

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 #13-2010: ROAD USE POLICY

Adopted 6th Aug, 2010

The following policy has 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, in accordance with the Association's policy regarding adoption and amendment of policies.

Purpose: To adopt a policy addressing the use of the Elk Stream Ranch roads.

NOW, THEREFORE, IT IS RESOLVED that the Board of Directors does hereby adopt the following policy regarding the use of the Elk Stream Ranch roads:

1. Responsible Use of Roads Required. Each Owner and their Guests shall use the Elk Stream Roads in a responsible and safe manner, particularly with respect to other road users and adverse weather and road conditions. Each Owner and their Guests shall obey all posted signs on Elk Stream roads.

2. Guests of Owner. All persons using the Elk Stream Ranch roads on behalf of or in connection with Parcels in the Elk Stream Ranch are the Guests of the Owners of any such Parcel, as defined in the Declaration.

3. Governing Documents. As required by Section 9.02 of the Declaration, the Governing Documents including all Rules and Regulations apply to all Guests to the same extent they apply to Owners, and each Owner shall comply with, and shall require its Guests to comply with, all provisions of the Governing Documents that apply to such Owner or such Owners Parcel.

a. Owners Responsibility to Inform Guests. Each Owner is responsible for communicating all relevant provisions of the Governing Documents to the Owners Guests.

4. Nuisances, Hazardous Activities and Unsightliness. Conditions and circumstances constituting nuisances, hazardous activities and unsightliness within the Elk Stream Ranch are addressed in Section 9.06 of the Declaration.

5. Violation of Governing Documents. In accordance with Section 7.02(i) of the Declaration, every act or omission whereby any provision of the Governing Documents is violated in whole or in part is a nuisance and may be enjoined or abated, whether or not the relief sought is for negative or affirmative action by the Association or any Owner or Owners of Parcels within the Elk Stream Ranch.

6. Contractors and Subcontractors. The DRC may, as a condition of the approval or construction of any improvement on a Parcel, require the Owner/applicant to provide to the Association a list of all contracting and subcontracting companies that will be working on the project.

7. Communication with the Association.

a. Written Authorization Required. No Guest may communicate with the Association on behalf of the Owner in the absence of written authorization of the Owner, specifying the extent of authority granted by the Owner to the Guest.

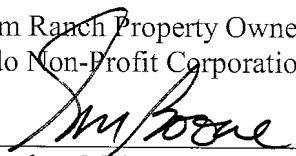
8. Use of Common Elements. In accordance with Section 9.05(b) of the Declaration, all Owners and their Guests may use the General Common Elements and the Limited Common Elements designed to serve their Parcels for the purposes for which such Common Elements are intended. Neither an Owner nor a Guest may use any Common Element in any manner that unreasonably interferes with the rights of other Owners in and to the Common Elements. No Owner shall cause, or permit its Guests to cause waste to any Common Element. The Owners' rights to use the Common Elements are subordinate and subject to all of the rights and powers of the Association with respect to the Common Elements, including, without limitation, the Association's right and power to adopt rules regulating the use of the Common Elements.

9. Default Assessments Against Owners. In accordance with Section 6.06 of the Declaration, if any Common Expense is caused by the negligence or misconduct of an Owner or an Owners Guest; or a violation of any covenant or condition of a Governing Document by an Owner or an Owners Guest, the Association may levy an Assessment for such Common Expense against such Owners Parcel. Any such Assessment levied by the Association and each fine, penalty, fee or other charge imposed upon an Owner for the Owners violation of any covenant or condition of any Association Document shall be a Default Assessment.

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.

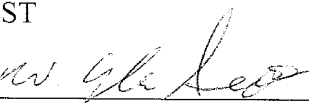
Elk Stream Ranch Property Owners Association, Inc.,
a Colorado Non-Profit Corporation

By:


Stephen M. Boone, President

ATTEST

By:


W. Alan Scott, Secretary /
Treasurer