

**AMENDMENT TO THE INITIAL RULES AND REGULATIONS REGARDING  
OWNER USE OF COMMON AREAS**

**MILLER RANCH PROPERTY OWNERS' ASSOCIATION**

The Executive Board ("Board") of Miller Ranch Property Owners' Association, a Colorado nonprofit corporation (the "Association"), hereby approves and adopts the following Resolution:

This Amendment to the Initial Rules and Regulations of the Miller Ranch Property Owners' Association ("Rules and Regulations") is made on the date set forth below by the Miller Ranch Property Owners' Association (the "Association").

**RECITALS**

The Initial Rules and Regulations of the Miller Ranch Property Owners' Association ("Rules and Regulations") dated October 28, 2003 were adopted by the Executive Board.

- A. Article 4.12.2 of the Bylaws of Miller Ranch Property Owner's Association ("Bylaws") provides that the Executive Board may adopt and amend rules and regulations regarding the use and operation of the Miller Ranch Project.
- B. The Executive Board desires to amend the Initial Rules and Regulations of the Miller Ranch Property Owners' Association ("Rules and Regulations").
- C. Pursuant to Article 4.9 of the Bylaws this amendment has been consented to by a majority of the Executive Board, at which a quorum was present.
- D. Section 4 of The Miller Ranch Property Owner's Association Policy related to Adoption and Amendment of Policies, Procedures and Rules allows for the Executive Board to adopt Rules in an emergency situation without a notice and comment period, and this Rule Amendment is adopted in such setting.

NOW, THEREFORE:

1. The Initial Rules and Regulations of the Miller Ranch Property Owners' Association are amended to include the following:

II. Use of Common Area.

15. Any Owner desiring to use the Common Areas for an event with more than twenty-five (25) people in attendance must apply for and obtain Executive Board approval before holding such event. The Owner must apply in writing to Executive Board at least fifteen (15) days before such proposed event, stating the nature of the event, estimated size

of the event, date, and time of event, along with any other pertinent information. Within five (5) days of receiving an event application the Executive Board will issue its ruling, or it may require the applicant appear before the Board to provide further information about the proposed event.

The Executive Board, in its sole discretion, may require an owner to comply with certain conditions if an event is approved, or it may approve or disapprove an event in its sole discretion. In general, the Association's position is that the Miller Ranch Property Owners' Association Common Areas are not to be used for large, public events, but rather for smaller owner gatherings. This position is based on consideration for the privacy of all owners at Miller Ranch, and problems with prior large festivals held in the Common Areas.

If an Owner proceeds to use the Common Areas in violation of this Rule, and either does not apply for event approval or holds an event with more than twenty-five (25) people in attendance after the Executive Board has denied approval, the Association shall have the right to assess fines for such non-compliance as follows:

1. \$2,500 fine for first non-compliance violation;
2. \$5,000 fine for second non-compliance violation.

The Board adopts this as a temporary amendment and as such this provision will expire after December 31, 2018, at which time the Board may adopt this provision permanently or chose to make and adopt other changes.

The Association may use any other legal remedies, including its right to lien, in order to enforce its covenants and these rules.

### CERTIFICATION

I, the undersigned, do hereby certify:

That I am a duly elected and acting Secretary of Miller Ranch Property Owners' Association, a Colorado nonprofit corporation; and

That the foregoing Resolution was duly adopted by a quorum vote of the Board of the Association at a meeting on October 17, 2018.

Dated: October\_\_\_\_, 2018.

\_\_\_\_\_  
Secretary

Printed Name: \_\_\_\_\_

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If an Owner proceeds to use the Common Areas in violation of this Rule, and either does not apply for event approval or holds an event with more than twenty-five (25) people in attendance after the Executive Board has denied approval, the Association shall have the right to assess fines for such non-compliance as follows:

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Printed Name:

  
KORI GRACE BECKMAN