

REGISTER OF REGULATIONS

SHENANDOAH ON SMOKY HILL ASSOCIATION

JUNE 1999

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REGULATION 1

Establishment of Register of Regulations

WHEREAS, Article VII, Section 1 (c) of the BYLAWS, dated March 29, 1976, grants powers, duties and authority vested in or delegated to this Association and not reserved to the membership by other provisions of these BYLAWS, the ARTICLES OF INCORPORATION, or the DECLARATION" and

WHEREAS, Article VII, Section 2(a) of the Amended BYLAWS requires that the BOARD to keep "a complete record of all its acts and corporate affairs', and the BOARD desires to establish a REGISTER OF REGULATIONS as part of that record;

NOW THEREFORE, BE IT RESOLVED that the BOARD shall establish and maintain a REGISTER OF REGULATIONS which shall be an orderly record of REGULATIONS that are adopted by the BOARD.

"REGULATIONS" shall mean those resolutions adopted by the BOARD which relate to the plan of governance and governance policy of the ASSOCIATION. REGULATIONS shall be recorded in the REGISTER OF REGULATIONS which shall be provided to each member of the ASSOCIATION. The secretary shall be responsible for maintaining the REGISTER OF REGULATIONS and for providing notice to the MEMBERS of any changes in the REGULATIONS.

All other resolutions adopted by the BOARD which are not REGULATIONS, i.e., those which relate to the day-to-day operation of the ASSOCIATION (including, but not limited to, contracting and financial matters, assessments, and actions taken to enforce the provisions of the DECLARATION), shall be termed ADMINISTRATIVE RESOLUTIONS and shall be recorded in the Record of Minutes of the meetings of the BOARD.

The definitions in Article I of the DECLARATION and Article II of the BYLAWS are hereby adopted and incorporated by reference in the REGISTER OF REGULATIONS.

All prior resolutions establishing types or classes of resolutions of the BOARD are hereby revoked. Adopted at the regular meeting of the Board of Directors of the Shenandoah on Smoky Hill Association held on June 24, 1987.

July 10, 1987

REGULATION 2

Committees

WHEREAS; the BOARD is empowered by Article IX of the BYLAWS to appoint committees "as deemed appropriate in carrying out its purpose," and

WHEREAS, the BOARD wishes to establish certain committees to help the BOARD to carry out its duties.

NOW THEREFORE, BE IT RESOLVED, that the BOARD does hereby establish the following committees in addition to the Architectural Control Committee established by Article V of the DECLARATION and the Nominating Committee established by Article V of the BYLAWS:

1. Grounds and Maintenance Committee
2. Security Committee
3. Recreation Committee

(a) Appointment and Term of Office of Committee Chairmen

With the exception of the Nominating Committee which is appointed in accordance with Article V of the BYLAWS, the Chairmen of all Committees shall be appointed by the BOARD for a term of two years or until their earlier resignation or removal by the BOARD. All Committee Chairmen shall be MEMBERS of the ASSOCIATION in good standing.

(b) Membership and Duties of the Committees

(1) The Architectural Control Committee shall be constituted and shall function as directed by Article V of the DECLARATION.

(2) The Nominating Committee shall be constituted and shall function as directed by Article V of the BYLAWS

(3) The Grounds and Maintenance Committee shall consist of no more than ten and no less than five members, including the Chairman. Members other than the Chairman shall be selected by the Chairman from the MEMBERS of the ASSOCIATION. The Committee shall be responsible for monitoring the condition of the park and greenbelt areas, streets, sidewalks, buildings, and fences, and for recommending to the BOARD any actions needed to maintain or improve those facilities. The Committee shall review all proposed contracts for maintenance, repair or improvements of those facilities. In conjunction with the Managing Agent, the Committee shall direct the activities of the ASSOCIATION'S maintenance employees, including snow removal.

(4) The Security Committee shall consist of no more than ten and no less than five members, including the Chairman. Members other than the Chairman shall be selected by the Chairman from the MEMBERS of the ASSOCIATION. The Committee shall review all proposed contracts for security services. The Committee shall recommend policies and procedures to be

followed by the contract security service in controlling access to the community, monitor the performance of the security service and act as liaison with the management and on-site personnel to ensure that contract terms are met. The Committee shall also advise the BOARD concerning security problems and shall recommend solutions to those problems.

(5) The Recreation Committee shall consist of no more than ten and no less than five members, including the Chairman. Members other than the Chairman shall be selected by the Chairman from the MEMBERS of the Association. The Committee shall recommend policies, procedures and rules to be followed in the operation and use of the ASSOCIATION'S recreational play areas. The Committee shall monitor the condition of the ASSOCIATION'S recreational facilities and the performance of contractors responsible for the operation of the facilities; the Committee shall act as liaison with the contractors and shall advise the BOARD of problems arising in the operation of the recreational facilities, recommending solutions as appropriate. The Committee shall review all proposed contracts for the operation of the ASSOCIATION'S recreational facilities. Through appropriate sub-committees, the Committee shall provide for the needs of the community in organized social functions and welcoming of new MEMBERS.

(c) Operation of Committees

(1) Regular meetings of the Committees shall be held at monthly intervals or at other intervals as determined to be appropriate by vote of the Committee members. Special meetings may be called by the Chairman or by a majority of the Committee members with no less than 24-hour notice to each member.

(2) A majority of Committee shall constitute a quorum for the transaction of business at any regular or special meeting of the Committee.

(3) Each Committee shall report to the Board at the regularly scheduled meetings of the BOARD. A member of the BOARD will be assigned to act as BOARD liaison to each Committee. Such BOARD member shall meet as appropriate with his assigned Committee to provide policy guidance.

(4) Committees shall not obligate the ASSOCIATION without the explicit approval of the BOARD.

All prior resolutions regarding committees are hereby revoked.

Adopted at the regular meeting of the Board of Directors of the Shenandoah on Smoky Hill Association on June 24, 1987.

REGULATION 3

Assessments

WHEREAS, Article VII, Section 1(c) of the BYLAWS dated March 29, 1976, grants the Board "all powers, duties and authority vested in or delegated to this ASSOCIATION and not reserved to the membership by other provisions of these BYLAWS, the ARTICLE OF INCORPORATION, or the DECLARATION", and

WHEREAS, Article IV, Section 5 of the DECLARATION dated May 23, 1974, and as amended June 21, 1974, and May 13, 1975, sets forth certain policies and procedures regarding the collection of assessments and the effect of nonpayment of assessments, and

WHEREAS, the BOARD desires to supplement said policies and procedures;

NOW THEREFORE, BE IT RESOLVED THAT the following policies and procedures which include restatements of those found in the DECLARATION by adopted:

1. All maintenance fees/ assessments are due on the first day of each month and become delinquent on the last day of the month. Interest penalty for delinquent fees is computed at 12% per annum. All payments should be made payable to "Shenandoah Association" and mailed to the Managing Agent.
2. A \$25.00 collection fee will be charged for every delinquent notice billed to a MEMBER: that is, for every month that a delinquency is posted to the Association books, an additional \$25.00 fee will be charged to the delinquent MEMBER.
3. When a maintenance fee/assessment becomes 45 days past due, the Managing Agent acting on behalf of the Board will inform the MEMBER that his voting rights are suspended in the Association, as well as rights to use the clubhouse and all recreational facilities, until the delinquent assessment is paid.
4. When the maintenance fee/assessment is 90 days past due, the Managing Agent will have a Statement of Lien filed with the Clerk and Recorder of the County, with respect to the property. Further, the Managing Agent will send written notification to the mortgagee or holder of the first deed of trust, if any, on the MEMBER'S property, that the assessment is delinquent.
5. When the maintenance fee/assessment is 120 days past due, the BOARD may proceed to foreclose the Statement of Lien in the same manner as provided for foreclosure of mortgage or take other appropriate legal action.

All prior resolutions regarding assessments are hereby revoked.

Adopted by the Board of Directors of the Shenandoah on Smoky Hill Association at its regular meeting in February 17, 1999.

REGULATION 4

Access to the Community

WHEREAS, the BOARD is charged by Article IV of the ARTICLES OF INCORPORATION with the responsibility of promoting the health, welfare and safety of the residents of Shenandoah; and

WHEREAS, Article VII of the BYLAWS empowers the BOARD to adopt and publish rules and regulations governing the use of the common area and facilities; and

WHEREAS, the BOARD desires to formalize and publish the policies and procedures which have been observed for several years in controlling access to the community;

Now, therefore, be it resolved that:

- a) Entry to the community via the main vehicle gate shall be controlled at all times by a security guard;
- b) Door-to-door solicitation or canvassing, except for occasional solicitation or canvassing by residents of Shenandoah specifically for charitable purposes or for civic issues of community interest and concern, is prohibited;
- c) The Security Committee shall formulate and keep current such post orders as are approved by the Board to provide guidance to the security guards in discharging their duties;
- d) With the approval of the BOARD, the Security Committee shall formulate and keep current the rules and guidelines governing:
 - 1. Identification of resident's vehicles
 - 2. Issuance and display of temporary vehicle permits
 - 3. Admittance of guests, contractors, delivery vehicles, messengers and other nonresidents.

All prior resolutions regulating access to Shenandoah on Smoky Hill are hereby revoked.

Adopted at the regular meeting of the Board of Directors of the Shenandoah on Smoky Hill Association on January 11, 1995.

Rules and Guidelines Governing Admission to Shenandoah

1. Each resident must display an approved identification sticker in an approved location on each vehicle used by the resident.
2. Approved identification stickers will be issued and installed only by the security guards. Stickers will be applied only to vehicles regularly garaged/parked in Shenandoah.
3. Temporary access (via resident's access list maintained at the guard facility) will be listed and dated by the Security Guard upon request of an adult resident, and, upon the demonstration of a bona fide need for such unrestricted access. (NOTE: Residents are reminded that they are responsible for the actions and activities of any visitors listed on their temporary access list.)
4. Non-residents (who are not on the resident's temporary access list) will be admitted only as approved the Shenandoah resident. Residents are expected to notify the Security Guard in advance when guests, deliveries, contractors or other non-residents are to be admitted. Failure by a resident to notify the guard in advance of the expected arrival of a non-resident will result in the delay of admission or the non-admission of the visitor until the guard can contact the appropriate resident by phone to determine whether admittance is approved. However, guards are instructed not to call residents for unannounced guests arriving between 11 PM and 6 AM. In this case, the guard will instruct the guest to call the resident to approve admittance.
5. Vehicles entering Shenandoah must proceed slowly the entry gate so that the Security Guard can readily observe the identification sticker. Upon request by the Security Guard, vehicles must stop to allow positive identification.
6. After dark, residents should turn vehicle headlights off as they enter the gate area so that the Security Guard can observe the sticker.
7. When more than six (6) guests are expected, a written, alphabetized list of the names of these guests will be taken (not phoned) by an adult resident or renter to the security guard on duty. When the function is to be a children's party of a teen-age social function, the written alphabetized list is to be delivered by a resident parent.
8. The actions and conduct of people admitted by a resident to Shenandoah through the E. Laredo Street pedestrian gate are the responsibility of the admitting resident even if the people are not their guest.
9. A copy of allowable procedures for real estate agents to conduct open houses in conjunction with the sales of a Shenandoah residence can be obtained from the guard.

Approved by the Board of Directors on July 1, 1998.

Security Guard Guidance

1. Security guards will be thoroughly familiar with and comply with the policies found in Regulation 4 - Access to the Community (and its attachment, RULES AND GUIDELINES GOVERNING ADMISSION TO SHENDOAH) of the Register of Regulations, Shenandoah on Smoky Hill Association.
2. Former versions of identification stickers are no longer valid and will be removed from the vehicle (if permitted) before it is allowed to enter.
3. Non-residents (whether on temporary access or not) who are identified by Board letter to the guards as having their driving privileges denied in Shenandoah will be denied entry (if possible).
4. This is a private estate. Persons other than Shenandoah residents or their invited guests who fail to stop for the guard or who refuse to leave when told to do so shall be subject to arrest under C.R.S. #18-4-503 (trespassing). In such instances, close the exit gate and contact the Aurora police, the Shenandoah contact, and the guard supervisor immediately.
5. First priority with non-resident vehicles that are blocking the entrance (especially with large vehicles, e.g. delivery trucks) is to move the vehicle to the left and forward to clear the entrance for resident vehicles to enter through the right-hand resident lane.
6. The private vehicle of the duty guard will be parked in the clubhouse parking lot. The only exception will be nighttime with snowing and cold.
7. Allowable procedures for real estate agents to conduct open houses in conjunction with the sales of a Shenandoah residence are attached. The guard should check with the real estate agent putting up signs whether they have a copy of the allowable procedures. If not, a copy should be presented to the agent.
8. Handling process servers:
 - If a process server comes to Shenandoah with a peace officer (police officer or sheriff's deputy) give them immediate access, but then immediately call the resident who is being served to tell them the process server is on the way (unless the peace officer directs you not to call anyone).
 - If a process server comes to Shenandoah without a peace officer, handle as any normal unannounced visitor. Call the resident whom the process server wishes to see to determine if they want the process server admitted. If not, they are to be denied access. (Note: Do not volunteer the information that you would let them in if they had a peace officer with them.. but tell the truth if asked on this subject.)
 - If the process server is accompanied by the owner of a property in Shenandoah or the agent for the owner (identified by a letter from the homeowner) or, if the process server has a letter

from the owner authorizing that person to enter Shenandoah on the owner's behalf, do the following:

- a) If the process server is accompanied by the owner, grant them access immediately.
 - b) If the process server has a letter authorizing access or is accompanied by an agent of the owner with a letter authorizing access, tell them they can have immediate access if they give you a copy of the letter. When they provide you with a copy, let them in immediately. Give the copy of the letter to your supervisor for our records.
9. Residents wanting to put a personal announcement on the bulletin board are to be reminded:
 - Official announcements (by the Board, by recognized Shenandoah committees/groups) take precedence over personal ones.
 - Personal signs must be in good taste, of readable size, and of appropriate quality. Do not put a personal announcement over or in place of an official one.
 - Official announcements take precedence of placement for inbound or outbound side of the board.
 - The guard will sign and date the lower right corner of the announcement. The sign will be removed after two full days of viewing (unless superseded by an official announcement sooner).
10. On the graveyard guard (11:00 p.m. - 7:00 a.m.) may bring their own small television to watch but it must not interfere with their duties.
11. The graveyard guard (11:00 p.m. - 7:00 a.m.) will check the bulletin board and remove any items that have expired.
12. The graveyard guard will clean the guardhouse regularly.

Open House Guidelines

In the interest of providing the residents of Shenandoah on Smoky Hill with the most productive avenue to assist in the sale of their property while at the same time maintaining the overall appearance of the neighborhood, the following guideline are extended to all real estate agents who actively engage in marketing Shenandoah properties by conducting any type of "open house" activities.

Days: Open houses may be held on any day of the week to include all holidays. Real estate agents are requested to keep in mind the viability of conducting open house activities on days of religious celebrations, usually reflecting, but not limited to, the Judeo-Christian traditions of our country.

Times: While there are no specific times offered to conduct open house activities, such activities should be conducted during reasonable daylight hours beginning not earlier than 10:00 a.m.

Signs: Any company approved "open house" signs, i.e., signs reflecting a company name, are acceptable for use. Other "open house" signs may be used as long as they conform to good taste. While "good taste" is a subjective term, it is hoped that any real estate agent will limit the size and format of any sign to that which is necessary to properly market a property. For example, a "sandwich " sign may be acceptable at the property, but would not be acceptable as a directional marker.

Number of Signs: While there is no specific number of signs that may be used, the following should be observed: One sign may be placed at the entrance to the neighborhood, that is at the gate area; one sign may be placed at each point within the neighborhood at which a turn is required; and one sign, with the addition of one "sandwich" style sign, may be placed on the property grounds.

Multiple Agent Activities: In the event more than one real estate agent is conducting open house activities at the same time, duplication of signing will be kept at a minimum. Should a directional sign already be in place that can adequately direct any interested parties toward an open house, then another agent will refrain from placing a duplicate sign in that place or area. It is understood and accepted that agents may wish to identify or distinguish their company at the entrance and on the property per se by use of distinctive signs.

Additional Advertising Paraphernalia: To maintain an atmosphere of professionalism on the part of the real estate agents and to maintain the caliber of the neighborhood, the use of additional advertising paraphernalia such as balloons, streamers, triangular flags, etc., is expressly prohibited. Advertising and/or marking the route to the property is limited to the use of signs only.

Sign Limitations: Signs may be erected a minimum of twenty minutes before the beginning time of the open house and will be removed no later than the twenty minutes after the end of the open house. Should signs remain in place for a period that is obviously in violation of the above, an official of the Shenandoah Homeowners Association has the right to remove and dispose of signs without recourse

of any kind. It shall be the practice of said official to initially attempt to contact the real estate agent first before any action. This requirement is designed primarily to address repeat offenders.

Shenandoah Homeowners: These provisions are designed and published primarily for the use of professional real estate agents only in the normal course of pursuing their profession. However, Shenandoah homeowners who desire to market their own home are likewise required to comply with all of the above listed guidelines.

REGULATION 5

Use of the Clubhouse

WHEREAS, Article VII, Section 1 (a) of the BYLAWS empowers the BOARD to adopt and publish rules and regulations governing the use of the Common Area and facilities; and

WHEREAS, the BOARD desires to promulgate rules and regulations regarding the use of the Clubhouse;

NOW THEREFORE; BE IT RESOLVED THAT the following rules and regulations be adopted;

1. Intent: The intent of this resolution is to provide for maximum enjoyment of the facilities balanced with a reasonable precaution that MEMBERS not using the facilities are not burdened with heavy expenses because of improper use and clean-up.
2. Use:
 - a) Except as specifically provided below, all use of the Clubhouse will be in accordance with the terms of the "Agreement for Clubhouse Use" which is reproduced in its entirety in Part III of this resolution.
 - b) Effective January 1, 1987, use of the Clubhouse will be restricted to official functions of the Association on Easter, Independence Day, Thanksgiving, Christmas and New Year's Eve.
 - c) Use of the Clubhouse for official functions of the Association or its Board of Directors is specifically exempted from the requirement for a security and damage deposit.
 - d) Use of the Clubhouse for functions of the Shenandoah Greenthumbers Garden Club is specifically exempted from the requirement for a security and damage deposit.
 - e) Use of only the saunas located in the Clubhouse by MEMBERS or their Tenants is permitted without the execution of the "Agreement for Clubhouse Use" and without advance reservation or security and damage deposit. Users are responsible for the operation of the saunas. After use, the saunas must be turned off and cleaned. Children are not permitted in the saunas unless accompanied by a responsible adult. Food and beverages are not permitted in the saunas.
3. Agreement for Clubhouse Use; Clubhouse Rules and Regulations: Each user of the Clubhouse will execute one copy of the "Agreement for Clubhouse Use" which is attached and is part of this resolution.

All prior resolutions regulating the use of the Clubhouse are hereby revoked. Adopted at the regular meeting of the Board of Directors of the Shenandoah on Smoky Hill Association held on June 24, 1987.

Agreement for Clubhouse Use

The Board of Directors (BOARD) of the Shenandoah on Smoky Hill Association has the responsibility for preserving, maintaining and governing the use of all commonly-owned facilities. The Clubhouse Manager appointed by the Board is authorized to act on behalf of the Board with regard to the clubhouse for the purposes of scheduling use, issuing keys, performing inspections, and such other liaison responsibilities between the Board and the Homeowners and their Tenants as may be necessary from time to time.

To ensure that the Clubhouse is maintained at a high standard of cleanliness and usefulness for all homeowners, specific rules and regulations have been adopted as listed on the attachment to this agreement.

Any adult owner or spouse of owner or adult tenant (Owner/Tenant) may arrange for use of the Clubhouse, provided that all dues, fees and any other charges due to the Association from the Owner and/or Tenant are fully paid and recorded in the Association books. "Adult" means at least twenty-one (21) years of age.

Each user of the Clubhouse must tender a security and damage deposit of \$100.00 with this signed agreement to the Guard House in order to secure use. This security deposit does not limit user's liability, nor in any way diminishes the Association's right to collect for damages in excess of the amount of the deposit.

SHENANDOAH ON SMOKY HILL ASSOCIATION specifically agrees as follows:

1. To provide the Clubhouse to all authorized users in good and clean order on a first-come, first-served basis
2. To inspect the Clubhouse promptly after each use for cleanliness and damage. Provided that no new damage has resulted from the undersigned owner's use and that the key is returned, the Clubhouse manager will mail the security and damage deposit in full. Should there be damage or if additional cleaning is required, the security deposit will be deposited and any balance not used to cover the cost will be returned following the next Board meeting. Failure to return the key will result in forfeiture of the deposit.

THE OWNER OR TENANT USER agrees to as follows:

1. To read and comply with all rules and regulations of the Shenandoah on Smoky Hill Association, specifically those printed on the attached to this agreement.
2. To limit the number of persons who will be allowed to enter the Clubhouse during the period of use to not more than 75, and prior to the period use, to provide the security gate guard with a legible, alphabetized written list of guests expected to attend from outside the subdivision.

3. To prohibit the attendance or entrance into the Clubhouse of uninvited guests during the period of use.
4. To be responsible for any damage caused by guests, invited or uninvited, to the inside or the outside of the Clubhouse and to the grounds and parking lots immediately adjacent.
5. To respect and obey directions of any member of the Board or the Clubhouse Manager.
6. To chaperon all children's parties on a continuous basis at the rate of one responsible adult chaperon per twenty children. Should there be one more than twenty, but less than 40, two chaperones will be required and must be in attendance at all times. Likewise, one more than 40 will require a third chaperon and one more than 60 will require a fourth chaperon. An off duty aurora police officer must be in attendance at all parties attended by more than 20 persons under the age of 25 years. One week advance notice to the Security Committee is required to ensure the availability of the required police officer. The cost of the police officer's service will be paid in advance by the sponsoring Owner/Tenant. A request for a waiver of police officer may be presented to the Board of Directors.
7. To hold the Association harmless, and further, to indemnify the Association against any claims whatsoever filed against it resulting from or during the period of use of the Clubhouse by Owner/Tenant user or his guests, invited or uninvited Owner/Tenant user also agrees that he will pay any and all costs of attorney's fees, interest and damages which arise out of any claim filed against the Association resulting from his use of the Clubhouse.
8. To permit the Clubhouse Manager or my member of the Board of Directors of the Association to inspect the facilities during use. The Clubhouse Manager or a member of the Board may direct in Owner/Tenant user to terminate use of the Clubhouse for any violation of the terms of this agreement. Any Owner/Tenant user or his guest, invited or uninvited, who fails to depart the premises within 15 minutes of being so directed shall be construed as trespassing and thereby subject to any lawful direction of a peace officer.
9. To be in attendance during his period of use of the Clubhouse.

THE SHENANDOAH ON SMOKY HILL ASSOCIATION'S RESTRICTION OF LIABILITY

The Association shall not be liable for injury or damage to any person or property occurring within the property subject to this Agreement, unless caused by or resulting from negligence of the Association or any of its agents or servants in the operation or maintenance of the Clubhouse or the area surrounding the Clubhouse.

Upon failure of any Owner/Tenant user to honor this Agreement in its entirety, forfeiture of all rights to use the Clubhouse will occur. Should damage or cleaning require an expenditure on the part of the Association in excess of the deposit made, the forfeiture of rights to the Clubhouse shall be for a period of not less than 60 days after the last dollar has been paid to cover such damages and cleaning.

I, _____, (Owner/Tenant) user, have read this document in its entirety including the rules printed in the attachment Furthermore. I agree that I will abide fully by all these conditions and rules and will cause my guests, invited and uninvited, to also abide by the regulations, rules and conditions.

I further acknowledge receipt of a key for use of the Clubhouse as set forth herein.

OWNER OR TENANT AT:

Address

Clubhouse Manager

Signature – Owner/Tenant

Date Signed – Owner/Tenant

Type of Function (be specific)

Date of Function

Period of Use

ATTACHMENT TO AGREEMENT FOR CLUBHOUSE USE

The Shenandoah Clubhouse is for the use and enjoyment of all Shenandoah residents. These rules are intended to provide for safe, equitable use of this facility. Any unusual matter not covered by these rules or the attached contract will be resolved by the Clubhouse Manager or the Board of Directors.

Clubhouse cannot be reserved and put on calendar until signed contract and deposit check is returned to guardhouse.

Use of the Clubhouse

1. General

- Use of the Clubhouse for any profit-making venture requires the prior approval of the Board of Directors, in accordance with Regulation B.
- Children are not allowed in the Clubhouse at any time unless accompanied by an adult.
- Persons in wet swimming attire are not permitted in the Clubhouse.
- Pets are not permitted in the Clubhouse
- No toll calls are permitted *from* the Clubhouse telephone.
- Pool Use (See #10 below)

2. Clubhouse shall be used for no unlawful purpose. Neither the user nor guests shall use the Clubhouse for any unlawful purpose whatsoever. The user must require all guests, invited and uninvited, to abide by the laws of the STATE of Colorado, the County of Arapahoe, and the City of Aurora, Colorado, law regulating the consumption of alcohol by minors must be obeyed.

3. Use shall not disturb surrounding homeowners. Users agree to conduct themselves and ensure that their guests conduct themselves in a manner not disturbing to any of the homeowners in Shenandoah and to terminate his use of the Clubhouse by midnight. User agrees that, if requested by a member of the Shenandoah on Smoky Hill Association Board of Directors, user will terminate activity by any guest, invited or uninvited, causing disturbance to any of the homeowners in Shenandoah.

4. Reservation Procedure. To reserve the Clubhouse, pick up and return signed contract with deposit to guard house before clubhouse can be reserved. Shenandoah Clubs may reserve clubhouse without deposit. Garden Club is exempt from turning in a contract and deposit. Clubhouse is restricted to one (1) function/reservation per day. Youth Group will return one signed contract at the beginning of each year.

5. Multiple User Reservation Procedure. Owner/Tenant users may reserve clubhouse on multiple dates thirty days in advance before date of use. A separate contract and check roust be signed for each date.

6. Deposit. A \$ 100.00 deposit will be required from the Owner/Tenant user. You will be required to sign a contract, and your check must be made out to the Shenandoah on Smoky Hill Association, and be signed by the homeowner or tenant. The deposit is for damages and

cleaning. If cleaning is not done in accordance with the checklist at the end of this attachment, YOU WILL LOSE YOUR DEPOSIT.

7. Access —Pick Up and Return Key. User will pick up a key to the clubhouse from the guardhouse on the day for which it is reserved Keys will be returned by 9:00 a.m. on the day following the period of use. If the key is not returned as required, user forfeits the entire security and damage deposit.

8. Procedure in Case of Fire. User is to locate the two fire extinguishers in the Clubhouse at the beginning of his period of use. One is located on the lower level and one is in the kitchen area In case of fire, the use will evacuate the building and call the Fire Department (Dial 911) immediately. The clubhouse address is 4851 S. Shenandoah Way. Thereafter, he will immediately notify the Clubhouse Manger or a member of the Board of Directors.

9. Specific Clean-Up Procedures to be Followed. The user is required to leave the Clubhouse in the same condition as when his period of use began. Following use, the user is to fully and completely read and follow the checklist for cleaning at the end of this attachment. The Clubhouse Manager or designated alternate will inspect the Clubhouse after use. It is the responsibility of the Owner/Tenant User to notify the Clubhouse Manager of any damage they notice prior to the beginning of their event.

10. Pool Use. The swimming pool and swimming pool area may not be reserved at any time. However, if you are planning to bring 8 or more guests to the pool at any time you must arrange for another lifeguard (at your expense) by contacting our managing agent (found at the front of your telephone directory) two (2) weeks in advance. Persons reserving the Clubhouse on a particular date may use the pool at their own risk, but not to the exclusion of others who may wish to use the pool. The use of the pool by the person reserving the Clubhouse may not extend beyond the normal pool hours. In the event that alcohol is to be served in the Clubhouse to any person who may wish to use the swimming pool, the Board of Directors of Shenandoah on Smoky Hill Association may require that a lifeguard be hired by the person(s) reserving the Clubhouse. Whether or not a lifeguard is on duty, swimming in the pool by persons using the Clubhouse under a Clubhouse reservation will be entirely at their own risk

Clubhouse Clean-Up and Lock-Up Checklist

1. Empty all trash and place clean bag in container (if available)
2. Wet mop linoleum floors upstairs and downstairs
3. Return furniture to original positions and floors
4. Clean counter, sink, stove (top and inside), microwave (outside and inside), and
5. refrigerator
6. Vacuum all carpets, including stairs
7. Clean restrooms (especially sinks, toilets and fixtures)
8. In cooling season, turn off air conditioning.
9. In heating season, set thermostat to 60 degrees.
10. Return folding tables to proper floor (two upstairs and two downstairs).
11. Remove all items you brought to the clubhouse.
12. Turn off all lights.
13. Close and lock all windows and doors. All doors have multiple locks and latches - lock them all, especially the double lock on the front door.
14. Return key to guard house.

REGULATION 6

Use of the Swimming Pool

WHEREAS, Article VII, Section 1 (a) of the BYLAWS empowers the BOARD to "adopt and publish rules and regulations governing the use of the Common Area and Facilities," and

WHEREAS, the Board desires to promulgate rules and regulations regarding the use of the swimming pool:

NOW THEREFORE, BE IT RESOLVED THAT the following rules be adopted:

1. General

- a) Pool hours will be determined annually by the Board and will be duly posted.
- b) All persons using the pool or pool area do so at their own risk. Neither the ASSOCIATION nor the Managing Agent will be responsible for any accident or injury in connection with such use.
- c) The swimming pool is provided for the exclusive use of MEMBERS, residents, their immediate families, their guests and licensees. Licensees shall include, but not be limited to, babysitters and other caretakers. Other persons found in the pool are subject to prosecution for trespassing. Guests are allowed only if accompanied by a member of the Homeowners Association. Persons under the age of 18 may have no more than two (2) guests at any time. Persons 18 and over may bring up to 8 guests. Over eight (8) guests will require the hiring of an extra lifeguard through our managing agent (found at the front of your telephone directory) two (2) weeks, in advance at the residents expense.
- d) The swimming pool and swimming pool area may not be reserved at any time. However, if you are planning to bring 8 or more guests to the pool at any time you must arrange for another lifeguard (at your expense) by contacting our managing agent (found at the front of your telephone directory) two (2) weeks in advance. Persons reserving the Clubhouse on a particular date may use the pool at their own risk, but not to the exclusion of others who may wish to use the pool. The use of the pool by person reserving the Clubhouse may not extend beyond the normal pool hours. In the event that alcohol is to be served in the Clubhouse to any person who may wish to use the swimming pool, the Board of Directors of Shenandoah on Smoky Hill Association may require that a lifeguard be hired by the person(s) reserving the Clubhouse. Whether or not a lifeguard is on duty, swimming in the pool by persons using the Clubhouse under a Clubhouse reservation will be entirely at their own risk.
- e) An emergency card must be on file with the lifeguard before use of the pool is permitted. Cards are available from the lifeguards, if a person under the age of 18 does not have an

emergency card on file and/or they do not have a key, they will not be admitted to the pool.

- f) Failure to follow these Rules regulating the use of the swimming pool will result in the loss of pool privileges at the discretion of the lifeguards and/or the Security Committee. The protocol for handling problems is as follows: 1) verbal warning; 2) contact made to parents; 3) referral to Security Committee. Any homeowner who is delinquent in the payment of any assessments against his lot may be barred from use of the pool and pool area.

2. Hours of Pool Use

- a) The pool shall close each evening at 10 P.M. to 6 A.M.
- b) The pool may be closed at any time due to maintenance repair operations.
- c) A fifteen (15) minutes adult swim period will be called at the beginning of each hour by the lifeguard. An adult shall be defined as any person 18 years of age or older.
- d) When there is no lifeguard on duty - SWIM AT YOUR OWN RISK. When lifeguards are employed they WILL NOT be at the pool when the temperature on cloudy days is below 60 and on sunny days when the temperature is below 55.

3. Use of the Pool by Minors

- a) All children under eight and those children under 18 who cannot swim two lengths of the pool, must be accompanied at all times by a parent, or a babysitter or other caretaker who is 18 or older.
- b) Children between the ages of eight and fourteen who are able to swim two lengths of the pool may be in the pool area unaccompanied only when the lifeguard is on duty. When the lifeguard is not on duty, all children under the age of fourteen must be accompanied by a parent, or babysitter or other caretaker who is 18 or older.
- c) Common courtesy shall motivate all activity within the pool area and the pool. Everyone is responsible for keeping the pool area clean and taking their litter with them. Running, pushing, dunking, swearing and abusive language will not be permitted within the pool area or swimming pool.
- d) Only appropriate swim wear is permitted in the pool. In the event of a sunburn problem, a swimmer may wear a clean T-shirt.
- e) Children who are not toilet trained must wear rubber pants in the pool.
- f) All swimmers must shower before entering the pool, including showering after the application of suntan oil prior to entry into the pool.

- g) Flotation devices such as rafts, boats, mats and inflatable toys and water toys will be allowed at the discretion of the lifeguard or if they DO NOT interfere with other pool users.
- h) No radios, C.D. players or tape players shall be permitted in the pool area without the use of individual headphones.
- i) Pets are not allowed in the pool area.
- j) Baby strollers and wheelchairs are the only wheeled vehicles allowed. No bicycles are allowed within the pool area.
- k) Red Cross Swimming regulations allow only thirty-three (33) persons in the pool at any one time per lifeguard. At any time the number of persons in the pool exceeds thirty-three (33), the lifeguard is instructed to request first that non-residents exit the pool and then residents, to reduce the number to 33.

REVISION DATE: June 30, 1997

REGULATION 7

Use of Tennis Courts

WHEREAS, Article VII, Section 1(a) of the BYLAWS empowers the BOARD to "adopt and publish rules and regulations governing the use of the Common Area and facilities"; and

WHEREAS, the Board desires to promulgate rules and regulations regarding the use of the tennis courts:

NOW THEREFORE, BE IT RESOLVED THAT the following rules be adopted:

1. Rules of Play

- a) The tennis courts are for Shenandoah residents only. Guests may play only when playing with a sponsoring resident.
- b) The tennis courts are for tennis play only - no bicycles, skateboards, roller skates, etc.
- c) Parents are responsible at all times for their children's (under 18) play on the court.
- d) Residents may ask for identification if strangers are playing on the courts.
- e) No food or drink is allowed on the tennis courts with the exception of water in a plastic container.
- f) The courts will be open from 5:00 a.m. until 10:00 p.m., seven days a week. Noise will be kept to a minimum before 8:00 a.m. and after 8:00 p.m.
- g) All children under 8 must be accompanied by a resident over 14 years of age.
- h) No climbing over the fence or climbing on the wind screens is permitted.
- i) On all open play, only four players per court are allowed.
- j) Violation of the above rules or abuse of the tennis courts will result in referral to the Recreation Committee for appropriate action.
- k) Each family will be issued one key to the tennis courts. If lost the key can be replaced through the Recreation Committee at a cost of \$5.00.

2. Court Courtesies and Regulations

- a) Only regulation tennis shoes shall be allowed on the courts.

- b) Tennis attire shall be worn for play. Swimsuits shall not be allowed, and shirts must be worn at all times.
- c) No leaning, sitting on, hitting or jumping over the tennis net is permitted.
- d) It is the responsibility of the players to turn off the lights before leaving the courts.
- e) Good sportsmanship and good language shall be observed at all times.
- f) When others are playing, enter the courts only between points or at the end of the game - but never during a point.
- g) Enter the courts through the gate closest to the court on which you will be playing.
- h) Report any rule or courtesy violation to the Recreation Committee.

3. Court Reservations

- a) Courts may be reserved by the hour on the hour for the period from Memorial Day to Labor Day. No-shows shall forfeit the court 10 minutes after the hour.
- b) Each household in the community may reserve a court for a maximum of two hours each day. No household can reserve two courts at one time.
- c) Reservation sheets for the week will be available Sunday night. All reservations must be made in person. In order to reserve courts, residents must sign both their first and last names. All signatures should be in ink. Reservation sheets are maintained at or near the tennis courts.
- d) If no reservations have been made, the court is available for use. In this instance, the court should be reserved before play is started to insure availability of the court for the period for which the resident is entitled to reserve the court. If a resident wants to play and both courts are in use, the resident may sign up for the next available time at which time players may then be bumped from the court.
- e) No-show reservations will be acknowledged, and repeat offenders will be contacted by the Recreation Committee. At its discretion, the Recreation Committee may suspend the privileges of repeat offenders to reserve the court for an appropriate period of time.
- f) Scheduled tennis programs open to the entire community have priority over open play.
- g) The Recreation Committee may prepare a calendar of events open to all members of the community for approval of the Board.

- h) The Recreation Committee may reserve time in order to allow for cleaning of the courts.
- 4. These rules and regulations shall be printed and sent to all lot owners of record.
- 5. All prior resolutions regulating the Use of the Tennis Courts are hereby revoked.

REGULATION 8

Use of the Common Area

WHEREAS Article VII, Section 1 (a) of the BYLAWS empowers the BOARD to adopt and publish rules and regulations governing the use of the COMMON AREA and facilities; and

WHEREAS the BOARD desires to establish rules and regulations which will allow safe and pleasurable use of the COMMON AREA by all MEMBERS;

NOW, THEREFORE, BE IT RESOLVED THAT:

- a) Speed limits within the community shall be established by the BOARD. The speed limit shall be posted on the major streets in Shenandoah.
- b) Traffic control signs, e.g., stop signs or yield signs, shall be erected at the discretion of the Board.
- c) Other traffic regulations shall be those adopted by the City of Aurora for general application within the City. Enforcement of traffic regulations shall be in accordance with City of Aurora ordinances b the Aurora Police Department.
- d) Use of power-driven vehicles or equipment, exclusive of the Association's maintenance equipment, is prohibited except on the streets.
- e) MEMBERS, their children or guests may not engage in any activity that is dangerous or is likely to damage the COMMON AREA or ASSOCIATION facilities. The cost of repairing damage to ASSOCIATION property caused by such prohibited activity shall be billed to the MEMBERS directly responsible for the damage.
- f) No swimming, boating, wading, ice skating or other activity will be permitted in or on the lake.
- g) Molestation of wildlife on the common area is prohibited.
- h) All permanent structures, furniture or equipment to be installed on the COMMON AREA must be approved by the BOARD prior to installation.
- i) No signs of any type are permitted on the COMMON AREA without the approval of the BOARD.
- j) Any commercial use of the COMMON AREA and/or the ASSOCIATION's facilities must have prior approval of the BOARD. Upon approval, the BOARD may set the fee to be charged for the commercial use.

All prior resolutions regulating the use of the COMMON AREA are hereby revoked.

Adopted by the Board of Directors of Shenandoah on Smoky Hill Association at its regular meeting on June 24, 1987.

REGULATION 9

Rules Enforcement

WHEREAS, Article VII, Section 1(a) of the BYLAWS empowers the BOARD to establish penalties for infractions of the rules and regulations;

NOW THEREFORE; BE IT RESOLVED THAT the following rules and regulations be adopted;

Rules Enforcement: The rules and regulations contained in the "Declarations", "By-laws", and "Rules and Regulations" shall be enforced by the Board of Directors in the following manner.

1. Complaints against violators of any of the Rules and Regulations shall be submitted to the Board in writing stating the nature of the violation, date, time, location, name(s) of the accused and all pertinent facts needed to support the complaint(s). This written complaint must include the printed name and signature of an adult homeowner. Complaints that are not in writing or not signed will not be acted upon by the Board.
2. The Board will notify the violator of the written complaint and encourage the parties to resolve their issues without any further intervention by the Board. Failing this informal resolution, the Board will serve a notice of hearing along with the statement of complaint. Such notice will occur at least ten (10) days prior to the hearing. Any principle party unable to attend the scheduled Hearing and who can show good cause, may request rescheduling of the hearing at a specified time and date for which they will be available. Upon receiving such a request, the Board may reset the time and date of the hearing and promptly notify all parties involved.
3. The Board shall meet with both parties at a regular Board meeting or special Board meeting at which time evidence will be informally taken. Subsequently, the Board shall take action on all complaints. This action may take the form of (1) the complaint being dismissed, or (2) the violator cited and penalized for failure to comply. In either case, both parties will be notified in writing of the action taken.
4. Person(s) cited for a violation shall be penalized as follows:
 - a) First violation: formal notification of Rule infraction will be mailed.
 - b) Second violation of a rule: a \$50.00 penalty will be imposed.
 - c) Subsequent violation of the same Rule:
 - Third offense/notification - \$100.00 penalty
 - Fourth offense/notification - \$200.00 penalty

- Fifth or more offense/notification - the Board shall take appropriate action which may include the imposition of a penalty not to exceed \$500.00
5. If the accused fails to appear at any of these proceedings, the action of the Board will stand.
 6. Any penalty assessed against an owner that remains unpaid after sixty days shall become a lien on the owner's unit and shall be recorded in the same manner as any lien for non-payment of common expenses. The Board may take such other legal action that it deems necessary, including the filing of a lawsuit, to collect any fines that remain unpaid after sixty days. In the event legal action is necessary, the prevailing party shall be entitled to receive reasonable attorney fees and court costs from the losing party.

Adopted at the regular meeting of the Board of Directors of the Shenandoah on Smoky Hill Association held on November 13, 1996.

REGULATION 10

Use of GO-PEDS

WHEREAS, Article VII, Section 1(a) of the BYLAWS empowers the BOARD to “adopt and publish rules and regulations governing the use of the Common Area and facilities”, and

WHEREAS, the Board desires to promulgate rules and regulations regarding the use of GO-PEDS,

NOW THEREFORE, BE IT RESOLVED THAT the following rules be adopted:

1. The GO-PED must be registered with the State of Colorado.
2. The GO-PED must have a working bell or horn.
3. The GO-PED can only be ridden by one person.
4. The GO-PED must be operated towards the right side of the road to avoid being an obstacle for faster moving traffic.
5. The GO-PED will not be operated on the sidewalks.
6. The GO-PED will obey all other traffic rules that apply to automobiles (i.e. stopping at stop signs, yielding right of way, etc.)
7. The operator of the GO-PED must hold a valid Colorado driver’s license, therefore they must be at least 16 years old (learner’s permits do not qualify).

Parents or supervising adults will be responsible to see that these requirements are met and adhered to. Violations of these requirements will subject the resident/owner to fines and penalties as specified in Regulation 9.

Adopted by the Board of Directors of Shenandoah on Smoky Hill Association at its regular meeting on May 13, 1998.

REGULATION 11

Garage Sales

WHEREAS, Article VII, Section 1 (a) of the BYLAWS empowers the BOARD to "adopt and publish rules and regulations governing the use of the Common Area and facilities", and

WHEREAS, the Board desires to promulgate rules and regulations regarding garage sales

NOW THEREFORE. BE IT RESOLVED THAT the following rules be adopted:

1. All material for sale must be displayed inside of the garage door area. No goods may be placed on the yards or in the driveway area.
2. No signs will be displayed in the common area or at the main gate entry.
3. No directional signs will be displayed pointing to the sale other than on the owner's property.
4. When more than six outside guests are expected, an alphabetized list will be provided in advance to the gate guard.
5. No advertisement in newspapers or publications outside of Shenandoah is allowed.
6. Sales may take place only during daylight hours.

Adopted by the Board of Directors of Shenandoah on Smoky Hill Association at its regular meeting on June 10, 1998

REGULATION 12

Restrictions

WHEREAS, Article II, Section I (c) of the BYLAWS dated March 29, 1976, grants the Board "all powers, duties and authority vested in or delegated to this ASSOCIATION and not reserved to the membership by other provisions of these BYLAWS, the ARTICLE OF INCORPORATION, or the DECLARATION, and

WHEREAS, Article IV, "Restrictions" of the DECLARATION dated May 23, 1974, and as amended June 21, 1974, and May 13, 1975, sets forth certain restrictions, and

WHEREAS, the BOARD desires to supplement said policies and procedures;

NOW THEREFORE, BE IT RESOLVED THAT the following policies and procedures which include restatements of those found in the DECLARATION be adopted:

1. Section 6. Animals. Rabbits, housed in backyard hutches, are allowed as household pets. Dogs and cats are to be confined to fenced backyards and, if off owner's property, must be on a leash.
2. Section 8. Fences-Walls. Staining or painting of fences is subject to colors approved by the Architectural Control Committee.
3. Section 10. Miscellaneous Structures. Television satellite dishes, up to size 24 inches in diameter, will be allowed after written approval by Architectural Control Committee. Conditions to be met include no installations on roofs, fences or other areas where the dish is visible from the street or visible from a neighboring property.
4. Section 11. Property To Be Maintained. Trees with dead limbs must be trimmed and dead trees removed from property within 30 days after notification from the Architectural Control Committee.
5. Section 17. Restrictions On Parking And Storage. Parking of recreational vehicles, (including, but not limited to) house trailers, camping trailers, motor homes, campers, camper shells not on a truck, boats or accessories thereto, boat trailers, running gear, horse trailers or other trailers, tractors, tractor trailer cabs, large commercial vehicles, jet skis, snowmobiles, snowplow blades, all terrain vehicles and inoperable vehicles on driveways or adjoining streets will not be allowed after a period of three (3) days. After three (3) days and notification of resident, Regulation 9 with provision to fine violators (approved by the Shenandoah Board of Directors November 13, 1996) will be effective.
6. Section 21. Garbage and Refuse Disposal. Trash receptacles, bags of lawn clippings and other refuse should not be placed at the curbs before late Sunday afternoon for Monday morning pickup. Empty trash containers must be removed from the street by Monday

evening. Receptacles must be stored so they are not visible from the street or from neighboring homes.

Adopted by the Board of Directors of the Shenandoah on Smoky Hill Association at its regular meeting on February 17, 1999.

GUIDELINES

Guidelines for Backyard Play Equipment

Play equipment may be erected within a fenced or screen backyard area and must have the approval of the Architectural Control Committee. The play equipment must be of appropriate scale. The ACC is allowed 30 days by the covenants to approve or deny a request.

- a) Structure at the widest points must be a minimum of seven (7) feet from all fence and/or property lines.
- b) Total height of structure may not exceed nine (9) feet. The peak of the structure may not extend more than three (3) feet above a six (6) foot fence line.
- c) Any platform (i.e. Eagle's Nest, Sky Castle, etc.) may not extend above the height of the six (6) foot fence line.
- d) A neutral color is recommended for the canopy.
- e) Written approval for the proposed play structure from all affected neighbors must accompany the project approval form submitted to the ACC.
- f) Screening of the play structure with trees and/or shrubs may be requested if deemed necessary by the ACC.
- g) A brochure or elevation drawing of the proposed play structure must accompany the project approval form.
- h) The ACC may request on-site inspection before approval is given.

Architectural Control Committee, July 2000