

DILLEY RANCH PROPERTY OWNERS ASSOCIATION, INC.

POLICY AND PROCEDURE  
INSPECTION AND COPYING OF ASSOCIATION RECORDS

Adopted: August 21, 2010

The following policy and procedure has been adopted by the Executive Board ("Board") of Dilley Ranch Property Owners Association, Inc. ("Association") for the inspection and copying of Association records.

1. Inspection of Association Books and Records by Members/Owners ("Members"). Association Books and Records shall include, but not be limited to: Financial Records, Meeting Minutes, all Actions taken by the Executive Board and/or Members, a Members List, and all records in accordance with C.R.S. 38-33-317. A Member or his/her authorized agent is entitled to inspect and copy, at the Member's expense and during regular business hours at a reasonable location specified by the Association, any of the records or papers of the Association (except as specifically limited or excluded by Section 3 below) if the Member gives the Association written demand at least five (5) business days before the date on which the Member wishes to inspect and copy such records or at the next regularly scheduled meeting if such meeting occurs within thirty days after the request and:
  - 1.1 The demand is made in good faith and for a proper purpose;
  - 1.2 The Member describes with reasonable particularity the purpose and the records or papers the Member desires to inspect; and
  - 1.3 The records or papers are directly connected with the described purpose.

"Proper purpose" means a purpose reasonably related to the demanding Member's interest as a Member of the Association.

It is within the reasonable discretion of the Board to determine whether a Member's demand to inspect and copy is made in good faith and for a proper purpose.

2. Proper Purpose/Limitation. A membership list or any part thereof may not be obtained or used by any person for:
  - 2.1 Any purpose unrelated to a Member's interest as a Member; or
  - 2.2 To solicit money or property unless such money or property will be used solely to solicit the votes of the Members in an election to be held by the Association; or
  - 2.3 Any commercial purpose; or
  - 2.4 To be sold to or purchased by any person.

Cem

3. Exclusions. The following records and documents may be kept confidential by the Association:
- a. Attorney-Client Confidential Documents. In order to protect the attorney/client privilege existent between the Association and its attorneys, all attorney created documents, including, but without limitation, memos, opinion letters, and draft documents prepared at the behest of the Board are not available for the inspection or copying by any Member or his/her authorized agent, without the consent and authority of the Board and upon advice of the legal counsel involved.
  - b. Personnel Confidential Documents. Documents pertaining to employees of the Association or involving employment, promotion, discipline, or dismissal of an officer, agent or employee.
  - c. Applicable Law. Any documents that are confidential under constitutional, statutory or judicially imposed requirements.
  - d. Individual Privacy. Any documents the disclosure of which would constitute an unwarranted invasion of individual privacy are confidential.
4. Copy and other Document Fees. The Association will impose a reasonable charge, covering the costs for copies of any documents the Association provides to a Member. The charge may not exceed the actual cost for copies as incurred by the Association, said cost to be determined from time to time by the Association.

If a Member requests copies of Association documents which are not in the possession of the Association, the Member is responsible for whatever fees and costs are imposed by the entity (CPA, attorney, etc.) holding such records for copy and related costs, including but not limited to labor, materials and postage.

If a Member requests a copy of an Association document which must be retrieved from archives, compiled, generated, certified or authenticated in any way, the Member is responsible for all fees and costs incurred in the retrieval, compilation, generation, certification or authentication and reproduction (copying) of the requested document(s), including but not limited to labor, materials and postage.



SECRETARY'S CERTIFICATION:

The undersigned, being the Secretary of Dilley Ranch Property Owners Association, Inc., a Colorado non-profit corporation, certifies that the foregoing policy and procedure was adopted by the Executive Board of the Association, at a duly called and held meeting of the Board on August 21, 2010, and in witness thereof, the undersigned has subscribed his/her name.

DILLEY RANCH PROPERTY OWNERS ASSOCIATION, INC.  
A Colorado non-profit corporation

By: Claire McCutcheon  
Secretary

Cem