-123, §38-33.3-315, §38-33.3-316, the Governing Documents of the Association, and the Act, at a regular meeting of the Board.

**Purpose:** To adopt a policy setting forth procedures for the adoption and amendment of policies, procedures, and rules.

**NOW, THEREFORE, IT IS RESOLVED** that the Association does hereby adopt the following policy governing adoption and amendment of policies, procedures and rules:

**1. Authority.** Pursuant to the Association's Governing Documents and C.R.S. §38-33.3-302, the authority to create, adopt, enforce, amend and repeal policies, procedures and rules lies with the Board.

**2. Solicitation of Information from Owners.** Prior to adopting any policy the Board has the right but not the obligation to solicit information regarding the proposed policy from Owners. The Board may gather information by distributing draft policies, forming a committee, conducting an informational meeting or any other method determined by the Board to be appropriate considering all of the relevant circumstances.

**3. Adoption.** When the Board, in the exercise of its discretion, determines that a policy should be adopted, amended or repealed, as appropriate, it shall do so either at a meeting of the Board or by unanimous written consent in lieu of a meeting, or by any other method authorized by the Association's Governing Documents or pursuant to Colorado law.

**4. Notice.** The Board shall then give notice of the adoption, amendment, or repeal of the policy in writing by e-mail if the Owner has filed an e-mail authorization form with the Association, or by first class mail, postage prepaid, to each Member of the Association at the address for notices to Members as provided for in the Association's Declaration or Bylaws, and shall publish the policy by any reasonable means available, including but not limited to posting the policy on the Association's website, physical posting, mail, newsletter, or personal delivery. The policy, along

with all other policies of the Association, shall be available for inspection and copying in accordance with the Association's policy regarding inspection and copying of Association records.

**5. Enforcement.** Any Owner's failure to receive the policy shall not be a defense to any attempt by the Association to enforce the policy including the levying of fines, expenses, or attorneys' fees as a result of a violation of the policy.

**6. Definitions.** As used in the Association policies, capitalized terms shall have the meanings as defined in the Act or Governing Documents.

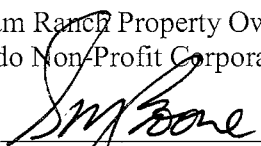
**7. Conflicts.** The policies adopted by the Association are supplemental to the Governing Documents and the Act. In the event of a conflict between the provisions of any policy and other Governing Documents, the Governing Documents and the Act shall control.

**8. Severability.** The provisions of the Association policies shall be independent and severable. The invalidity of any one or more of the provisions of any Association policy by judgment or court order or decree shall in no way affect the validity or enforceability of any of the other provisions, which shall remain in full force and effect.

**PRESIDENT'S CERTIFICATION:** The undersigned, being the President of the Elk Stream Ranch Property Owners Association, Inc., a Colorado Non-Profit Corporation, certifies that the foregoing Resolution was approved and adopted by the Board, at a duly called and held meeting of the Board on (date) 6 AUG 10 and in witness thereof, the undersigned has subscribed his name.

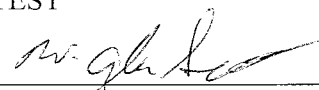
Elk Stream Ranch Property Owners Association, Inc.,  
a Colorado Non-Profit Corporation

By:

  
Stephen M. Boone, President

ATTEST

By:

  
W. Alan Scott, Secretary /  
Treasurer