

**RESOLUTION  
OF THE  
RED HAWK HOMEOWNERS ASSOCIATION, INC.  
REGARDING THE  
DOCUMENTATION BINDER**

- SUBJECT:** Adoption of a policy regarding the Content, Production, Distribution and charge associated with a Documentation Binder as provided for in Article IV, Section 13 of the Amended and Restated Declaration of Covenants, Conditions and Restrictions of Red Hawk recorded in the real property records of Douglas County September 30, 2014 (“Declaration”).
- PURPOSE:** To adopt uniform procedures to be followed for establishing the content, contracting the production, and distributing and charging for the Documentation binder.
- AUTHORITY:** The Declaration, Articles of Incorporation, and Bylaws of the Association and Colorado law.
- EFFECTIVE DATE:** November 30, 2014
- RESOLUTION:** The Association hereby adopts the following procedures to be followed regarding the Documentation Binder.
1. **Generally.** Compliance with the standards of the Community, as set forth in the Declaration of Covenants, Conditions and Restrictions of Red Hawk (“Declaration”), is critical to ensure a quality living environment and to preserve and maintain the value of the property within the Community. Therefore it is incumbent on each and every Unit Owner to be aware of the governing documents as well as the Policies and Procedures of the Association.
  2. **Responsibility of Owners for Violations Based on Actions of Guests, Minors, Family Members, and Tenants.** An Owner shall be responsible for knowing and complying with each of the governing documents of the Association. Each Owner is responsible for following the Policies and Procedures as well as the Guidelines of the Association. Violations based on the actions of its guests, minors, family members, and tenants (and their guests) are the responsibility of the Unit’s Owner. Further, an Owner shall be personally liable and responsible for all fines and penalties assessed for violations of the governing documents of the Association based on the actions of the Owner’s guests, minors, family members, or tenants (and their guests).
  3. **Documentation Binder.** The Association will produce a Documentation Binder containing the governing documents of the Association and its policies and procedures. This Documentation Binder will, at a minimum, include the following (as these documents may be amended from time to time):
    - a. General Information
    - b. Articles of Incorporation
    - c. Bylaws
    - d. Amended and Restated Declaration of Covenants, Conditions and Restrictions of Red Hawk
    - e. Guidelines
      - i. Design Guidelines with Attachments

ii. Paint Guidelines

iii. Xeriscape Guidelines

f. Policies and Procedures

i. Adoption and Amendment of Policies, Procedures, and Rules

ii. Changing the Color Palette

iii. Conduct of Meetings

iv. Conflicting Interest Transactions

v. Conduct of the Reserve Study

vi. Documentation Binder

vii. Enforcement of Covenants and Rules

viii. Inspection and Copying of Association Records

ix. Reserve Study Policy

x. Investment of Reserve Funds

xi. Leasing or Renting a Unit

xii. Renewable Energy Generation Devices and Energy Efficient Measures

g. Recent Newsletters

Other content may be added as found necessary or desired by the Board.

Updates to the Documentation Binder will naturally occur from time to time as these documents are revised or as additional policies and rules are promulgated and will be made available both on the Web site and physical copy. Physical copies of the updates may be obtained by request from the Property Manager at the cost of production plus mailing and handling costs.

4. **Distribution of the Documentation Binder.** The Property Management company will be responsible for the overall distribution of the Documentation Binder.

Board of Directors and Officers. Each member of the Board of Directors and Officers of the Corporation as well as Chairpersons of the committees duly appointed by the Board shall be provided with a complete copy of the Documentation Binder at no cost. These documents are considered necessary for these persons to effectively do their job. The HOA will transfer the then current cost to the Documentation Binder account.

New Owners. Each new Owner within the community shall be provided with a copy of the Documentation Binder at or immediately after closing on a Unit. This may be accomplished in one of three ways:

1) The Selling Real Estate Agent may request and purchase a complete Binder from the Property Manager, at the then current cost, to provide the Buyers a copy prior to closing, or

2) The Title Company settling the closing may include the current cost of the Binder in the closing statement and physically deliver the Binder to the Buyers at closing, or

3) The Title Company may include the current cost of the Binder in the closing statement and request physically delivery of the Binder by the HOA after closing. In this case, a member of the Board or the Property Manager will deliver a Documentation Binder to the Buyers.

In all circumstances, the Property Manager will still deliver the legally required documents to the Title company electronically or physically, as requested, in order to complete the closing.

Current Owners. A current Owner may request and purchase a complete Binder from the Property Manager at the then current cost. The cost of the Binder shall be payable by cash or check to the Association.

5. **Cost of the Documentation Binder.** The cost of the Documentation Binder will include the costs of materials, printing, and labor to create and assemble the Binder as well as any other charges incurred by the Association for the creation, production, storing, and distribution of the Binders such as delivery costs. The amount of such charges, costs, and expenses shall be set by the Board of Directors from time to time based on an approximation of replacement costs. The charge for the Documentation Binder shall be in addition to the assessments levied by the Association, and shall be subject to all of the Association's rights with respect to the collection and enforcement of assessments. The current cost of the Documentation Binder may be obtained from the Property Manager or any Board member.
6. **Deviations.** The Board of Directors may deviate from the procedures set forth in this Resolution so long as not conflicting with Article IV, Section 13 of the Declaration, if in its sole discretion such deviation is reasonable under the circumstances.
7. **Miscellaneous Provisions.** In the event a Court of competent jurisdiction finds a provision of this collection policy void or otherwise unenforceable, the other provisions shall remain in full effect.

**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 20, 2014 and in witness thereof, the undersigned has subscribed his/her name.

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

By: Ralph Jellenstein  
President

