

**CONSENT OF THE BOARD OF DIRECTORS OF
EAGLEPOINTE TOWNHOME OWNERS ASSOCIATION, INC.**

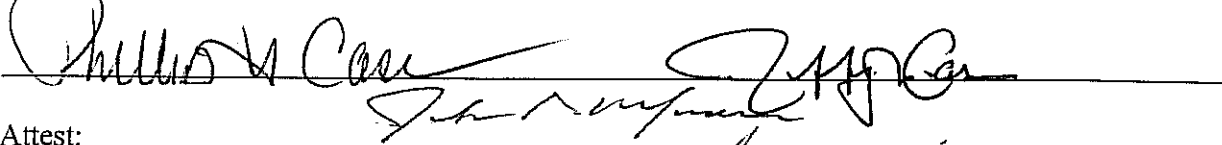
In lieu of a meeting of the Board of Directors of the Eaglepointe Townhome Owners Association, Inc. (the "Association"), the Association has agreed and consented that this Consent constitutes the organization meeting of the Board of Directors and pursuant to Section 7-128-202 and 204 of the Colorado Revised Statutes (1973), have waived all notice whatsoever of any meeting and have agreed and consented to the following actions and unanimously vote for the following resolutions:

RESOLVED, the Rule Regarding Legal Use/Occupancy is hereby adopted and approved by the Board of Directors.

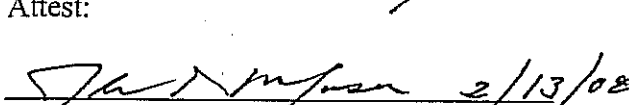
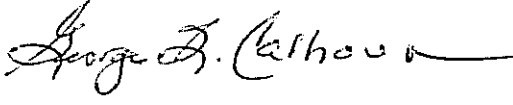
The foregoing actions/resolutions shall have the same effect as actions/resolutions taken at a meeting of Directors.

APPROVED:

BOARD OF DIRECTORS:



Attest:

 2/13/08 
Secretary

**RULE REGARDING LEGAL USE/OCCUPANCY
FOR
EAGLEPOINTE TOWNHOME OWNERS ASSOCIATION, INC.**

WHEREAS, the Board of Directors (“Board”) of Eaglepointe Townhome Owners Association, Inc. (the “Association”) is directed and empowered by appropriate provisions of the Association’s Declaration of Covenants, Conditions and Restrictions, as well as its Articles of Incorporation, Bylaws and Rules (collectively called the “Association Documents”) to adopt and publish rules and regulations.

WHEREAS, the Colorado Common Interest Ownership Act authorizes the Association’s Board to adopt rules and regulations.

WHEREAS, the Association’s Board has given consideration to the legal use and occupancy of Units within the Project, and the Board desires to avoid any problems which illegal use and occupancy of a Unit cause to the health, welfare, safety and value of the Project.

WHEREAS, the Board wishes to establish a rule and regulation regarding the legal use and occupancy of Units within the Project so that it may equitably and consistently enforce the Association Documents in the best interests of all owners and occupants.

WHEREAS, the following rule is determined necessary in the reasonable business judgment of the Board to promote the protection of the health, welfare, safety, and value of the Project, to promote and fulfill the intent and provisions of the Association Documents and to assist all owners and occupants within the Project in providing for their own health, welfare and safety.

NOW, THEREFORE, the Board hereby adopts the following rule:

1. Legal/Use Occupancy. No use shall be made of any Unit which violates any federal, state or local law, regulation, or code. No occupant of the Project shall be allowed to enter into or continue in occupancy or be present within the Project if he or she has been convicted of a felony or other serious crime as determined by the Board of Directors or if it is determined by the Board in its sole discretion that use, occupancy or presence of any person within the Project is a threat, under the Colorado criminal laws or the law of nuisance, to the health, welfare or safety of the Project. The Board may require that any owner or occupant produce, at his or her expense, a criminal background check or a police inspection report demonstrating to the Board’s reasonable satisfaction that no illegal use, presence or occupancy is occurring in violation of this Rule. Any form of use, presence or occupancy in violation of this Rule is prohibited and shall be a violation of the Association Documents.
2. Owner/Occupant Responsibility. Owners and occupants understand and agree that neither the Association nor the Board is a law enforcement agency, that neither investigates criminal activity and that neither shall have any liability or responsibility for the enforcement of criminal laws nor for the safety or security of the Project. **EACH OWNER OR OCCUPANT IS RESPONSIBLE FOR HIS OR HER OWN SAFETY AND SECURITY. OWNERS AND**

OCCUPANTS SHOULD PROMPTLY REPORT ANY CRIMINAL ACTIVITY OR THREAT TO SECURITY TO THE POLICE.

3. Leasing. The provision of this Rule shall be deemed to be automatically incorporated into any lease of a Unit, whether or not copies of this Rule have been provided by the Owner to the Tenant, or whether or not the lease makes express references to this Rule. TENANTS SHALL OBTAIN COPIES OF THE ASSOCIATION DOCUMENTS FROM THE OWNER.

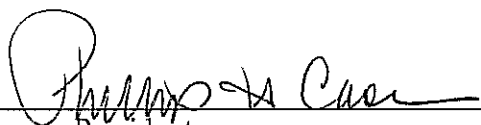
4. Notice of Rule. This Rule or notice thereof may, at the Board's discretion, be recorded in the real property records on the El Paso County, but non-recording of this Rule shall not affect its validity or enforcement, and this Rule is subject to change, modification or addition, without any further recording. Any information regarding the current status of this Rule must be obtained in writing from the Board.

ADOPTED this 13th day of February, 2008

EAGLEPOINTE TOWNHOME OWNERS ASSOCIATION, INC.
A Colorado non-profit corporation,

(SEAL)

By: _____


President

ATTEST:


Secretary

the Board fails to approve or disapprove such plans and specifications within sixty (60) days after they have been submitted to it and have been receipted in writing by the Association's President, such plans and specifications will be deemed to be disapproved, and this Section will not be deemed to have been fully complied with. No structures of a temporary character, trailer, basement, tent, shack, garage, barn or other out-buildings shall be used on any portion of the Property at any time as a residence, either temporarily or permanently, except as otherwise provided herein or with the Board's prior written approval. No Owner shall undertake any work in his Unit which would jeopardize the soundness or safety of the Building or the Project, reduce the value thereof or impair an easement thereon or thereto, nor shall any Owner enclose, by means of screening or otherwise, any Common Element including without limitation, any yard, balcony, patio or porch which is accessible from, associated with and which adjoins a Unit, without having first obtained the prior written approval of the Board with respect to the materials, design and specifications for such enclosure, as more particular provided in this paragraph. Windows, doors (including without limitation garage doors and storm doors), access patios, lighting fixtures and other exterior additions or improvements shall not be installed, modified, painted or altered without the prior written approval of the Board as provided in this Section. Structural alterations or changes in exterior appearance of a Building, Unit or Common Element shall not be made by an Owner to the Building or in the water, gas or steam pipes, electric conduits, plumbing or other fixtures connected therewith, nor shall an Owner remove any additions, improvements or fixtures from the Building without the prior written consent of the Board first having been obtained. All drapes, shades, blinds and other window coverings shall be white when viewed from the outside, unless the prior written approval of the Board is obtained.

Section 7.3 Common Elements. The Common Elements shall be used for the furnishing of services and facilities for which the same are reasonably intended and for the enjoyment of the Owners, their families, tenants and Guests. There shall be no obstruction of the Common Elements, nor shall anything be kept or stored on any part of the Common Elements without the prior written consent of the Association, except as specifically provided herein. The Common Elements, including without limitation all improvements and landscaping thereon, shall not be altered, constructed upon, or removed except upon the consent of the Board. The Board may adopt Rules governing the use of Common Elements, and each Owner, by the acceptance of his deed and other instrument of conveyance or assignment agrees to be bound by any such adopted Rules and to insure compliance by his or her family and Guests. No Owner shall enter any meter rooms, mechanical equipment areas, crawl spaces, or attic areas, even if designated as General Common Elements, without the prior written approval of the Board or without the presence of an authorized representative of the Board or of the managing agent.

Section 7.4 Prohibitions.

A. Nothing shall be done or kept in any Unit, or in the Common Elements, or any part thereof, which would result in the cancellation of any insurance on the Project, or in an increase in the rate of any insurance on the Project, without the prior written consent of the Board. No part of the Project or of any Condominium Unit shall be used in any way or for any purpose which may endanger the health, safety or life

of any person or which may unreasonably disturb any other Owner. No activities shall be permitted upon any portion of the Project which will violate the provisions of any applicable statute, rule, ordinance, regulation, permit, or other validly imposed requirement of any governmental body. No nuisance shall be allowed upon the Property, nor shall any use or practice be allowed which is a source of annoyance to residents, or which interferes with the peaceful possession and proper use of the Property by its residents. No damage to or waste of the Common Elements, or any part thereof, or any Unit, shall be committed by any Owner, or any Guest of any Owner, and each Owner shall indemnify and hold the Association and the other Owners harmless against any loss resulting from any such damage or waste caused by him, the members of his family, Guests or tenants. No barbecues or open fires shall be allowed on decks or balconies nor otherwise upon the Property, except in areas which may be designated by the Board, nor in any violation of municipal fire codes.

B. No excessive noise or disturbance shall be allowed upon the Property, provided however, all Owners understand and agree that certain normal sounds may penetrate the common walls between the Units, and although the Board may attempt to regulate or restrict such sounds, neither the Association nor the Board nor the Declarant shall have any liability or responsibility for such sounds.

Section 7.5 Animals. No horses, dogs, cats, snakes, fish, insects, birds, reptiles, cattle, sheep, goats, pigs, rabbits, poultry or similar pets or other animals of any description shall be kept or maintained within the Project except that Owners may keep, if permitted by Rules of the Board, reasonable numbers of bona fide household pets, which are not kept for commercial purposes, do not make objectionable noises or otherwise constitute a nuisance or inconvenience to any of the residents of adjacent property, and are kept in compliance with all applicable local ordinances and any Rules of the Board. An Owner, family member, tenant or Guest is responsible for any damage caused by his pet and shall be obligated to clean up after his pet while it is on the Property. Dogs, cats or other household pets, if permitted by the Board, shall be kept on leash and attended by their owners at all times. The Board may institute such Rules as it deems advisable for the control, restriction, or complete elimination of any pets and may impose such fines as are necessary, in its sole discretion, to enforce such Rules and this Declaration.

Section 7.6 Storage Restrictions. All clotheslines, equipment, garbage cans, service yards, wood piles, or storage piles shall be kept screened by adequate planting or fencing so as to conceal them from the view of neighboring Units and streets. Patios and balconies shall not be used as storage areas. Clothing, bedding or similar items shall not be displayed on any patio or balcony area or in open view. The conversion or alteration of garages into living areas, storage areas, workshop areas, or any other modification or alteration of the garages which would hinder, preclude or prevent the parking of the number of vehicles for which garage was originally designed, is hereby prohibited unless the prior written consent of the Board is obtained. Garage doors, if any, shall be kept closed at all times except when in immediate use for ingress or egress of motor vehicles and except when in immediate use for access to public utility meters which shall not be obstructed in any way whatsoever. Garbage and trash shall be kept in receptacles within the Unit except on the day of pick up or unless placed in common trash receptacles. No object or material shall be stored in

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EAGLEPOINTE TOWNHOME OWNERS ASSOCIATION, INC.**

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RESOLVED, the Schedule of Fines (attached hereto) "for not cleaning up after your pets" is hereby adopted and approved by the Board of Directors. This schedule of fines becomes part of Rules and Regulations, Exhibit B, Violations & Fines, Paragraph 6, Fines and Sanctions (a)

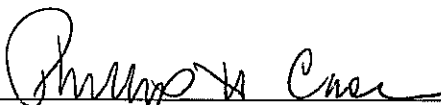
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1. Leasing. The provision of this Rule shall be deemed to be automatically incorporated into any lease of a Unit, whether or not copies of this Rule have been provided by the Owner to the Tenant, or whether or not the lease makes express references to this Rule. TENANTS SHALL OBTAIN COPIES OF THE ASSOCIATION DOCUMENTS FROM THE OWNER.
2. Notice of Rule: This Rule or notice thereof may, at the Board's discretion, be recorded in the real property records on the El Paso County, but non-recording of this Rule shall not affect its validity or enforcement, and this Rule is subject to change, modification or addition, without any further recording. Any information regarding the current status of this Rule must be obtained in writing from the Board.

ADOPTED this 13TH day of February, 2008

EAGLEPOINTE TOWNHOME OWNERS ASSOCIATION, INC.
A Colorado non-profit corporation,

(SEAL)

By: 
President

ATTEST:

John Simpson 2/13/08
Secretary (date)

APPROVED:

BOARD OF DIRECTORS:

William A. Carr
John Simpson

ATTEST:

John Simpson 2/13/08 George L. Catlow
Secretary (date)

Fines for not cleaning up after your pet:

- 1st Violation – Written & verbal notice (and hopefully no follow-up)
- 2nd Violation - \$ 50.00 fine & cost of clean up
- 3rd Violation - \$100.00 fine & cost of clean up
- 4th Violation - \$200.00 fine & cost of clean up and we will begin to take
legal actions as provided for in the Declaration

of any person or which may unreasonably disturb any other Owner. No activities shall be permitted upon any portion of the Project which will violate the provisions of any applicable statute, rule, ordinance, regulation, permit, or other validly imposed requirement of any governmental body. No nuisance shall be allowed upon the Property, nor shall any use or practice be allowed which is a source of annoyance to residents, or which interferes with the peaceful possession and proper use of the Property by its residents. No damage to or waste of the Common Elements, or any part thereof, or any Unit, shall be committed by any Owner, or any Guest of any Owner, and each Owner shall indemnify and hold the Association and the other Owners harmless against any loss resulting from any such damage or waste caused by him, the members of his family, Guests or tenants. No barbecues or open fires shall be allowed on decks or balconies nor otherwise upon the Property, except in areas which may be designated by the Board, nor in any violation of municipal fire codes.

B. No excessive noise or disturbance shall be allowed upon the Property, provided however, all Owners understand and agree that certain normal sounds may penetrate the common walls between the Units, and although the Board may attempt to regulate or restrict such sounds, neither the Association nor the Board nor the Declarant shall have any liability or responsibility for such sounds.

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j. "Junk vehicles" are prohibited. A junk vehicle shall mean a vehicle which appears, in the discretion of the Board, to be in need of repainting or substantial repairs or lacks a current license plate or appears to be inoperable and damaged.

k. Notwithstanding the foregoing, emergency motor vehicles are permitted in the unit occupant's driveway, in Association's streets, and guest parking spaces if the emergency motor vehicle meets each of the following requirements:

i. the emergency motor vehicle is required by the unit occupant's employer as a condition of employment;

ii. the emergency motor vehicle weighs ten thousand pounds or less;

iii. the unit occupant is a bona fide member of a volunteer fire department or is employed by a primary provider of emergency fire fighting, law enforcement, ambulance, or emergency medical services;

iv. the emergency motor vehicle has some visible emblem or marking designating it as an emergency vehicle; and

v. the parked emergency motor vehicle does not block emergency access or interfere with the reasonable needs of other unit owners or occupants to use the streets, driveways, or parking spaces within the complex.

5. Pets.

a. Residents shall be permitted to have not more than one dog with a weight limit of 75 pounds or two dogs, each not exceeding 15 pounds (except German shepherds, pit bulls, rottweilers, or similar dangerous breeds are prohibited), or instead of dogs may have 2 cats or a combination of one dog and one cat, fish and reasonable numbers of small animals, so long as all are bona fide household pets and not kept for commercial purposes, do not make objectionable noises or otherwise constitute a nuisance or inconvenience to any residents, and are kept in compliance with all applicable ordinances. Residents shall not permit any pet to run loose around the buildings or about the grounds. No resident shall permit any pet to be outside the unit unless on a leash in the hand of a responsible person. Pets shall not be permitted to defecate on the walks, driveways, or landscaped areas in or about the buildings and in the event such shall occur, the pet owner must immediately pick up after the animal. The Association may adopt rules in the future to regulate or even prohibit any of the above types of pets.

a. No feeding of wild birds or pigeons is allowed.

b. Noisy pets, whether inside or outside a unit, will not be tolerated.