

RESOLUTION OF
RED CREEK RANCH-NEWTON PROPERTY OWNERS ASSOCIATION,
ADOPTING POLICY AND PROCEDURE
FOR INSPECTION AND COPYING OF ASSOCIATION RECORDS

SUBJECT: Adoption of a policy and procedure regarding the inspection and copying of Association records.

PURPOSE: To adopt a uniform procedure to be followed when dealing with requests to inspect or copy Association records.

AUTHORITY: The Declaration, Articles of Incorporation and Bylaws of the Association, and Colorado law.

EFFECTIVE DATE: February 18, 2014

RESOLUTION: The following policy and procedure has been adopted by the Red Creek Ranch-Newton Property Owners Association ("Association") pursuant to Colorado statutes, at a meeting of the Board of Directors ("Board"). This policy and procedure supersedes and replaces any prior resolution or policy regarding the inspection and copying of Association Records.

1. Current Records. The following records, being the sole records of the Association for purpose of document retention and production to Owners, shall be kept by a Board Member designated by the Board of Directors.

- Detailed records of receipts and expenditures affecting the operation and administration of the association;
- Minutes of all meetings of its owners and board, a record of all actions taken by the owners or board without a meeting, and a record of all actions taken by any committee of the board;
- Written communications among, and votes cast by, board members that are: (i) directly related to an action taken by the board without a meeting pursuant to the Colorado Revised Nonprofit Corporation Act; or (ii) directly related to an action taken by the board without a meeting pursuant to the association's bylaws;
- A list of the names of all owners and the physical mailing addresses at which the association communicates with them, showing the number of votes each owner is entitled to vote;
- The association's current declaration, covenants, bylaws, articles of incorporation, rules and regulations, responsible governance policies and other policies adopted by the board;
- Financial statements for the past 3 years and tax returns of the association for the past 7 years if available;
- A list of the names, email addresses and physical mailing addresses of the current board members and officers;
- The most recent annual report (if any) delivered to the Secretary of State;
- Financial records sufficiently detailed to enable the association to provide an owner with a written statement stating the amount of unpaid assessments currently levied against the owner's unit;
- The association's most current reserve study (if any);

- Records of claims for construction defects and amounts received pursuant to settlement of those claims;
- Current written contracts to which the association is a party and contracts for work performed within the past 2 years;
- Records of board or committee actions to approve or deny any requests for design or architectural approval from owners;
- Ballots, proxies and other records related to voting by owners for 1 year after the election, action or vote;
- Resolutions adopted by the board relating to the characteristics, qualifications, limitations, and obligations of members;
- All written communications within the past 3 years sent to all owners.

2. Inspection of Association Books and Records by members.

- A member or his/her authorized agent is entitled to inspect and copy, at the member's expense and at a reasonable location specified by the Association, any of the records of the Association (except as specifically limited or excluded by Section 4 below).
- A member must submit a written request to the Board for the records to be review and or copied.
- The Association may limit examination and copying times to reasonable hours and within thirty (30) days of the request or the next regularly scheduled Board meeting, if the meeting occurs within thirty (30) days of the request.

3. Membership List. Without the consent of the Board of Directors, a membership list or any part thereof may not be obtained or used by any person for:

- Any purpose unrelated to a member's interest as a member;
- To solicit money or property unless such money or property will be used solely for the purpose of generating materials or holding meetings to solicit the votes of the members in an election to be held by the Association;
- Any commercial purpose, or to be sold to or purchased by any person.

4. Exclusions. The following records and documents may be kept confidential by the Association:

- Contracts, leases, bids, or records related to other similar commercial transactions to purchase or provide goods or services that is currently in or under negotiation;
- Pending, potential, or threatened litigation, mediation, or arbitration;
- Pending or potential matters involving federal, state, or local administrative tribunal or enforcement of the Declaration, Bylaws or Rules;
- Communications with legal counsel and all attorney created documents, including, but without limitation, memos, opinion letters, and draft documents prepared at the behest of the Board of Directors;
- Any documents that are confidential under constitutional, statutory or judicially imposed requirements;

- Records of an Executive Session of the Board, including records that may give rise to an Executive Session of the Board;
- Records of individual Lots other than those of the requesting Owner;
- Personnel, salary, or medical records relating to a specific individual; or
- Personal identification and account information of members, including bank account information, telephone numbers, electronic email addresses, driver's license numbers, and social security numbers.

5. Copy and other Document Fees.

Any owner requesting copies of Association records shall be responsible for all actual costs incurred by the Association, which have been determined to be \$.25 per page for copies requested. The Association may require a deposit equal to the anticipated actual cost of the requested records. Failure to pay such deposit shall be valid grounds for denying an Owner copy of such records. If after payment of the deposit it is determined that the actual cost was more than the deposit, Owner shall pay such amount prior to delivery of the copies. If after payment of the deposit it is determined that the actual cost was less than the deposit, the difference shall be returned to the Owner with the copies. There shall be no cost to the Owner accessing records which are required to be disclosed by Colorado law at no cost to Owners.

6. Supplement to Law. The provisions of this Resolution shall be in addition to and in supplement of the terms and provisions of the Declaration and the law of the State of Colorado.

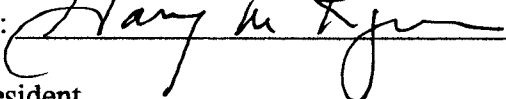
7. Deviations. The Board may deviate from the procedures set forth in this Resolution if, in its sole discretion, such Deviation is reasonable under the circumstances.

8. Amendment. This policy may be amended from time to time by the Board of Directors.

PRESIDENT'S CERTIFICATION:

The undersigned, the President of the Red Creek Ranch-Newton Property Owners Association, certifies that the foregoing Resolution was approved and adopted by the Board of Directors of the Association, at a duly called and held meeting of the Board of Directors of the Association on 2/18/2014 and in witness thereof, the undersigned has subscribed his/her name.

Red Creek Ranch-Newton Property Owners Association a Colorado non-profit corporation.

By: 
President