



# **wehner property management co.**

280 S. MADISON ST.  
DENVER, CO 80209  
(303) 320-8517 or (303) 322-0048

August 22, 2006

Four Mile Village Townhouse Owners  
540 S. Forest Street  
Denver, CO 80246

Re: Four Mile Village Townhouse Association  
Seven Newly Adopted Resolutions

Enclosed, please find your signed copy of the following Resolutions adopted by the Board of Directors at a meeting held on February 22, 2006:

1. Resolution Regarding Procedures for Adoption and Amendment of Policies, Procedures, Rules, Regulations, or Guidelines
2. Resolution Regarding Policy and Procedures for Collection of Unpaid Assessments
3. Resolution Regarding Board Members Conflicts of Interest
4. Resolution Regarding Policies and Procedures for Covenant and Rule Enforcement
5. Resolution Regarding Policy and Procedures for Inspection and Copying of Association Records
6. Resolution Regarding Investment of Reserve Policy
7. Resolution Adopting Procedures for the Conduct of Meetings

The above resolutions were adopted by the Board of Directors to bring the Association into compliance with Senate Bill 100-05, which was signed into Colorado State Law in 2005 and became effective January 1, 2006. These resolutions are thereby made a part of the existing Rules & Regulations. Please review them carefully and keep these copies with your copy of the other Governing Documents for the Association.

Should you have any questions, please call Russ Wehner at (303) 320-8517.

Sincerely,

*Russ Wehner, Jr.*

Russ Wehner, Jr.  
Property Manager

RW/vk

***"FOUR MILE VILLAGE  
TOWNHOUSE  
ASSOCIATION"***

***Resolutions adopted by the Board  
on February 22, 2006***

Please incorporate these Resolutions into the Rules & Regulations  
for Four Mile Village Townhouse Association

(Keep in a safe place for future reference)



**RESOLUTION OF THE  
FOUR MILE VILLAGE TOWNHOUSE ASSOCIATION  
REGARDING PROCEDURES FOR ADOPTION AND AMENDMENT OF POLICIES,  
PROCEDURES, RULES, REGULATIONS, OR GUIDELINES**

**SUBJECT:** Adoption of a procedure to be followed when adopting policies, procedures, rules, regulations or guidelines (hereinafter "Policy" or "Policies") regarding the operation of the Association.

**PURPOSE:** To adopt a standard procedure to be used in developing Policies in order to facilitate the efficient operation of the Association.

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

**EFFECTIVE DATE:** January 1, 2006.

**RESOLUTION:** The Association hereby adopts the following procedures to be followed in adopting Policies of the Association:

1. Scope. The Board of Directors of the Association may, from time to time, adopt certain Policies as may be necessary to facilitate the efficient operation of the Association, including the clarification of ambiguous provisions in other documents, or as may be required by law. The Board shall follow the following procedures when adopting any Policy.
2. Drafting Procedure. The Board shall consider the following in drafting the Policy:
  - a. Whether the governing documents or Colorado law grants the Board the authority to adopt such a Policy;
  - b. The need for such Policy based upon the scope and importance of the issue and whether the governing documents adequately address the issue;
  - c. The immediate and long-term impact and implications of the Policy.
3. Adoption Procedure. Upon adoption of a Policy, the Policy or notice of such Policy, including the effective date shall be provided to all Owners by any reasonable method as determined in the sole discretion of the Board.
4. Policy Book. The Board of Directors shall keep copies of any and all adopted Policies in a book designated as a Policy Book.
5. Definitions. Unless otherwise defined in this Resolution, initially capitalized or terms defined in the Declaration shall have the same meaning herein.
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 governing the Project.

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 Procedure may be amended from time to time by the Board of Directors.

**PRESIDENT'S CERTIFICATION:**

The undersigned, being the President of the Association, certifies that the foregoing resolution was adopted by the Board of Directors of the Association at a duly called and held meeting of the Board of Directors held on this 22<sup>nd</sup> day of February, 2006 and in witness thereof, the undersigned has subscribed his name.

**FOUR MILE VILLAGE TOWNHOUSE ASSOCIATION**

By: Steve Graham  
Steve Graham, President

ATTEST:

By: Jan P. [Signature]  
Secretary



**RESOLUTION OF THE  
FOUR MILE VILLAGE TOWNHOUSE ASSOCIATION  
REGARDING POLICY AND PROCEDURES FOR COLLECTION OF UNPAID  
ASSESSMENTS**

**SUBJECT:** Adoption of a policy and procedure regarding the collection of unpaid assessments.

**PURPOSE:** To provide notice of the Association's adoption of a uniform procedure to collect assessments and other charges of the Association.

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

**EFFECTIVE DATE:** January 1, 2006.

**RESOLUTION:** The Association hereby adopts the following procedures to be followed for the collection of past due assessments:

It is in the best interest of the Association to refer delinquent accounts promptly to an attorney for collection so as to minimize the Association's loss of assessment revenue. The Board of Directors has retained an attorney with experience in representing homeowner associations in collections and other matters. The Association hereby gives notice of its adoption of the following policies and procedures for the collection of assessments and other charges of the Association:

1. Due Dates. The monthly installments of the annual assessment as determined by the Association and as allowed for in the Declaration shall be due and payable on the 1<sup>st</sup> day of each month. Assessments or other charges not paid in full to the Association within 10 days of the due date shall be considered past due and delinquent. Assessments or other charges not paid in full to the Association within 10 days of the due date shall incur late fees and assessments and other charges not paid in full to the Association within 30 days of the due date shall incur interest as provided below.
2. Late Charges on Delinquent Installments. The Association may impose on a monthly basis a late charge for each Owner who fails to timely pay his/her monthly installment of the annual assessment within 10 days of the due date. This late charge shall be a "common expense" for each delinquent Owner. The Association may also impose interest from the date due at the rate of 18% per annum on any unpaid assessment for each Owner who fails to timely pay their monthly installment of the annual assessment within 30 days of the due date.
3. Personal Obligation for Late Charges. The late charge shall be the personal obligation of the Owner(s) of the Unit for which such assessment or installment is unpaid. All late charges shall be due and payable immediately, without notice, in the manner provided by the Declaration (and as set forth



herein) for payment of assessments.

4. Returned Check Charges. In addition to any and all charges imposed under the Declaration, Articles of Incorporation and Bylaws, the Rules and Regulations of the Association or this Resolution, a \$25 fee shall be assessed against an Owner in the event any check or other instrument attributable to or payable for the benefit of such Owner is not honored by the bank or is returned by the bank for any reason whatsoever, including but not limited to insufficient funds. This returned check charge shall be a "common expense" for each Owner who tenders payment by check or other instrument which is not honored by the bank upon which it is drawn. Such return check charge shall be due and payable immediately, upon demand. Notwithstanding this provision, the Association shall be entitled to all additional remedies as may be provided by applicable law. Returned check charges shall be the obligation of the Owners of the Unit for which payment was tendered to the Association. Returned check charges shall become effective for any instruments tendered to the Association for payment of sums due under the Declaration, Articles, Bylaws, Rules and Regulations or this Resolution after the date adopted as shown above. This return check charge shall be in addition to any late fees or interest incurred by an Owner. Any returned check shall cause an account to be past due if full payment of the monthly installment of the annual assessment is not timely made within 10 days of the due date. If two or more of a Unit Owner's checks are returned unpaid by the bank within any (fiscal) year, the Association may require that all of the Unit Owner's future payments, for a period of one year, be made by certified check or money order.
5. Attorney Fees on Delinquent Accounts. As an additional expense permitted under the Declaration and by Colorado law, the Association shall be entitled to recover its reasonable attorney fees and collection costs incurred in the collection of assessments or other charges due the Association from a delinquent Owner. The reasonable attorney fees incurred by the Association shall be due and payable immediately when incurred, upon demand.
6. Application of Payments. All sums collected on a delinquent account shall be remitted to the Association's attorney until the account is current. All payments received on account of any Owner or the Owner's property (hereinafter collectively "Owner"), shall be applied to payment of any and all legal fees and costs (including attorney fees), expenses of enforcement and collection, late charges, returned check charges, lien fees, and other costs owing or incurred with respect to such Owner pursuant to the Declaration, Articles, Bylaws, Rules and Regulations or this Resolution, prior to application of the payment to any special or regular assessments due or to become due with respect to such Owner.



7. Collection Process.

- a. After an installment of an annual assessment or other charges due to the Association becomes more than 30 days delinquent, the manager shall send a written notice ("First Notice") of non-payment, amount past due, notice of accrued late fees and interest, and request for immediate payment.
- b. After an installment of an annual assessment or other charges due to the Association becomes more than 60 days delinquent, the Association, or authorized agent of the Association, shall turn the account over to the Association's attorney for collection. Upon receiving the delinquent account, the Association's attorneys shall send a letter to the delinquent Owner demanding immediate payment for past due assessments or other charges due. Upon further review, the Association's attorney may file a lawsuit and a lien. If a judgment or decree is obtained, including without limitation a foreclosure decree, such judgment or decree shall include reasonable attorney's fees together with the cost of the action and any applicable interest and late fees.
- c. In addition to the steps outlined above, the Association may elect to suspend the voting rights of any Owner whose account is past due at the time of such voting.

8. Acceleration and Deceleration of Assessments. The Board reserves the right to accelerate and call due the entire unpaid annual assessment on any delinquent account. Such acceleration shall result in the entire unpaid annual assessment being due immediately. The Board also reserves the right to decelerate any accelerated assessment.

9. Collection Procedures/Time Frames. The following time frames shall be followed for use in the collection of monthly installments of the annual assessment and other charges.

Due Date	1 <sup>st</sup> day of the month due
Past Due Date	10 days after due date
First Notice	30 days after due date
Referral to Association's Attorney	60 days after due date

10. Certificate of Status of Assessment. The Association shall furnish to an Owner or such Owner's designee upon written request, first class postage prepaid, return receipt, to the Association's agent, a written statement setting forth the amount of unpaid assessments currently levied against such Owner's property for a \$15 fee. However, if the account has been turned over to the Association's attorney, such request may be handled through the attorney.



11. Bankruptcies and Foreclosures. Upon receipt of any notice of a bankruptcy filing by an Owner, or upon receipt of a notice of a foreclosure by any holder of an encumbrance against any Unit within the Association, the manager shall notify the Association's attorney of the same and turn the account over to the Association's attorney, if appropriate.
12. Use of Regular Mail. In the event the Association shall cause a collection or demand letter or notices to be sent to a delinquent Owner, the same shall be sent by regular mail.
13. Referral of Delinquent Accounts to Attorneys. Upon referral to the Association's attorney, the attorney shall take all appropriate action to collect the accounts referred. After an account has been referred to an attorney, the account shall remain with the attorney until the account is settled, has a zero balance or is written off. The attorney, in consultation with the Association's manager, is authorized to take whatever action is necessary and determined to be in the best interests of the Association, including, but not limited to:
  - a. Filing of a suit against the delinquent Owner for a money judgment;
  - b. Filing of a lien against the property;
  - c. Instituting a judicial foreclosure action of the Association's lien;
  - d. Filing necessary claims, documents, and motions in bankruptcy court in order to protect the Association's interests; or
  - e. File a court action seeking appointment of a receiver.

All payment plans involving accounts referred to an attorney for collection shall be set up and monitored through the attorney. Upon referral of any matter to the Association's attorney, the Association shall pay the attorney's usual and customary charges as well as any costs incurred by the attorney on the Association's behalf, promptly upon receipt of the monthly invoice from the attorney.

14. Appointment of a Receiver. The Association may seek the appointment of a receiver if an Owner becomes delinquent in the payment of assessments pursuant to the Declaration and Colorado law. A receiver is a disinterested person, appointed by the court to manage the rental of the property, collect the rent and disburse the rents according to the court's order. The purpose of a receivership for the Association is to: obtain payment of current assessments, reduce past due assessments; and prevent the waste and deterioration of the property.
15. Judicial Foreclosure. The Association may choose to foreclose on its lien in lieu of or in addition to suing an Owner for a money judgment. The purpose of foreclosing is to obtain payment of all assessments owing in situations where either a money judgment lawsuit has been or is likely to be unsuccessful or other circumstances which favor such action.

16. Waivers. The Association is hereby authorized to extend or contract the time for the filing of lawsuits and liens, or to otherwise modify the procedures contained herein, as the Association shall determine appropriate under the circumstances.
17. Communications with Owners. All communication with a delinquent Owner shall be handled through the Association's attorney once a matter has been referred to the attorney. Neither the Manager nor any member of the Board of Directors shall discuss the collection of the account directly with an Owner after it has been turned over to the Association's attorney unless the attorney is present or has consented to the contact.
18. Defenses. Failure of the Association to comply with any provision in this Policy shall not be deemed a defense to payment of assessment fees or other charges, late charges, return check charges, attorney fees and/or costs as described and imposed by this Policy.
19. Definitions. Unless otherwise defined in this Resolution, initially capitalized or terms defined in the Declaration shall have the same meaning herein.
20. 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 governing the Project.
21. 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.
22. Amendment. This Policy may be amended from time to time by the Board of Directors.


**PRESIDENT'S CERTIFICATION:**

The undersigned, being the President of the Association, certifies that the foregoing resolution was adopted by the Board of Directors of the Association at a duly called and held meeting of the Board of Directors held on this 22<sup>nd</sup> day of February, 2006 and in witness thereof, the undersigned has subscribed his name.

**FOUR MILE VILLAGE TOWNHOUSE ASSOCIATION**

By:   
Steve Graham, President

ATTEST:

By:   
Secretary



**RESOLUTION OF THE  
FOUR MILE VILLAGE TOWNHOUSE ASSOCIATION  
REGARDING BOARD MEMBERS CONFLICTS OF INTEREST**

**SUBJECT:** Adoption of a policy and procedure regarding Director conflicts of interest and a code of ethics.

**PURPOSE:** Adoption of a procedure to be followed when a Director has a conflict of interest to ensure proper disclosure of the conflict and voting procedures and to adopt a code of ethics for Directors.

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

**EFFECTIVE DATE:** January 1, 2006

**RESOLUTION:** The Association hereby adopts the following procedures to be followed with respect to conflicts of interests with Directors:

1. General Duty. The Board of Directors shall use its best efforts at all times to make decisions that are consistent with high principles and to protect and enhance the value of properties of the members and Association. All Directors shall exercise their power and duties in good faith and in the best interest of, and with utmost loyalty to the Association. All Directors shall comply with all lawful provisions of the Declaration and the Association's Articles, Bylaws, and Rules and Regulations.
2. Definition. A conflict of interest exists whenever any contract, decision or other action taken by or on behalf of the Board would financially benefit: (i) a Director; (ii) a parent, grandparent, spouse, child, or sibling of the Director; (iii) a parent or spouse of any of the persons in subsection (ii); or, (iv) an entity in which a Director is a director or officer or has a financial interest.
3. Disclosure of Conflict. Any conflict of interest on the part of any Director shall be verbally disclosed to the other Directors in open session at the first open meeting of the Board of Directors at which the interested Director is present prior to any discussion or vote on the matter. Any Director with a conflict of interest may participate in the discussions and deliberations but shall be prohibited from voting on any contract or decision in which the director has a conflict of interest. The minutes of the meeting shall reflect the disclosure made, the abstention from voting, the composition of the quorum and record who voted for and against.
4. Code of Ethics. In addition to the above, each Director and the Board as a whole shall adhere to the following Code of Ethics:
  - a. No Director shall use his/her position for private gain, including the purpose of enhancement of his/her financial status through the use of certain contractors or



- suppliers.
- b. No contributions will be made to any political parties or political candidates by the Association.
  - c. No Director shall solicit or accept, directly or indirectly, any gifts, gratuity, favor, entertainment, loan or any other thing of monetary value from a person who is seeking to obtain contractual or other business or financial relations with the Association.
  - d. No Director shall accept a gift or favor made with intent of influencing decision or action on any official matter.
  - e. No Director shall receive any compensation from the Association for acting as a volunteer.
  - f. No Director shall willingly misrepresent facts to the members of the community for the sole purpose of advancing a personal cause or influencing the community to place pressure on the Board to advance a personal cause.
  - g. No Director shall interfere with a contractor engaged by the Association while a contract is in progress. All communications with Association contractors shall go through the Board President or be in accordance with policy.
  - h. No Director shall harass, threaten, or attempt to through any means to control or instill fear in any member, Director or agent of the Association.
  - i. No promise of anything not approved by the board as a whole can be made by any Director to any subcontractor, supplier, or contractor during negotiations.
  - j. Any Director convicted of a felony shall voluntarily resign from his/her position.
  - k. No Director shall knowingly misrepresent any facts to anyone involved in anything with the community which would benefit himself/herself in anyway.
  - l. Language and decorum at board meetings will be kept professional. Personal attacks against Owners, residents, managers, service providers and Directors are prohibited and are not consistent with the best interest of the community.
5. Failure to Disclose Conflict. Any contract entered into in violation of this policy shall be void and unenforceable. In such event, the Board, at the next meeting of the Board, shall vote again on the contract, decision or other action taken in violation of this Policy.
  6. Definitions. Unless otherwise defined in this Resolution, initially capitalized or terms defined in the Declaration shall have the same meaning herein.
  7. 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 governing the community.
  8. 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.
  9. Amendment. This policy may be amended from time to time by the Board of Directors.

**PRESIDENT'S CERTIFICATION:**

The undersigned, being the President of the Association, certifies that the foregoing resolution was adopted by the Board of Directors of the Association at a duly called and held meeting of the Board of Directors held on this 22<sup>nd</sup> day of February, 2006 and in witness thereof, the undersigned has subscribed his name.

**FOUR MILE VILLAGE TOWNHOUSE ASSOCIATION**

By:   
Steve Graham, President

ATTEST:

By:   
Secretary



**RESOLUTION OF THE  
FOUR MILE VILLAGE TOWNHOUSE ASSOCIATION  
REGARDING POLICIES AND PROCEDURES FOR COVENANT AND RULE  
ENFORCEMENT**

**SUBJECT:** Adoption of a policy regarding the enforcement of covenants and rules and procedures for the notice of violations, conduct of hearings and imposition of fines.

**PURPOSE:** To adopt a uniform procedure to be followed when enforcing covenants and rules to facilitate the efficient operation of the Association.

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

**EFFECTIVE DATE:** January 1, 2006.

**RESOLUTION:** The Association hereby adopts the following procedures to be followed when enforcing covenants and rules of the Association:

1. Reporting Violations. Complaints regarding alleged violations may be reported by an Owner or resident within the community, a group of Owners or residents, the Association's management company, if any, board members or committee members by submission of a written complaint.
2. Complaints.
  - a. Complaints by Owners or residents shall be in writing and submitted to the Board of Directors. The complaining Owner or resident shall have observed the alleged violation and shall identify the complainant ("Complainant"), the alleged violator ("Violator"), if known, and set forth a statement describing the alleged violations, referencing the specific provisions which are alleged to have been violated, when the violation was observed and any other pertinent information. Non-written complaints or written complaints failing to include any information required by this provision may not be investigated or prosecuted at the discretion of the Association.
  - b. Complaints by a member of the Board of Directors, a committee member, or the manager, if any, may be made in writing or by any other means deemed appropriate by the Board if such violation was observed by the Director or manager.
3. Investigation. Upon receipt of a complaint by the Association, if additional information is needed, the complaint may be returned to the Complainant or may be investigated further by a Board designated individual or committee. The Board shall have sole discretion in appointing an individual or committee



to investigate the matter.

4. Initial Warning Letter. If a violation is found to exist, a warning letter shall be sent to the violator explaining the nature of the violation. The Violator will have 14 days from the date of the letter to come into compliance.
5. Continued Violation After Initial Warning Letter. If the alleged Violator does not come into compliance within 14 days of the first warning letter, this will be considered a second violation for which a fine may be imposed following notice and opportunity for a hearing. A second letter shall then be sent to the alleged Violator, providing notice and an opportunity for a hearing and explaining if a violation is found to exist, a fine may be imposed pursuant to this Policy. The letter shall further state that the alleged Violator is entitled to a hearing on the merits of the matter provided that such hearing is requested in writing within 14 days of the date on the second violation letter.
6. Notice of Hearing. If a hearing is requested by the alleged Violator, the Board, committee or other person conducting such hearing as may be determined in the sole discretion of the board, shall serve by regular mail or by personal delivery a written notice of the hearing to all parties involved at least 10 days prior to the hearing date.
7. Hearing. At the beginning of each hearing, the presiding officer, shall introduce the case by describing the alleged violation and the procedure to be followed during the hearing. Each party or designated representative, may, but is not required to, make an opening statement, present evidence and testimony, present witnesses, and make a closing statement. The presiding officer may also impose such other rules of conduct as may be appropriate under the given circumstances. Neither the Complainant nor the alleged Violator are required to be in attendance at the hearing. The Board shall base its decision solely on the matters set forth in the Complaint, results of the investigation and such other credible evidence as may be presented at the hearing. Unless otherwise determined by the Board, all hearings shall be open to attendance by all Owners. After all testimony and other evidence has been presented at a hearing, the Board shall, within a reasonable time, not to exceed 10 days, render its written decision, and impose a fine, if applicable. A decision, either a finding for or against the Owner, shall be by a majority of the Board members present at the hearing. Failure to strictly follow the hearing procedures set forth above shall not constitute grounds for appeal of the hearing committee's decision absent a showing of denial of due process.
8. Failure to Timely Request Hearing. If the alleged Violator fails to request a hearing within 14 days of the second letter, or fails to appear at the hearing, the Board may make a decision with respect to the alleged violation based on the Complaint, results of the investigation, and any other available information without the necessity of holding a formal hearing. If a violation is found to

exist, the alleged Violator may be assessed a fine pursuant to these policies and procedures.

9. Notification of Decision. The decision of the Board, committee or other person, shall be in writing and provided to the Violator and Complainant within 10 days of the hearing, or if no hearing is requested, within 10 days of the final decision.

10. Fine Schedule. The following fine schedule has been adopted for all recurring covenant violations:

First Violation	Warning letter
Second Violation (of same covenant or rule)	\$25
Third Violation	\$50
Fourth and subsequent violations	\$100

Covenant violations may be turned over to the Association's attorney to take appropriate legal action.

11. Waiver of Fines. The Board may waive all, or any portion, of the fines if, in its sole discretion, such waiver is appropriate under the circumstances. Additionally, the Board may condition waiver of the entire fine, or any portion thereof, upon the Violator coming into and staying in compliance with the Articles, Declaration, Bylaws or Rules.
12. Other Enforcement Means. This fine schedule and enforcement process is adopted in addition to all other enforcement means that are available to the Association through its Declaration, Bylaws, Articles of Incorporation and Colorado law. The use of this process does not preclude the Association from using any other enforcement means.
13. Definitions. Unless otherwise defined in this Resolution, initially capitalized or terms defined in the Declaration shall have the same meaning herein.
14. 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 governing the Project.
15. 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.
16. Amendment. This policy may be amended from time to time by the Board of Directors.



**PRESIDENT'S CERTIFICATION:**

The undersigned, being the President of the Association, certifies that the foregoing resolution was adopted by the Board of Directors of the Association at a duly called and held meeting of the Board of Directors held on this 22<sup>nd</sup> day of February, 2006 and in witness thereof, the undersigned has subscribed his name.

**FOUR MILE VILLAGE TOWNHOUSE ASSOCIATION**

By: Steve Graham  
Steve Graham, President

ATTEST:

By: Jane P. Jones  
Secretary



**RESOLUTION OF THE  
FOUR MILE VILLAGE TOWNHOUSE ASSOCIATION  
REGARDING POLICY AND PROCEDURES FOR INSPECTION AND COPYING OF  
ASSOCIATION RECORDS**

**SUBJECT:** Adoption of a procedure to be followed for the inspection and copying of Association records.

**PURPOSE:** To adopt a standard procedure to be used for the inspection and copying of Association records.

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

**EFFECTIVE DATE:** January 1, 2006.

**RESOLUTION:** The Association hereby adopts the following procedures to be used for the inspection and copying of Association records.

1. The Association shall permanently retain the following records as required by Colorado law:
  - a. Minutes of all Board and Owner meetings.
  - b. All actions taken by the Board or unit Owners by written ballot in lieu of a meeting.
  - c. All actions taken by a committee on the behalf of the Board instead of the Board acting on behalf of the Association.
  - d. All waivers of the notice requirements for unit Owner meetings, Board member meetings, or committee meetings.
2. Inspection/Copying Association Records. An Owner or his/her authorized agent is entitled to inspect and copy any of the books and records of the Association, subject to the exclusions, conditions and requirements set forth below:
  - a. The inspection and/or copying of the records of the Association shall be at the Owner's expense;
  - b. The inspection and/or copying of the records of the Association shall be conducted during regular business hours of 9:00 a.m. to 5:00 p.m. at the offices of Wehner Property Management Co., 280 S. Madison St., Denver, Co 80209;
  - c. The Owner shall give the Association's management company a written demand, stating the purpose for which the inspection and/or copying is sought, at least five business days before the date on which the Owner wishes to inspect and/or copy such records; and
3. Proper Purpose/Limitation. Association records shall not be used by any

Owner for:

- a. Any purpose unrelated to an Owner's interest as an Owner;
  - b. The purpose of soliciting money or property unless such money or property will be used solely to solicit the votes of the Owners in an election to be held by the Association;
  - c. Any commercial purpose;
  - d. For the purpose of giving, selling, or distributing such Association records to any person; or
  - e. Any improper purpose as determined in the sole discretion of the Board.
4. Exclusions. The following records shall NOT be available for inspection and/or copying, as they are deemed confidential:
  - a. Attorney-client privileged documents and records, unless the Board decides to disclose such communications at an open meeting;
  - b. Any documents that are confidential under constitutional, statutory or judicially imposed requirements; and
  - c. Any documents, or information contained in such documents, disclosure of which would constitute an unwarranted invasion of individual privacy, including but not limited to social security numbers, dates of birth, personal bank account information, unlisted telephone numbers and driver's license numbers.
5. Fees/Costs. Any Owner requesting copies of Association records shall be responsible for all actual costs incurred by the Association, including the cost to search, retrieve, and copy the record(s) requested. The actual costs incurred shall include a per page copy charge of \$0.15 per page.
6. Inspection. The Association reserves the right to have a third person present to observe during any inspection of records by an Owner or the Owner's representative.
7. Original. No Owner shall remove any original book or record of the Association from the place of inspection nor shall any Owner alter, destroy or mark in any manner, any original book or record of the Association.
8. Creation of Records. Nothing contained in this Policy shall be construed to nor require the Association to create records that do not exist or compile records in a particular format or order.
9. Definitions. Unless otherwise defined in this Resolution, initially capitalized or terms defined in the Declaration shall have the same meaning herein.
10. Supplement to Law. The provisions of this Resolution shall be in addition to an



in supplement of the terms and provisions of the Declaration and the law of the State of Colorado governing the Project.

11. Deviations. The Board or its agents may deviate from the procedures set forth in this Resolution if in its sole discretion such deviation is reasonable under the circumstances.
12. Amendment. This policy may be amended from time to time by the Board of Directors.

**PRESIDENT'S CERTIFICATION:**

The undersigned, being the President of the Association, certifies that the foregoing resolution was adopted by the Board of Directors of the Association at a duly called and held meeting of the Board of Directors held on this 22<sup>nd</sup> day of February, 2006 and in witness thereof, the undersigned has subscribed his name.

**FOUR MILE VILLAGE TOWNHOUSE ASSOCIATION**

By:   
Steve Graham, President

ATTEST:

By:   
Secretary

**RESOLUTION OF THE  
FOUR MILE VILLAGE TOWNHOUSE ASSOCIATION  
REGARDING INVESTMENT OF RESERVE POLICY**

**SUBJECT:** Adoption of an investment policy for reserves of the Association.

**PURPOSE:** To adopt a policy for the investment of reserves fund.

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

**EFFECTIVE DATE:** January 1, 2006.

**RESOLUTION:** The Association hereby adopts the following procedures to be followed for the investment of reserves fund:

1. Scope. In order to properly maintain areas in the Community that are the responsibility of the Association, to comply with state statutes, to manage reserve funds and to protect market value of Owners' homes and livability in the Community, the Board of Directors determines that it is necessary to have policies and procedures for the investment of reserve funds.
2. Purpose of the Reserve Fund. The purpose of the Reserve Fund shall be to responsibly fund and finance the projected repair and replacement of those portions of the Community that the Association is responsible for and for such other funding as the Board of Directors may determine. The portions of the Community that the Association is responsible for typically have limited but reasonably predictable useful lives.
3. Investment of Reserves. The Board of Directors of the Association shall invest funds held in the Reserve Funds accounts to generate revenue that will accrue to the Reserve Funds accounts balance pursuant to the following goals, criteria and policies:
  - a. Safety of Principal. Promote and ensure the preservation of the Reserve Fund's principal.
  - b. Return. Funds should be invested to seek the highest level of return.
  - c. Minimal Costs. Investments costs (redemption fees, commissions, and other transactional costs) should be minimized.
  - d. Liquidity and Accessibility. Structure maturities to ensure availability of assets for projected or unexpected expenditures.
  - e. Diversify. Mitigate the effects of interest rate volatility upon reserve assets.
4. Limitation on Investments. Unless otherwise approved by the Board, all investments will be FDIC (Federal Deposit Insurance Corporation) insured,



and/or Guaranteed by the United States Government.

5. Investment Strategy. The investment strategy of the Association should emphasize a long-term outlook by diversifying the maturity dates of fixed-income instruments within the portfolio utilizing a ladder investment approach.
6. Independent Professional Investment Assistance. The Board of Directors of the Association may hire a qualified investment counselor to assist in formulating a specific investment strategy.
7. Review and Control. The Board shall review Reserve Fund investments periodically to ensure the funds are receiving competitive yields and shall make prudent adjustments as needed.
8. Reserve Study. In order to determine funding of the Reserve Account, the Board of Directors may determine, with the assistance and advice of professionals, the life expectancy of those portions of the community to be maintained by the Association and the anticipated costs of maintaining, replacing and improving those identified areas (hereinafter "Reserve Study").
9. Review of Reserve Study. The Board of Directors shall cause the Reserve Study, if any, and reserve funding to be reviewed and updated periodically, at least once every three years, to adjust and reflect changes in costs, inflation, interest yield on invested funds plus modification, addition or deletion of components.
10. Definitions. Unless otherwise defined in this Resolution, initially capitalized or terms defined in the Declaration shall have the same meaning herein.
11. 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 governing the Project.
12. 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.
13. Amendment. This policy may be amended from time to time by the Board of Directors.

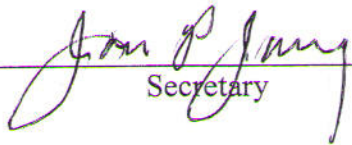
**PRESIDENT'S CERTIFICATION:**

The undersigned, being the President of the Association, certifies that the foregoing resolution was adopted by the Board of Directors of the Association at a duly called and held meeting of the Board of Directors held on this 22<sup>nd</sup> day of February, 2006 and in witness thereof, the undersigned has subscribed his name.

**FOUR MILE VILLAGE TOWNHOUSE ASSOCIATION**

By:   
Steve Graham, President

ATTEST:

By:   
Secretary



**RESOLUTION OF THE  
FOUR MILE VILLAGE TOWNHOUSE ASSOCIATION  
ADOPTING PROCEDURES FOR THE CONDUCT OF MEETINGS**

**SUBJECT:** Adoption of a policy and procedures for conducting Owner and Board meetings.

**PURPOSE:** To facilitate the efficient operation of Owner and Board meetings and to afford Owners an opportunity to provide input and comments on decisions affecting the community.

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

**EFFECTIVE DATE:** January 1, 2006.

**RESOLUTION:** The Association hereby adopts the following procedures regarding conduct of meetings:

1. Owner Meetings. Meetings of the Owners of the Association shall be called pursuant to the Bylaws of the Association.
  - a. **Notice.** In addition to any notice required in the Bylaws, notice of any meeting of the Owners shall be conspicuously posted on the bulletin board at least 10 days prior to each such meeting, or as may otherwise be required by Colorado law.
  - b. **Conduct.** All meetings shall be governed by the following rules of conduct and order:
    - i. The President of the Association or designee shall chair all Owner meetings.
    - ii. All Owners and persons who attend a meeting of the Owners will sign in, present any proxies and receive ballots as appropriate.
    - iii. Any person desiring to speak shall sign up on the list provided at check in and indicate if he/she is for or against an agenda item.
    - iv. Anyone wishing to speak must first be recognized by the Chair.
    - v. Only one person may speak at a time.
    - vi. Each person who speaks shall first state his or her name and Unit address.
    - vii. Any person who is represented at the meeting by another person, as indicated by a written instrument, will be permitted to have such person speak for him/her.
    - viii. Those addressing the meeting shall be permitted to speak without interruption from anyone provided that these rules are followed.
    - ix. Comments are to be offered in a civilized manner and without profanity, personal attacks or shouting. Comments are to be relevant to the purpose of the meeting.
    - x. Each person shall be given up to a maximum of three minutes to make a statement or to ask a question per topic. The Board may decide whether or



not to answer questions during the meeting. Each person may only speak once per topic. Yielding of time by a speaker to another individual shall not be permitted. Such time limit may be increased or decreased by the Chair, but shall be uniform for all persons addressing the meeting.

- xi. All actions and/or decisions will require a first and second motion.
- xii. Once a vote has been taken, there will be no further discussion regarding that topic.
- xiii. So as to allow for and encourage full discussion by Owners, no meeting may be audio, video or otherwise recorded. Minutes of actions taken shall be kept by the Association.
- xiv. Anyone disrupting the meeting, as determined by the Chair, shall be asked to "come to order." Anyone who does not come to order will be requested to immediately leave the meeting.
- xv. The Chair may establish such additional rules or order as may be necessary from time to time.

c. **Voting.** All votes taken at Owner meetings shall be taken as follows:

- i. Election of Board Owners shall be conducted by secret ballot. Each Owner entitled to vote pursuant to the Bylaws shall receive a ballot. The ballot shall contain no identifying information concerning the ballot holder. In the event an Owner holds a proxy for another Owner, upon presentation of such proxy to the secretary of the Association or the secretary's designee, the Owner shall receive a secret ballot to cast the vote of the Owner who provided the proxy. The proxy shall be kept and retained by the Association.
- ii. All other votes taken at a meeting of the Owners shall be taken in such method as determined by the Board of Director including acclamation, by hand, by voice or by ballot, unless otherwise required by law.
- iii. Written ballots shall be counted by a neutral third party, excluding the Association's manager or legal counsel, or by an Owner(s) who is not a candidate selected randomly from a pool of two or more Unit Owners. The Chair shall specify the procedure for randomly selecting the Owner(s). Such procedure shall ensure that the Owner(s) selected is done so without being chosen by the Chair, Board of Directors or candidates.
- iv. The individual(s) counting the ballots shall report the results of the vote to the Chair by indicating how many votes were cast for each individual or how many votes were cast in favor and against any issue.

d. **Proxies.** Proxies may be given by any Owner as allowed by C.R.S. 7-127-203. All proxies shall be reviewed by the Association's Secretary or designee as to the following:

- i. Validity of the signature.
- ii. Signatory's authority to sign for the Unit Owner.
- iii. Authority of the Unit Owner to vote.
- iv. Conflicting proxies.
- v. Expiration of the proxy.




2. Board Meetings. Meetings of the Board of Directors of the Association shall be called pursuant to the Bylaws of the Association.
- a. **Conduct.** All meetings shall be governed by the following rules of conduct and order:
- i. The President of the Association or designee shall chair all Board meetings.
  - ii. All persons who attend a meeting of the Board shall be required to sign in, listing their name and Unit address.
  - iii. All Owners will be given an opportunity to speak as to any matter or ask questions of the Board during the Owner forum at the beginning of the meeting. Any Owner wishing to speak during the Owner forum shall so indicate so at the time of sign in.
  - iv. Anyone desiring to speak shall first be recognized by the Chair.
  - v. Only one person may speak at a time.
  - vi. Each person who speaks shall first state his or her name and Unit address.
  - vii. Any person who is represented by another person as indicated by a written instrument at the meeting shall be permitted to have such person speak for them.
  - viii. Those addressing the Board shall be permitted to speak without interruption from anyone provided that these rules are followed.
  - ix. Comments are to be offered in a civilized manner and without profanity, personal attacks or shouting. Comments are to be relevant to the purpose of the meeting or issue at hand.
  - x. Each person shall be given up to a maximum of three minutes to speak or to ask a question, although questions may not be answered until a later date. Each person may only speak once during the Owner forum and once on any other issue prior to a vote by the board on such issue. Yielding of time by a speaker to another individual shall not be permitted. Such time limit may be increased or decreased by the Chair, but shall be uniform for all persons addressing the meeting.
  - xi. No meeting of the Board may be audio, video or otherwise recorded except by the Board to aid in the preparation of minutes. Minutes of actions taken shall be kept by the Association.
  - xii. Anyone disrupting the meeting, as determined by the Chair, shall be asked to "come to order." Anyone who does not come to order shall be requested to immediately leave the meeting.
- b. **Owner Input.** After a motion and second has been made on any matter to be discussed, but prior to a vote by the Directors, Owners present at such time shall be afforded an opportunity to speak on the motion as follows:
- i. The Chair will ask those Owners present to indicate by a show of hands who wishes to speak in favor or against the motion. The Chair will then determine a reasonable number of persons who will be permitted to speak in favor of and against the motion and for how long each person will be permitted to speak. The Chair shall also announce the procedure for who

- shall be permitted to speak if not everyone desiring to speak will be permitted to speak.
- ii. Following Owner input, the chair will declare Owner input closed and there shall be no further Owner participation on the motion at hand unless a majority of the Board of Directors votes to open the discussion to further Owner participation.
3. Definitions. Unless otherwise defined in this Resolution, initially capitalized or terms defined in the Declaration shall have the same meaning herein.
4. 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 governing the Project.
5. 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.
6. Amendment. This Policy may be amended at any time by the Board of Directors.

**PRESIDENT'S CERTIFICATION:**

The undersigned, being the President of the Association, certifies that the foregoing resolution was adopted by the Board of Directors of the Association at a duly called and held meeting of the Board of Directors held on this 22<sup>nd</sup> day of February, 2006 and in witness thereof, the undersigned has subscribed his name.

**FOUR MILE VILLAGE TOWNHOUSE ASSOCIATION**

By:   
Steve Graham, President

ATTEST:

By:   
Secretary



**FOUR MILE VILLAGE**  
**CONDOMINIUM, RECREATION AND**  
**TOWNHOME ASSOCIATION**

**RULES AND REGULATIONS HANDBOOK**

Revised January 2004

## EMERGENCY PROCEDURES

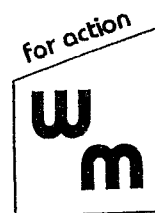
Fire, Police, Ambulance      Call 911

### Association Emergencies

Gas or electric      Call Xcel Energy  
303-623-1234

Sewer,  
Plumbing, or      Call Property Manager  
Roof leak      24-hours/day  
303-745-2220

### PROPERTY MANAGER



**wehner property  
management co.**

280 S. MADISON ST.  
DENVER, CO 80209  
320-8517



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**FOUR MILE VILLAGE**  
**CONDOMINIUM, RECREATION AND**  
**TOWNHOME ASSOCIATION**

**RULES AND REGULATIONS HANDBOOK**

I.     Use.

No temporary structures such as trailers, tents, shacks, garages, barns or other out-building are allowed on any portion of the General Common Elements.

II.    Prohibitions.

No Owner shall alter any of the General Common Elements without the prior written consent of the appropriate Board. All requests must be submitted in writing to the appropriate Board.

III.   Signs.

- A.     No signs, billboards or advertising devices are allowed.
- B.     "For Sale" signs may be placed on the inside surfaces of the windows of a unit, or may be attached to decks. Townhome Owners may place "For Sale" signs on their lots.



IV. Pets.

- A. Household pets (dogs and cats) may be kept, provided they are not kept, bred or maintained for any commercial purpose. No other animals, livestock or poultry of any kind shall be kept, bred or maintained on any of the general common areas.
- B. No more than two (2) household pets shall be kept, raised or boarded in any one condominium unit.
- C. Dogs must be leashed at all times when outside. Owners shall be responsible for cleaning up after their pets.
- D. Cats must have collars and may not run loose in the common areas at any time.
- E. Pets constituting a nuisance may be ordered by the appropriate Board to be kept within the Owner's unit or ordered expelled.

V. Trash and Unsightly Uses.

Unsightly objects and materials shall not be placed upon the General Common Elements, and no part of the General Common Elements may be used as a dumping ground for garbage, trash or other waste. No trash or large articles

are to be left outside the dumpsters. Large articles may be removed by calling the management company (at the Owner's expense).

VI. Trees and Shrubs.

- A. The removal of trees, shrubs and other improvements from the general common element is prohibited without the expressed written approval of the appropriate Board.
- B. Any landscaping, fencing or screening of a patio or porch must have written approval from the Association before the work is commenced.
- C. All townhome Owners are responsible for maintaining an attractive front yard, with any grass kept at a reasonable length. Bushes and trees are to be kept neatly.

VII. Common Areas, Balconies and Patios.

- A. There shall be no obstruction of the General Common Elements, nor shall anything be kept or stored on any part thereof without prior written approval of the appropriate Board.



- B. Fireworks anywhere within the area are prohibited.
- C. Damage to common elements shall be surveyed by the appropriate Board, and the cost of repair or replacement may be assessed by the appropriate Board against the person(s) responsible.
- D. Only those modifications approved in advance by the appropriate Board may be made to the exterior of the units.
- E. Any item placed on or around a unit that has not been approved by the appropriate Board shall be removed within one month's time.
- F. No window-type air conditioners, structural modifications or radio antennas will be allowed.
- G. Personal items, including children's toys and lawn furniture, shall be removed from the general common areas when not in use.
- H. All requests concerning exterior maintenance shall be made in writing to the appropriate Board.
- I. Each condominium Owner shall be responsible for keeping the "Limited Common Elements," including, but not limited to, porches, patios, entryways, yards, trees, shrubs, driveways, decks and

fences, in a good, clean, sanitary and attractive condition.

Townhome Owners are required to maintain their lots in like condition.

- J. Condominium garage doors which are common walls to other units are to be kept closed unless in use.
- K. Condominium patios and decks may contain only appropriate patio furniture and neatly stacked fireplace wood extending no more than four feet high. Grills are not allowed.

VIII. Satellite Dish, Antennas and Lights.

- A. All requests for satellite dish/antennas must be in writing to the appropriate Board, giving specific location(s) for installation prior to approval.
- B. No exterior lights that disturb the residents of any adjacent unit are allowed.

IX. Recreational Facilities.

- A. The clubhouse may be reserved by Owners and renters of Four Mile Village only.
  - 1. The usage fee is \$25.00, and the security deposit is



\$150 for Owners and \$300 for renters. The security deposit will be deposited to cover any costs incurred for damages to the clubhouse if the security deposit is not adequate to cover damages.

2. The clubhouse closes at 12:00 a.m. when reserved.

- B. Damage to any portion of the recreational area and improvements located thereon caused by an Owner or his family or guests shall be paid for by the Owner.
- C. The pool will open at 9:00 a.m. and close at 10:00 p.m. Children under the age of 16 must be accompanied by an adult while using the pool. Glass containers are not permitted. No "cut-off" shorts are allowed in the pool. Lifeguards are not provided, so use of the pool is at your own risk. Excessive noise, running, horseplay and ball playing on the deck around the pool are not permitted. The pool may not be reserved for private parties.
- D. No person shall play a radio, cassette, tape or CD player or any instrument or device at the swimming pool or other outside

areas (including balconies, decks and patios) within Four Mile Village if same is audible to any other person. When played at the swimming pool or other outside areas, all such devices shall be played only with the use of headphones.

- E. Tennis courts are open from 8:00 a.m. until dark. Tennis shoes must be worn on the court at all times. A sign-up sheet and all tennis rules are located on the north side of the clubhouse. The court may be reserved up to three days in advance, and may be reserved for one hour for singles, and one and one-half hours for doubles. No glass containers are allowed on the courts. No activities other than tennis are allowed on the tennis courts.

X. Vehicles and Parking.

- A. Parking is not allowed in designated fire lanes or on sidewalks.
- B. No vehicles of any kind may be parked or stored on any portion of General Common Elements or Limited Common Elements.



- C. Parking is only permitted in garages and other designated parking areas.
- D. Parking spaces shall be used only for parking automobiles and motorcycles, and not for storage.
- E. No flammable or volatile substances are to be stored in garages.
- F. Commercial type vehicles, boats, trailers and recreational vehicles shall not be parked on any residential street except while engaged in transport to or from a building.
- G. Motorcycles and bicycles shall not be stored on patios, porches or balconies.
- H. Abandoned or unused vehicles will be posted and towed at the Owner's expense.
- I. No automotive maintenance, mechanical, body or engine work, overhauling or similar automotive repair work for commercial or business purposes shall be performed on any portion of the property. Only minor upkeep on personal vehicles is permitted.

XI. General Conduct of Occupants.

- A. Owners and occupants shall exercise reasonable care to avoid

making loud, disturbing or objectionable noises inside residences or in common areas. Particulate care should be taken between the hours of 10:00 p.m. and 8:00 a.m.

- B. Any damage to the common elements caused by the Owner, their children, tenants, or children of tenants, or guests of the Owner or tenant, shall be repaired and replaced at the expense of the Owner.

## XII. Architectural Control.

- A. Architectural control shall be maintained by the appropriate Board. At all times, the Board shall exercise its best judgment to see that all improvements, construction, landscaping and alterations within the property are in conformity with existing surrounding structures. All requests for architectural changes to the exterior of any common walls must be submitted in writing to the appropriate Board prior to receiving approval.
- B. No structure, whether a residence, accessory building, fence, wall, mailbox, driveway, or any other



improvement shall be constructed or maintained upon the General Common Elements, and no exterior addition, change or alteration to existing improvements shall be made, or landscaping performed, until complete plans showing the exterior design, heights, building material, landscaping and color scheme thereof shall have been submitted to and approved by the appropriate Board or management company for approval.

C. At the request of any Owner or at its own discretion, the Board shall review the landscaping of any Owner. The Board may require the removal, transplanting or restriction of any landscaping determined to be or become a nuisance to other Owners or a threat to the structural integrity of any General Common Elements.

D. The appropriate Board shall approve or disprove plans and specifications within thirty (30) days after submission. In the event the Board fails to take any action within such thirty (30) day period, approval shall not be required, and this Article shall be deemed to have been fully complied with.

- E. No Board or individual Board member shall be liable for damages to any person by reason of any action, failure to act, or the approval, disapproval, or failure to approve or disapprove any plans and specifications submitted to them.
- F. The appropriate Board shall maintain written records of all actions taken by it and shall require that a duplicate original of any plan approved by them be deposited with it for future reference.

### **Fining Procedures.**

1<sup>st</sup> Occurrence: Written notice or warning letter will be sent to the Owner and tenant of the Unit, if applicable.

2<sup>nd</sup> Occurrence: \$25.00 fine

3<sup>rd</sup> Occurrence: \$50.00 fine

4th Occurrence: The matter will be turned over to an attorney.

Article VII, Section 3B of the Association Declaration reads:

“Fines. The Board shall have the right to assess a fine against an Owner not exceeding \$100.00 for each violation of this Declaration, the Bylaws, the Rules, or the Articles of Incorporation of the Association. Such files may be assessed additionally for each day the violation continues after written notice thereof is given the Owner.”



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