

EXHIBIT E Records

1. Member Rights

- (a) Members of the Association are entitled to have made available to them copies of all Association Documents, which include the following:
- i. Declaration;
 - ii. Articles of Incorporation;
 - iii. Bylaws; and
 - iv. Policies, Procedures, Rules and Regulations (sometimes referred to as the "Rules" or the "Rules and Regulations").
- (b) Each owner/member is responsible for knowing the information in the Association Documents and for abiding by the standards for this Association, as set forth in the Association Documents.

2. Association Records Library

- (a) The following information should be made available at the Association's place of business during standard business hours upon appointment for members to review, compiled in a "library binder" and/or other means of disclosure permitted by law:
- i. The date of the Association's fiscal year;
 - ii. The Association's operating budget for the current fiscal year;
 - iii. A list (organized by unit type) of the Association's current regular and special assessments;
 - iv. The Association's annual financial statements;
 - v. The results of any financial audit or review for the fiscal year preceding the current disclosure;
 - vi. A list of all Association insurance policies;
 - vii. The Association's Bylaws, Articles of Incorporation, and Policies, Procedures, Rules and Regulations;
 - viii. The Board meeting and Member meeting minutes for the fiscal year immediately prior to current annual disclosures; and
 - ix. The Association's responsible governance policies adopted under Section 38-33.3-209.5 concerning the following:
 - A. Collection of unpaid assessments;
 - B. Handling of conflicts of interest involving Board members;
 - C. Conduct of meetings;
 - D. Enforcement of covenants and rules;
 - E. Inspection and copying of Association records by unit owners;

- F. Investment of reserve funds; and
- G. Procedures for the adoption and amendment of policies, procedures, rules and regulations.

- (b) The records custodian should update the library binder periodically. As used herein, the “records custodian” is any person or entity with whom the Association has entrusted the maintenance and custody of its records. The records custodian may be the Managing Agent.

3. Examination of Records

- (a) Members have the right to examine certain records of the Association. The Association has compiled certain documentation which will provide a Member with a wide variety of Association information. It is the obligation of every Member to hold this information in appropriate confidentiality so that information is not released to other parties.
- (b) Requests by Members to inspect documents must be made in good faith, for a proper purpose, and describe with reasonable detail what records are needed and why. Requested documents must also be relevant to the stated purpose for the request. To be deemed “relevant,” the requested documents must directly pertain to the stated purpose. Members shall not exercise their inspection or copying rights in order to harass any other Member or the Management Company, nor for any commercial, illegal or improper purpose.
- (c) Notwithstanding the foregoing, certain information has been deemed “not available” to the general membership for review or reproduction. This information includes the following:
 - i. Files pertaining specifically to other units;
 - ii. Delinquent account information, unless requested by the owner responsible for said account;
 - iii. Attorney-client communications;
 - iv. Information involving pending or anticipated litigation or contract negotiations;
 - v. Information involving the employment, promotion, or dismissal of Association employees or other personnel; and
 - vi. Other privileged information.
- (d) The Association shall not be liable for the disclosure or copying of any materials which are required to be provided by statute or judicial proceeding. *The Association does not warrant or represent the accuracy, completeness, or any other matter in the materials provided.*

4. Process for Requesting Examination and/or Copies of Records

- (a) Members who desire to examine and/or have copies made of Association records must make an appointment with the records custodian and submit the attached Document Request Form. Reasonable effort will be made to accommodate the Member within a reasonable period of time. When the appointment is made, the Owner will be asked to designate the amount of time they want to reserve the library.
- (b) Members shall not remove any document from the Association's records, nor shall they remove records from the Association's place of business. Certain records may be copied, at the Member's expense. The Association's records custodian, on behalf of the Association, will make the copies. The Member requesting the copies shall reimburse the Association for the actual cost of copying, which may include labor and materials for copying, research, locating and retrieval, which amount may be collected in advance.
- (c) During an inspection, the Member may designate such records for copying by use of tab, clip, or Post-It note upon the pages desired, but may not otherwise alter the records (for example, no folding, pencil or pen marks, etc.).
- (d) Copies should be available within ten (10) working days of receipt of the request, unless the condition or voluminous nature of the records makes this time frame impractical. In such cases, the copies should be made available as soon as is practical.
- (e) Depending on the number of pages requested, the records custodian may request that the Member return at a later date to pick up the requested copies, in order to allow personnel to set aside time to reproduce the documentation requested.
- (f) All persons inspecting or requesting copies of records shall conduct themselves in a businesslike manner and shall not interfere with the operation of the office where the inspection or copying is taking place.

5. Seller Disclosures

- (a) To the extent that sellers within the Association are required by law to disclose to their buyers certain documents of the Association, the Association shall cooperate with such requests in accordance with this Rule.
- (b) To request written copies of required Association documents, the seller or the seller's agent must follow the rules and procedures listed herein, including payment for the actual cost of the copying. If records are available on a website, the seller or seller's agent should use that website to obtain the documents.

- (c) *The Association uses reasonable efforts to provide copies, but shall have no liability for the information provided, nor for compliance with any deadlines or other contractual requirements.*

7. Enforcement of Inspection and Copying Rule

- (a) Any violation of these rules shall cause the immediate suspension of the inspection or copying until the violator agrees in writing to comply herewith, as well as other remedies such as fines. The Association's Board or its representatives may take any available legal action to enforce this Rule.
- (b) The Association will not honor any requests for inspection or copying that do not comply with this Rule, but the Association shall send a written notice to the person who made the request indicating the nature of any noncompliance.
- (c) Any Association representative who receives an oral request for inspection or copying shall refer the person making the request to this policy, and the Association or its representatives will have no further obligation to respond until it receives a written request.
- (d) The Association's Board shall be entitled to resolve any dispute regarding the Association's records based upon the Board's reasonable business judgment.

Document Request Form

Name of Requesting Party: _____

Relation of Requesting Party to Unit: _____

Unit Address: _____

Daytime Phone: _____

Email: _____

I request to examine or copy the following:

Governing Documents:

- Declaration (Covenants)
- Bylaws
- Articles of Incorporation
- Design Guidelines
- Policies, Procedures, Rules and Regulations
- Board Resolutions (please specify):

Financial Documents:

- Operating Budget
- Financial Statement

Other:

- Please describe:

Pursuant to Colorado State Law and the Association's procedure regarding member access, inspection and copying of the Association's documents, I agree to pay the cost of copying, as set by the Association's property manager. Payment must be received at time of service, paid by certified funds or money order (no cash).

I certify that my request to review the books and records of the Association is for a proper purpose related to my membership in the Association, and that this request is not for commercial purposes or my personal financial gain or for any solicitation, illegal or improper purpose. Specifically, my reason for wanting to review the books and records of the Association is as follows: _____

Acknowledgement

This form must be received before any inspection or copying of records. Examination of books and records of this Association is available during normal business hours in accordance with state law. Certain information is required to be made available. However, the persons requesting the information are solely responsible for any legal liability or damages arising from or relating to their use of the information. The Association assumes no liability or responsibility for the information provided, nor its use or misuse. *The Association does not warrant or represent the accuracy, completeness, or any other matter in the materials provided.* The Requesting Party agrees that any information shall not be used for commercial, solicitation, illegal or improper purposes, and to indemnify the Association from any claims or expenses resulting from the use of such information. Any expense in fulfilling the Member's request shall be the expense of the Member and not the Association and shall be due at the time services are rendered.

Signature of Requesting Party: _____ Date: _____