

**NORTH HIDDEN LAKE OWNER'S ASSOCIATION
POLICY REGARDING USE OF XERISCAPE, NONVEGETATIVE TURF GRASS, AND
DROUGHT-TOLERANT VEGETATIVE LANDSCAPE**

Effective Date: January 1, 2022

In compliance with the Colorado Common Interest Ownership Act ("CCIOA"), the Board of Directors of the North Hidden Lake Owner's Association ("Association") desires to adopt a policy to address the installation of Xeriscape, Nonvegetative Turf Grass, and drought-tolerant vegetative landscape within the community. This policy supersedes and replaces any existing policy concerning these items adopted prior to the Effective Date of this policy.

The Association hereby adopts the following policies and procedures:

1. Definitions.

- A. Xeriscape/Xeriscaping – means the combined application of any principles of landscape planning and design, soil analysis and improvement, hydro zoning of plants, use of practical turf areas, uses of mulches, irrigation efficiency, and appropriate maintenance that results in water use efficiency and water-saving practices. Xeriscaping is not 'zero-scaping' or barren rocks, hardscape, cactus, and/or mulch.
- B. Hardscape – includes concrete, rock/gravel, or artificial plants. Hardscape materials are not considered or treated as Xeriscaping materials.
- C. Turf - means a covering of mowed vegetation, usually Turf Grass, growing intimately with an upper soil stratum of intermingled roots and stems.
- D. Turf Grass – means continuous plant coverage consisting of hybridized grasses that, when regularly mowed, form a dense growth of leaf blades and roots.
- E. Nonvegetative Turf Grass – means any artificial or man-made covering designed to look like or mimic grass or other forms of Turf.

2. Authority. Pursuant to C.R.S. 38-33.3-106.5, the Colorado legislature has determined that prohibitions regarding the use of Xeriscape, Nonvegetative Turf Grass, or drought-tolerant vegetative landscapes to provide ground covering are contrary to public policy. However, the Association may adopt and enforce design or aesthetic guidelines or rules that regulate the type, number, and placement of drought-tolerant plantings and Hardscapes.

3. Guidelines and Procedures.

- A. Use of Xeriscaping principles is encouraged to reduce water usage.
- B. Installation of Xeriscape, Hardscape, Nonvegetative Turf Grass, or a change in the current landscaping of a lot to a Xeriscaping plan must be made in accordance with any Association design guidelines or rules,

application submission, and prior approval requirements for improvements, construction, or alteration to the Board.

C. Base guidelines for landscaping

- (i) The Board may regulate the type, number, and placement of all drought-tolerant plantings, Hardscapes, and Nonvegetative Turf Grass that may be installed.
- (ii) Artificial plants shall not be installed in the front yard of any lot.
- (iii) Non-living material shall be restricted to natural color.
- (iv) In order to maintain the good appearance of all lots, owners shall adequately water all landscape or vegetation, subject to the watering restrictions, if any.
- (v) The Association may require proof from the owner that they are watering the landscape or vegetation in a manner that is consistent with the maximum watering permitted by the restrictions in effect.

D. Nonvegetative Turf Grass

- (i) Nonvegetative Turf Grass is permitted for installation in the rear yard.
- (ii) Nonvegetative Turf Grass is not permitted for installation in the front and side yards without prior written approval of the Association.
- (iii) Nonvegetative Turf Grass shall be installed pursuant to the manufacturer's instructions.
- (iv) Non-vegetative Turf Grass must meet the standards set forth by the Association in its design guidelines or rules, if any, and consisting of a natural color that resembles Turf Grass.
- (v) Nonvegetative Turf Grass must be maintained in good condition.
- (vi) If Nonvegetative Turf Grass is used for pet waste, owners will take odor mitigating measures to ensure no noxious or offensive odor can be detected in another lot. Failure to include such odor mitigating measures may be grounds for denial of the application or an enforcement action to remove the Nonvegetative Turf Grass.

E. In reviewing applications for installation of Xeriscape, Hardscape, and Nonvegetative Turf Grass, the Board shall consider the general aesthetic nature of the community, the feasibility of permitted plants, the ecological impact of this policy, local ordinances, and other pertinent considerations.

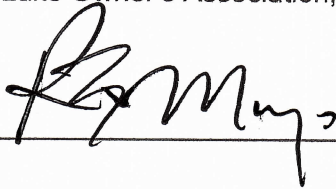
F. The Board may prohibit, limit, or otherwise control the use of Xeriscape, Nonvegetative Turf Grass, and drought-tolerant vegetative landscapes for purposes other than providing ground coverage.

G. Nothing in this policy shall be construed as permitting an owner to fail to maintain their lot, including landscaping

This Policy regarding the use of Xeriscape, Nonvegetative Turf Grass, and Drought-Tolerant Vegetative Landscape was adopted by the Board of Directors of the Association on this 13 day of December, 2021.

North Hidden Lake Owner's Association, a Colorado nonprofit corporation,

By: _____
Its: President

A handwritten signature in black ink, appearing to read "R. Mayo", is written over a horizontal line.

**NORTH HIDDEN LAKE OWNER'S ASSOCIATION
SIGN, RELIGIOUS SYMBOL, AND FLAG RULES**

Adopted Date: December 13, 2021
Effective Date: January 1, 2022

In compliance with the Colorado Common Interest Ownership Act ("CCIOA"), the Board of Directors of the North Hidden Lake Owner's Association ("Association") has adopted uniform and systematic rules to address the display of signs, religious symbols, and flags within the community. These rules supersede and replace any existing policy and rules concerning these items adopted prior to the Effective Date of these rules.

Sign, Religious Symbol, and Flag Rules

1. State Law Limitations and Authority. The Colorado legislature determined that prohibitions with respect to the display of certain signs, religious symbols, and flags on the basis of their subject matter, message, or content within the community are contrary to public policy. (See C.R.S. 38-33.3-106.5.) The legislature also determined that the Association may prohibit signs and flags bearing a commercial message, and may establish reasonable, content-neutral sign and flag regulations based upon the number, placement, size or other objective factors.

2. Limitation on Existing Covenants. Based upon the CCIOA prohibitions recited above, the Association will not enforce Article VII, Section (h) of the Declaration except to the extent allowed by law and these rules.

The existing covenants and restrictions in the Declaration state, in part, as follows:

No advertising sign (except one of not more than five square feet, containing the words "For Sale" or "For Rent" per Lot), billboards, unsightly objects or nuisances shall be erected, placed or permitted to remain on any Lot...

3. Sign and Symbol Rules. An owner or occupant of a residence may display signs in accordance with the following:

- A. All signs must be placed within the boundaries of the lot.
- B. Any sign located on the common area may be removed and disposed of without notice.
- C. All signs and symbols must be maintained in good condition and must be replaced as necessary when damaged, worn, or faded.
- D. Non-Commercial Sign Rules:
 - (i) Signs may be no larger than 36" by 48" in size.
 - (ii) A maximum of one non-commercial sign is permitted to be displayed within the Owner's property at a time.

(iii) A sign may be displayed within a window inside the residence in the front, side or rear yard. Front yard signs must be located within ten feet of the front entry of the residence.

(iv) Yard signs, in the property of the Owner, may not be permanently affixed to the property fencing, if any.

E. Commercial Sign Rules:

(i) For Sale/For Rent/Open House Signs

(a) One professionally-lettered For Sale sign or one professionally-lettered For Rent sign may be displayed on the property offered for sale or for rent. A sign may not be more than five square feet. For Sale signs must be removed not later than the date of closing, and For Rent signs must be removed when the property is leased.

(b) One professionally-lettered Open House sign not to exceed five square feet may be displayed on the property on the day of the open house and must be removed at the end of the day.

(ii) Security Signs

(a) One professionally-lettered security sign not to exceed two square feet in size may be displayed on the property, and a reasonable number of professional security decals not larger than eight inches by eight inches may be displayed within windows in a residence.

(iii) With the exception of the permitted commercial signs noted above, all other trade, marketing, or commercial signs, including but not limited to, landscaping, painting, remodeling, or business advertising, are prohibited.

F. Rules on Religious Items or Symbols

(i) A "religious item or symbol" means an item or symbol displayed because of a sincerely held religious belief. A religious item or symbol may not contain graphics, language, or any display that is obscene or otherwise illegal.

(ii) A religious item or symbol may be displayed on an entry door or entry door frame of a residence, individually or in combination with other religious items or symbols, as long as they do not cover an area greater than 36 square inches.

4. Flag Rules. An owner or occupant of a residence may display flags in accordance with the following:

A. All flags must be placed within the boundaries of the lot.

- B. Any flag located on the common area may be removed and disposed of without notice.
- C. All flags and flag poles or flag staffs must be maintained in good condition and must be replaced as necessary to prevent wear and tear.
- D. Non-Commercial Flag Rules:
 - (i) Flags shall be no larger than 3'x 5'.
 - (ii) A maximum of one non-commercial flag is permitted to be displayed within the Owner's property at a time.
 - (iii) A flag may be displayed within a window inside the residence, from a balcony adjoining the residence, or from a staff projecting horizontally from a location on the front or back of the residence. The staff may not be longer than 8' in length. Freestanding flag poles require prior written approval of the Association.
 - (iv) Notwithstanding the above, permitted flags may not be illuminated without prior written approval of the Association. Any request for lighting must detail the type and location of lighting. Lighting shall not be installed so as to disturb other residences.
- E. Commercial Flag Rules:
 - (i) Flags bearing a commercial message, including but not limited to, trade, marketing, landscaping, painting, remodeling, or business advertising are prohibited.

These Sign, Religious Symbol, and Flag Rules were adopted by the Board of Directors of the Association.

North Hidden Lake Owner's Association, a Colorado nonprofit corporation,

By: _____

Its: President

**NORTH HIDDEN LAKE OWNER'S ASSOCIATION
RECORDS INSPECTION POLICY AND PROCEDURE**

Effective Date: January 1, 2022

1. Availability and Inspection of Records. Any records required to be made available by law will be made reasonably available for inspection and copying by a Member or the Member's authorized agent. "Reasonably available" means available during normal business hours after written request of at least 10 days, or at the next regularly scheduled meeting, if such meeting occurs within 30 days after the request. The written request will describe the records sought with reasonable particularity. The Board may require that requests be submitted on the form attached to this policy.

A. Upon receipt of a request, the Association will make an appointment with the Owner, at a time convenient to both parties, to conduct the inspection. Unless otherwise agreed, all records will be inspected at the management company's office. All appointments for inspection will be limited to 2 hours. If additional time is needed, another appointment will be made within 2 weeks, at a time convenient to both parties.

B. At the discretion of the Board or Association manager, records will be inspected only in the presence of a Board member, management company employee, or other person designated by the Board.

C. During inspection, an Owner may designate pages to be copied with a paperclip, post-it note, or other means the Association provides. Copies will be made at a cost based on the standard schedule of fees charged by the Association's management agent, which charges will include reasonable retrieval costs for off-site files or for any other necessary special processing. The Owner will be responsible for paying the total copying cost prior to receiving the copies. The Owner will be responsible for mailing costs, if any.

D. Records may not be removed from the office in which they are inspected without the Board's express written consent, which consent may be conditioned on receipt of a cash deposit that will be refunded upon return of the records.

2. Association Records. In addition to any records specifically required by law or the Association's Declaration or Bylaws, the Association will maintain the following records, which are the Association's sole records:

A. detailed records of receipts and expenditures affecting the Association's operation and administration;

B. records of claims for construction defects and amounts received pursuant to settlement of those claims;

C. minutes of membership meetings, minutes of Board meetings, a record of all actions taken by the Members or Board without a meeting (i.e., by written ballot or written consent in lieu of a meeting), and a record of all actions taken by a committee of the Board;

D. written communications among, and the votes cast by, Board members that are directly related to an action taken by the Board without a meeting pursuant to the Association's Bylaws or Colorado law;

E. Members' names in a form that permits preparation of a list of names and physical mailing addresses of all Members, showing each Member's number of votes ("Membership list");

F. the current articles of incorporation, declaration, covenants, bylaws, rules and regulations, responsible governance policies required pursuant to Colorado law, and any other policies adopted by the Board;

G. financial statements, to the extent available, showing, in reasonable detail, the Association's assets and liabilities and results of its operations for the past three years;

H. tax returns for the past seven years, to the extent available;

I. a list of the names, electronic mail addresses, and physical mailing addresses of its current directors and officers;

J. its most recent annual report delivered to the Secretary of State;

K. financial records sufficiently detailed to enable the Association to provide statements of unpaid assessments in accordance with the Colorado Common Interest Ownership Act;

L. the Association's most recent reserve study, if any;

M. current written contracts to which the Association is a party;

N. written contracts for work performed for the Association within the immediately preceding two years;

O. records of Board or committee actions to approve or deny design or architectural approval from Members;

P. ballots, proxies, and other records related to voting by Members for one year after the election, action, or vote to which they relate (provided that any identifying information on ballots may be redacted prior to owner inspection);

Q. resolutions adopted by the Board relating the characteristics, qualifications, rights, limitations, and obligations of Members or any class of Members;

R. written communications within the past three years to Members generally as Members; and

S. a list of the current amounts of all unique and extraordinary fees, assessments, and expenses that are chargeable by the association (including those of any management company) in connection with the purchase or sale of a unit and are not paid for through assessments, including transfer fees, record change fees, and the charge for a status letter or statement of assessment due.

If the Association stores other types of documentation, or stores documentation for a longer time period than may be required above, those documents will not be considered Association records.

3. Additional Records/Information. The following additional information as required by C.R.S. § 38-33.3-209.4 will be kept and made available:

A. the name of the Association's designated agent or management company;

B. a valid physical address and telephone number for both the Association and manager or management company;

- C. the name of the common interest community;
- D. the initial date of recording of the Declaration;
- E. the reception number or book and page for the Declaration;
- F. the date on which the fiscal year commences;
- G. the operating budget for the current fiscal year;
- H. a list, by lot type, of the Association's current assessments (regular and special);
- I. the annual financial statements, including any amounts held in reserve, for the fiscal year immediately preceding the current annual disclosure;
- J. the results of the most recent available financial audit or review, if any; and
- K. a list of all Association insurance policies, including company names, policy limits, policy deductibles, additional named insureds, and expiration dates. The insurance policies themselves will also be kept and made available.

4. Restrictions on Use of Membership List.

- A. No Member may use Association records, or allow Association records to be used, for commercial purposes.
- B. In addition, a Membership list may not be:
 - i. used to solicit money or property unless such money or property will be used solely to solicit votes of the Members in an election held by the Association;
 - ii. used for any commercial purpose;
 - iii. sold to or purchased by any person;
 - iv. used for any purposes unrelated to the Member's interest as a Member; or
 - v. used for any other purpose prohibited by law.

Members requesting a Membership list will be required to sign the agreement attached to this policy indicating that they will not use the list for the purposes stated above.

5. Records That May Be Withheld. Pursuant to Colorado law, the following records may be withheld from inspection and copying to the extent that such records are or concern:

- A. architectural drawings, plans, and designs, unless the legal owner of the drawings, plans, or designs provides written consent to the release;
- B. contracts, leases, bids, or records related to transactions to purchase or provide goods or services that are still in or under negotiation;
- C. communication with legal counsel protected by the attorney-client privilege or the attorney work product doctrine;
- D. disclosure of information in violation of law;

- E. records of an executive session of the Board; and
- F. records related to an individual lot other than the Member's.

If these records are made available for inspection, the procedure set forth in Paragraph 1 applies.

6. Records That Are Not Available. Pursuant to Colorado law, the following records are not subject to review, inspection, and/or copying, and will be withheld from any inspection:

- A. personnel, salary, or medical records related to specific individuals; and
- B. Members' personal identification and account information, including:
 - i. bank account information;
 - ii. telephone numbers;
 - iii. electronic mail addresses;
 - iv. driver's license numbers;
 - v. social security numbers; and
 - vi. vehicle identification information.

Notwithstanding the limitations above, an Owner or resident may provide the Association with prior written consent to the disclosure of, and the Association may publish to other Owners and residents, the person's telephone number, electronic mail address, or both.

7. Creation of Records. Nothing contained in these policies will be construed to require the Association to create records that do not exist or compile records in a particular format or order.

8. Remedies. The Association may pursue any Owner for damages or injunctive relief or both, including reasonable attorney fees, for abuse of inspection and copying rights, including use of any records for a commercial purpose.

This Records Inspection Policy and Procedure was adopted by the Board of Directors on this 13 day of December, 2021.

North Hidden Lake Owner's Association, a Colorado nonprofit corporation,

By: 
Its: President

**NORTH HIDDEN LAKE OWNER'S ASSOCIATION
REQUEST FOR ACCESS TO ASSOCIATION RECORDS**

Member Name: _____ Date: _____

Address: _____

Telephone #: _____

1. Pursuant to state law and the Association's Records Inspection Policy, I hereby request that the North Hidden Lake Owner's Association provide access to the records of the Association. I have requested to inspect and/or obtain copies of the following records:

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____

(Please be as specific as possible. Add additional pages, if necessary.)

I understand that upon receipt of this request, the Association will set an appointment with me during regular business hours.

2. I understand that under the terms of the Colorado Revised Nonprofit Corporation Act, Association records may not be obtained or used for any purpose unrelated to my interest(s) as an Owner or for any commercial purpose. I further understand and agree that the Association's membership list may not be:

- (i) Used to solicit money or property unless such money or property will be used solely to solicit the votes of the Owners in an election held by the Association;
- (ii) Used for any commercial purpose;
- (iii) Sold to, otherwise distributed to, or purchased by any person; or
- (iv) Any other purpose prohibited by law.

3. I acknowledge and accept the Association's records inspection policy. I acknowledge and accept that the Association's records will be made available to me only at such time and place as the Association's policy provides, and that there may be a cost associated with providing copies of these documents for me. I agree to pay any costs associated with copying these documents. In the event the records provided to me by the Association are used for any commercial purposes or other improper purpose, I will be responsible for any and all damages, penalties and costs incurred by the Association, including attorney fees, and I shall be subject to all enforcement procedures available to the Association through its governing documents and/or Colorado law.

Member Signature: _____ Date: _____

Member Name: _____ Date: _____

Address: _____

Telephone #: _____