

**RESOLUTION
OF THE
RED HAWK HOMEOWNERS ASSOCIATION, INC.
REGARDING PROCEDURES
FOR THE
ADOPTION AND AMENDMENT OF
POLICIES, PROCEDURES, AND RULES**

SUBJECT: Adoption of a policy regarding the procedures for the adoption and/or amendment of policies, procedures, and rules.

PURPOSE: To adopt uniform procedures to be followed to create and/or amend policies, procedures, and rules for the Association.

AUTHORITY: The Declaration, Articles of Incorporation and Bylaws of the Association and Colorado law, including but not limited to C.R.S. §38-33.3-209.5.

EFFECTIVE DATE: January 1, 2014

RECITALS: A. C.R.S. §38.33.3-209.5(1)(b)(vii) requires the Association to adopt procedures for the adoption and amendment of policies, procedures, and rules.

B. C.R.S. §38-33.3-302(1)(a) authorizes the Association to adopt and amend Bylaws, Rules, and Regulations.

C. Article VII of the Association's Articles of Incorporation authorizes the Board of Directors to administer the affairs of the Association.

RESOLUTION: The Association hereby adopts the following procedures to be followed for the adoption and amendment of policies, procedures, and rules.

1. **Scope.** The Board of Directors in its sole discretion shall determine if there is an issue affecting the Community for which a policy, procedure, or rule would be beneficial. The Board will investigate and discuss the reasonable approaches to address the issue affecting the Community.
 - (a) Pursuant to C.R.S. 7-128-401(2)(b), the Board may rely on opinions, information, or statements of its experts in investigating reasonable approaches to address the issue(s) affecting the Community.
 - (b) The Board will take reasonable steps to avoid adopting a policy, procedure, or rule that is contrary to Federal, State, or local law or the Association's Articles of Incorporation, Bylaws, or Declaration, as well as exercising reasonable care to balance the Association's interests with the interests of the individual Members of the Community.
2. **Notice and Comment.** Once the Board has investigated the issue and discussed the reasonable approaches to address the issue, the Board shall provide notice to the Members of the issue and the proposal(s) to address the issue by policy, procedure, or rule. Notice of the adoption and/or amendment of all policies, procedures, or rules shall be placed on the Agenda for a Board meeting prior to adoption. A complete copy of the proposed policy, procedure, or rule shall also be placed on the Association's web site www.RedHawkHOA.com. The Board shall seek comments from the Members prior to adoption by the Board. Members shall be allowed a minimum of fourteen (14) days to provide comments and/or feedback on the proposed policy, procedure, or rule.
3. **Adoption Procedure.** The Board having determined an issue affects the community for which a policy, procedure, or rule would be beneficial and discussed reasonable approaches to address the issue, may adopt such policy, procedure, or rule at the discretion of the Board, by Resolution after the 14-day period for Member

comment expires. The Board may, from time to time, amend these policies, procedures, or rules 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. An Owner's failure to receive the policy, procedure, rule or regulation shall not be a defense to the Association's ability to enforce the policy, procedure, rule or regulation or to levy fines, expenses or attorneys' fees as a result of a violation of the policy, procedure, rule or regulation.

4. **Effective Date.** The policy procedure or rule shall become effective 10 days after the policy, procedure, or rule is adopted; published on the Association's web site www.RedHawkHOA; and the Members are notified. Notification of Members shall be by any reasonable means available, including but not limited to internet posting, e-mail, mail (through a newsletter or otherwise), or by personal delivery.

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 on NOV 21, 2013 and in witness thereof, the undersigned has subscribed his/her name.

RED HAWK HOMEOWNERS ASSOCIATION, INC.,
a Colorado nonprofit corporation

By: Ralpa J. Ullster
President

