

POLICY OF CREEKSIDE I HOMEOWNERS' ASSOCIATION REGARDING TIME LIMIT FOR DESIGN REVIEW COMMITTEE REVIEW

SUBJECT: A policy regarding the timeline for review of submissions by the Design Review Committee (Committee)

PURPOSE: To clarify the intent of Section 6.6 in the Amended, Restated, and Consolidated Declaration of Covenants, Conditions and Restrictions for Creekside (Consolidated CC&Rs) and outline corrective language to be submitted for a vote by the membership.

AUTHORITY: The Declaration, Articles of Incorporation and Bylaws of the Association and Colorado law.

EFFECTIVE DATE: January 5, 2024

RESOLUTION: The Association hereby adopts the following policy supplanting the original adopted October 21, 2022:

1. Clarification of Section 6.6 Reply and Communication. This policy clarifies the intent of the language. Although the Consolidated CC&Rs provide for a review period of up to 45 days, it is not the intention of the Committee to utilize the entirety of the allowable 45 days.

The Committee commits to an initial response of not more than ten (10) business days from the date of receipt of a fully-completed Project Submission Form. A final review decision will typically be issued not more than twenty (20) business days after receipt of submission.

There may be occasions where the Committee may request additional review time, due to the complexity of the project or limited availability of Committee members, as allowed for in Section 6.6 of the Consolidated CC&Rs. In those instances, the Committee is obligated, at a minimum, to provide responses at both ten and twenty business days after receipt to ensure the Homeowner is aware of the cause and steps required to mitigate any delay in review.

2. Commitment to revise Consolidated CC&Rs to codify change. While the implementation of a policy is an interim and reversible remedy to ambiguous language, this policy also sets forth a commitment to revise the Consolidated CC&Rs at the soonest available opportunity to codify the clarification.

The current language reads as follows:

The Committee shall reply to all submittals of plans made in accordance herewith in writing within 45 days after receipt. In the event the Committee fails to take any action on submitted plans and specifications within 45 days after the Committee has received all plans and specifications, approval shall be deemed to be denied; provided, however, nothing in this section shall authorize anyone to construct or maintain any structure or improvement that is otherwise in violation of this Declaration, the Rules and Regulations or any architectural requirements adopted by the Board. All communications and submittals shall be addressed to the Committee in care of the Association.

The proposed revision shall read as follows:

The Committee shall reply to all submittals of plans made in accordance herewith in writing within 10 business days after receipt. A final review decision will typically be issued not more than twenty (20) business days after receipt of submission. The final review decision is dependent upon the responsiveness of the Homeowner to any requests for additional information and/or requests for in-person meetings with the Homeowner during the review process. Due to the volunteer nature of the Committee, there may be instances where the limited availability of Committee members may result in a request to extend the review period to not exceed 45 days.

A delay in responding shall not be construed as approval of any submitted plans or specifications. Nothing in this Section shall authorize anyone to construct or maintain any structure or improvement that is otherwise in violation of this Declaration, the Rules and Regulations or any architectural requirements adopted by the Board. All communications and submittals shall be addressed to the Committee in care of the Association.

PRESIDENT'S

CERTIFICATION: The undersigned, being the President of the Association, certifies the foregoing Policy was adopted by the Board of Directors of the Association, with a duly called and held vote of the Board on January 5, 2024, and in witness thereof, the undersigned as subscribed his/her name.

CREEKSIDE I HOMEOWNERS' ASSOCIATION, a
Colorado nonprofit corporation

President

