

**TIMBER CREEK ESTATES AT BLUE RIVER HOMEOWNERS ASSOCIATION, INC.
POLICY AND PROCEDURE
INSPECTION AND COPYING OF ASSOCIATION RECORDS**

Adopted January 4, 20 ~~07~~

The following policy and procedure has been adopted by the Timber Creek Estates At Blue River Homeowners Association, Inc. ("Association") pursuant to Colorado statutes, at a meeting of the Board of Directors ("Board").

1. Inspection of Association Books and Records by members.

- a. 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 and:
 - i. The demand is made in good faith and for a proper purpose;
 - ii. The member describes with reasonable particularity the purpose and the records or papers the member desires to inspect; and
 - iii. The records or papers are directly connected with the described purpose.
 - iv. "Proper purpose" means a purpose reasonably related to the demanding member's interest as a member of the Association.
 - v. 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. Without the consent of the Board of Directors, a membership list or any part thereof may not be obtained or used by any person for:

- a. Any purpose unrelated to a member's interest as a member;
- b. To solicit money or property unless such money or property will be used solely for the purpose of generating materials or holding meetings to solicit the votes of the members in an election to be held by the Association;
- c. Any commercial purpose; or
- d. To be sold to or purchased by any person.

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 communications between the Association and its attorney, including, but without limitation, memos,

opinion letters, and draft documents prepared at the behest of the Board of Directors, are not available for the inspection or copying by any member or his/her authorized agent, without the consent or authority of the Board of Directors.

- 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 may 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.

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.

PRESIDENT'S

CERTIFICATION: The undersigned, being the President of the Timber Creek Estates At Blue River Homeowners Association, Inc., a Colorado non-profit corporation, certifies that the foregoing policy and procedure was adopted by the Board of Directors of the Association, at a duly called and held meeting of the Board of Directors on January 4, 2007, and in witness thereof, the undersigned has subscribed his/her name.

**TIMBER CREEK ESTATES AT BLUE RIVER
HOMEOWNERS ASSOCIATION, INC.,**
a Colorado non-profit corporation

By: William Dugo
President