

RESOLUTION

WHEREAS, the High Meadows Homeowners Association ("the Association") is a common interest community pursuant to the Colorado Common Interest Ownership Act;

WHEREAS, the Association is governed by certain documents including the Declaration of Covenants, Conditions and Restrictions for the High Meadows recorded December 1, 1994, at Book 1205, Page 75, Reception No. 0626826 in the Fremont County records and any amendments thereto ("the Declaration"); and the Bylaws dated December 1994 (the "Bylaws"); together with the Policies, Procedures, Rules and Regulations dated September 1, 2009 ("Rules and Regulations"); as well as policies and rules that may be adopted by the Board from time to time (hereinafter collectively referred to herein as "Association Documents");

WHEREAS, pursuant to Sections 1.1 and Article 3 of that Declaration, the Association was created for the purpose of protecting the value and desirability of all property governed by said Association Documents and to perform certain functions for the benefit of owners of the land subject thereto (the "Association Property");

WHEREAS, each owner is a member of the Association (Bylaws, Section 3.1);

WHEREAS, the affairs of the Association, by virtue of the Association Documents, are managed by its Board of Directors (Declaration, Section 3.1), which has authority to adopt Rules and Regulations governing the Association Property for the furtherance of the provisions of the Declaration (Section 8.16) which is to be liberally construed to effectuate the fundamental concepts recited therein (Section 12.4);

WHEREAS, although certain possible violations of the Association Documents may have gone undetected in the past, it is the intent of the current Board of Directors to hereby notify all Owners, present and future, that the Board has determined that:

- (a) any current or past violations in the enforcement of the Association Documents are insufficient in number, nature and/or severity to give rise to a waiver of the operation of said documents or their effect;
- (b) any current or past violations in the enforcement of the Association Documents are insufficient to reflect a substantial change in the character of the neighborhood where the Association Property is located;
- (c) any current or past violations in the enforcement of the Association Documents does not destroy the essential objects and purposes of the Association or the Association Documents; and
- (d) any current or past violations in the enforcement of the Association Documents are not intended nor are sufficient in nature to lead a reasonable person to believe that a violation of any of the Association Documents will not be challenged in the future.

NOW THEREFORE, the Board, in order to more carefully and fully carry out the duties contemplated by the Association Documents, states as follows:

1. It is the intent of the Board to enforce the terms of the Association Documents fully and uniformly, and to interpret the Covenants only when necessary, and as Board action only, in order to accomplish prompt, effective enforcement of the Association Documents;
2. This Board does not ratify and does not in any way approve of any past or existing violations, and it will not be limited in its duties by any past inconsistencies concerning the interpretation of Association Documents;

3. In the event that any inconsistencies are discovered in connection with past or present Boards as to the interpretation of the Association Documents, the Board believes such inconsistencies are inadvertent in nature and not intended to serve as permission for nor precedent to govern any future Board actions; and

4. Notwithstanding the above, the Board is made up of unpaid volunteers, and all persons subject to the Association Documents must recognize that any future inaction due to failure to discover unreported violations or technical errors made in the interpretation of Association Documents such as opinions rendered by a single board member are examples of acts or omissions that are inadvertent in nature and not intended to serve as permission for or precedent to further Board actions that are in violation of Association Documents.

ADOPTED by the Board of Directors of High Meadows Homeowners Association, effective on this 13th day of JANUARY, 2010

High Meadows Homeowners Association,

[SEAL]

By: Charles Rowe
Its: President

ATTEST:

Kate Rowe
Secretary

STATE OF COLORADO)
) ss.
COUNTY OF ~~EL PASO~~)
Fremont

The foregoing instrument was signed and acknowledged before me this 13 day of Jan, 2010, by Charles Rowe and Kate Rowe as President and Secretary respectively of High Meadows Homeowners Association.

WITNESS my hand and official seal.

[SEAL]

NOTARY PUBLIC

My commission expires: Aug 15, 2012

