

BYLAWS of the
DOVE HILL ESTATES HOMEOWNERS' ASSOCIATION, INC.
REVISED January 4, 2001

ARTICLE I
Offices

The principal office of the corporation shall be located in Arapahoe County, Colorado. The corporation may have such other offices, either within or outside the State of Colorado, as the Board of Directors may designate or as the purposes and objects of the corporation may require from time to time.

The corporation shall have and continuously maintain in the State of Colorado a registered office and a registered agent whose office is identical with the registered office. The registered office may be, but need not be, identical with the principal office in the State of Colorado, and the address of the registered office may be changed from time to time by the Board of Directors

ARTICLE II
Membership

Section 1 - Membership

Membership in the Corporation shall be limited to record owners and lessees of the following described land:

Dove Hill, a Subdivision in Arapahoe County, Colorado, the plat of which is recorded under Reception No. 1857031, in the Office of the Clerk and Recorder of said County ("Dove Hill"), except such land dedicated to the public.

One membership in the corporation shall be allowed for each Lot in Dove Hill. If any such Lot is owned or leased by two or more parties, as joint tenants, tenants in common or otherwise, the membership shall be joint, entitled to only one vote and a single membership for such Lot shall be issued in the names of all the record owners and lessees. They shall designate to the corporation in writing, at the time of issuance, one party who shall hold the membership and have the power to vote the membership.

Section 2 - Dues

The dues for each membership in the corporation shall be ~~\$120.00~~ \$240.00 annually. Any membership which shall be in arrears in the payment of dues shall be ineligible to vote at any meeting until all such arrearage has been paid. Dues are due on the first day of January of each year, and delinquent on the first day of February of each year. Members may elect to pay either the total annual dues (~~\$120.00~~) (\$240.00) by the first day of February, or one half of the annual

dues (~~\$60.00~~) (\$120.00) by the first day of February with the remainder due on the first day of July and delinquent by the first day of August. Any delinquent account shall be charged one percent (1%) per month from the due date of the charge.

Section 3- Other Charges

All charges assessed to the member (e.g. lot mowing or covenant violation charges) shall be due on the date defined by the Board of Directors in conjunction with Article VIII, paragraphs 1, 2, and 3 of the Bylaws. If such charges are not covered by the above stated Article VIII, then they shall be considered delinquent 30 days after the due date set by the Board of Directors.

Section 4 -Annual Meetings

Unless a different date is set by the Board of Directors, annual meetings of the membership shall be held on the first Thursday of the odd numbered months of the year for the transaction of such business as may come before the meeting including the election of Directors.

Section 5-Special Meetings

Special meetings of the membership, for any purpose, unless otherwise prescribed by statute, may be called by the President of the Board of Directors, and shall be called by the President at the request of not less than one-tenth (1/10) of all the members of the corporation entitled to vote at the meeting.

Section 6 - Day of Meeting

If the election of Directors shall not be held on the day designated herein, the Board of Directors shall cause the election to be held at a special meeting of the membership as soon thereafter as conveniently may be held.

Section 7 - Time and Place of Meeting

The Board of Directors may designate any time and place for any such meeting; provided, however, that the place of any such meeting shall not be more than five miles from Dove Hill. A waiver of notice signed by all members entitled to vote at a meeting may designate any place, either within or outside Colorado, as the place for any such meeting. If no designation is made, or if a special meeting shall be called otherwise than by the board, the meeting shall be held at the registered office of the Corporation in Colorado. Meeting times shall be set by the Board of Directors for the maximum convenience of the membership.

Section 8 - Notice of Meeting

Written notice stating the place, day and hour of the meeting, and in case of a special meeting, the purposes for which the meeting is called, shall be delivered not less than five nor more than fifty days before the date of the meeting, either personally, by posted placard at the entrances to Dove Hill

or by mail, by or at the direction of the President, or the Secretary, or the officer or persons calling the meeting, to each member of record entitled to vote at such meeting. If mailed, such notice shall be mailed not less than 10 days before the meeting and shall be deemed to be delivered when deposited in the United States mail addressed to each member at the member's last known address, with postage thereon prepaid.

Section 9 - Quorum

One-tenth (1/10) of the members of the corporation entitled to vote, represented in person or by proxy, shall constitute a quorum at a meeting of the membership. If less than one-tenth of such members are represented at a meeting, a majority of the members so represented may adjourn the meeting from time to time without further notice. At such adjourned meeting at which a quorum shall be present or represented, any business may be transacted which might have been transacted at the meeting as originally notified. The members present at a duly organized meeting may continue to transact business until adjournment, notwithstanding the withdrawal of enough members to leave less than a quorum. If a quorum is present, the affirmative vote of a majority of the members represented at the meeting and entitled to vote on the subject matter shall be the act of the membership, unless the vote of a greater number is required by law or the Articles of Incorporation.

Section 10- Proxies

At all meetings of the membership, a member may vote by proxy executed in writing by the member or his duly authorized attorney in fact. Such proxy shall be filed with the secretary of the Corporation before or at the time of the meeting. No proxy shall be valid after eleven months from the date of its execution, unless otherwise provided in the proxy.

Section 11 - Voting

Each member entitled to vote shall be entitled to one vote on each matter submitted to a vote at a meeting of the membership. In the election of directors each member entitled to vote at such election shall have the right to vote for as many persons as there are directors to be elected, and for whose election he or she has the right to vote. Cumulative voting shall not be allowed.

Section 12 - Informal Action by Members

Any action required to be taken at a meeting of the membership, or any other action which may be taken at a meeting of the membership, may be taken without a meeting if a consent in writing, setting forth the action so taken, shall be signed by all of the members entitled to vote with respect to the subject matter thereof. Such consent shall have the same force and effect as a unanimous vote of the members.

Section 13 - Mail Voting

The Board of Directors may decide that voting of the members shall be by mail with respect to any particular election of ~~managers~~ Directors or with respect to adoption of any proposed amendment to the Articles of Incorporation, or adoption of a proposed plan of merger, consolidation, or dissolution.

In case of election of ~~Managers~~ Directors by mail, the existing Board of ~~Managers~~ Directors shall nominate candidates and shall advise the Secretary in writing of the names of nominated Directors sufficient to constitute a full Board of Directors and of a date at least 50 days after such advice is given by which all votes are to be received. The Secretary, within five days after such advice is given, shall give written notice of the number of Directors to be elected and of the names of the nominees to all Members. The notice shall state that any such Member may nominate an additional candidate or candidates, not to exceed the number of Directors to be elected, by notice in writing to the Secretary at the specified address of the principal office of the corporation, to be received on or before a specified date 15 days from the date the notice is given by the Secretary. Within five days after such specified date the Secretary shall give written notice to all Members, stating the number of ~~Managers~~ Directors to be elected, stating the names of all persons nominated by the Board of Directors and by the members on or before said specified date, stating that each Member may cast a vote by mail and stating the date established by the Board of Directors by which such votes must be received by the Secretary at the address of the principal office of the corporation, which shall be specified in the notice. Votes received after that date shall not be effective. All persons elected as Directors pursuant to such an election by mail by receipt of the number of votes required by applicable law shall take office effective on the date specified in the notice for receipt of such votes.

In the case of a vote by mail relating to any proposed amendment to the Articles of Incorporation or adoption of a proposed plan of merger, consolidation, or dissolution, the Secretary shall give notice to all Members which notice shall include a proposed written resolution setting forth a description of the proposed action, and shall state that such persons are entitled to vote by mail for or against such proposal and stating a date not less than 20 days after the date such notice shall have been given on or before which all votes must be received and stating that they must be sent to the specified address of the principal office of the corporation. Votes received after that date shall not be effective. Any such proposal shall be adopted if approved by the affirmative vote of not less than sixty six and two-thirds (66 2/3%) of the votes entitled to be cast on such question.

ARTICLE III Board of Directors

Section 1 - General Powers

The property, business and affairs of the corporation shall be managed by its Board of Directors except as otherwise provided in the Articles of Incorporation.

Section 2 - Number, Tenure and Qualifications

There shall be four (or more) directors. The Board of Directors shall consist of president,

vice-president(s), secretary and treasurer. All of the directors shall hold office for a period of two years. The positions of president and second vice-president shall be voted upon in even-numbered years. The positions of first vice-president, secretary, and treasurer, shall be voted upon in odd-numbered years. At each annual meeting that number of directors whose terms expire as of that meeting shall be elected for a term of two years and thereafter until their successors shall be elected and have qualified. Directors shall be members of the corporation. Directors shall be removable in the manner provided by the statutes of Colorado.

Section 3- Vacancies

At least one month prior to each annual meeting, the Board of Directors shall appoint a nominating committee from among the voting membership, which committee shall propose a slate of nominees to replace the directors, whose terms expire at such annual meetings. Additional nominations may be made from the floor during such annual meeting by any member entitled to vote at that meeting. Any director may resign at any time by giving written notice to the president or to the secretary of the corporation. Such resignation shall take effect at the time specified therein, and unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective. Any vacancy occurring in the board of directors may be filled by the affirmative vote of a majority of the remaining directors though less than a quorum. A director elected to fill a vacancy shall be elected for a term expiring at the next annual meeting of the membership. Any directorship to be filled by reason of an increase in the number of directors shall be filled by an election at an annual meeting of the membership, and a director so chosen shall hold office for the term specified in Section 2 above.

Section 4 - Regular Meetings

A regular meeting of the board of directors shall be held. The board of directors may provide by resolution the time and place, within Colorado, for the holding of additional regular meetings without other notice than such resolution.

Section 5 - Special Meetings

Special meetings of the board of directors may be called by or at the request of the present or any two directors. The person or persons authorized to call special meetings of the board of directors may fix any place within Colorado as the place for holding any special meeting of the board of directors called by them.

Section 6 - Notice

Notice of any special meeting shall be given at least five days previously thereto by written notice delivered personally or mailed to each director at his address. If mailed, such notice shall be deemed to be delivered when deposited in the United States mail so addressed, with postage thereon prepaid. Any director may waive notice of any meeting. The attendance of a director at a meeting shall constitute a waiver of notice of such meeting, except where a director attends a meeting for the express

purpose of objecting to the transaction of any business because the meeting is not lawfully called or convened. Neither the business to be transacted at, nor the purpose of, any regular or special meeting of the board of directors need be specified in the notice or waiver of notice of such meeting

Section 7 - Quorum

A majority of the number of directors fixed by Section 2 shall constitute a quorum for the transaction of business at any meeting of the board of directors, but if less than such majority is present at a meeting, a majority of the directors present may adjourn the meeting from time to time without further notice.

Section 8 - Manner of Acting

The act of the majority of the directors present at a meeting at which a quorum is present shall be the act of the board of directors.

Section 9 - Presumption of Assent

A director of the corporation who is present at a meeting of the board of directors at which action on any corporate matter is taken shall be presumed to have assented to the action taken unless his or her dissent shall be entered in the minutes of the meeting or unless he or she shall file his or her written dissent to such action with the person acting as the secretary of the meeting before the adjournment thereof or shall forward such dissent by registered mail to the secretary of the corporation immediately after the adjournment of the meeting. Such right to dissent shall not apply to a director who voted in favor of such an action.

Section 10 - Executive Committee

The board of directors may at any time appoint an executive Committee, which shall consist of two or more directors. Such committee shall have such powers and duties as may be delegated to it by the board, and each member shall serve for that period determined by the board. The executive committee may be authorized and directed to exercise all of the powers and to perform all of the duties of the board of directors in the interim between meetings of the board of directors except as limited by law, provided that it shall take no action inconsistent with specific direction of the board. The committee shall keep regular minutes of its meetings reporting the same from time to time at the next succeeding meeting of the board of directors, regular or special. The designation and appointment of, and the delegation of authority to, any such committee shall not relieve the board of directors or any individual director of any responsibility imposed upon him or her by law.

Section 11 - Informal Action by Directors

Any action required or permitted to be taken at a meeting of the directors may be taken without a meeting of a consent in writing, setting forth the action so taken, shall be signed by all of the

directors entitled to vote with respect to the subject matter thereof. Such consent shall have the same force and effect as a unanimous vote of the directors.

ARTICLE IV Officers

Section 1 - General

The officers of the corporation shall be a president, one or more vice-presidents, a secretary and a treasurer, who shall be elected biannually by the voting membership at their regular annual meeting. The board of directors may also appoint such other officers, agents, and committees from among the membership, including assistant secretaries and assistant treasurers as may be deemed necessary, who shall be chosen in such manner and hold their offices for such terms and have such authority and duties as from time to time may be determined by the board of directors. One person may hold any two offices, except that no person may simultaneously hold the offices of president and secretary. In all cases where the duties of any officer, agent, committee or employee are not prescribed by the bylaws or by the board of directors, such officer, agent, committee or employee shall follow the orders and instruction of the president.

Section 2- Removal

Any officer may be removed by a majority vote of the board of directors with or without cause. Election or appointment of an officer shall not of itself create contract rights.

Section 3- Vacancies

A vacancy in any office because of death, resignation, removal, disqualification or otherwise, may be filled by the board of directors for the unexpired portion of the term.

Section 4. - President

The president shall, subject to the direction and supervision of the board of directors, be the chief executive officer of the corporation and shall have the general and active control of its affairs and business and general supervision of its officers, agents, committees and employees.

Section 5 - Vice-President

The vice-president shall assist the president and shall perform such duties as may be assigned to him or her by the president. In the absence of the president, the vice-president shall have the powers and perform the duties of the president.

Section 6 - Secretary

The secretary shall keep the minutes of all proceedings of the membership, of the board of directors and of the executive committee. He or she shall attend to the giving of notices to the membership and directors, and to other notices required by law or by these bylaws. **THE FOLLOWING SENTENCE WILL BE DELETED IF THE HOA ATTORNEY ADVISES THAT THE HOA DOES NOT NEED A SEAL)** He or she shall have custody of the seal of the corporation and shall affix such seal to deeds, contracts and other written instruments when authorized by the board of directors. He or she shall have charge of the minute book and such other books and papers as the board may direct and he or she shall perform all other duties normally incident to the office of secretary.

Section 7 - Treasurer

The treasurer shall be the principal financial officer of the corporation and shall have the care and custody of all funds, securities, evidences of indebtedness and other personal property of the corporation and shall deposit, invest and discharge the same in accordance with the instruction of the officers of the corporation. He or she shall receive and give receipts and acquittances for monies paid in on account of the corporation, and shall pay out of the funds on hand all bills, payrolls and other just debts of the corporation of whatever nature. He or she shall perform all other duties normally incident to the office of the treasurer, and upon request of the board, shall make such reports to it as may be required at any time. He or she shall, if required by the officers of the corporation, give the corporation a bond in such sums and with such sureties as shall be satisfactory to the officers, conditioned upon the faithful performance of his or her duties and for the restoration to the corporation in case of his or her death, resignation, retirement or removal from office of all books, papers, vouchers, money and other property of whatever kind in his possession or under his control belonging to the corporation. He or she shall have such other powers and perform such duties as may be from time to time prescribed by the president.

ARTICLE V

Books and Records

Section 1 - Account Books, Minutes, et cetera

The corporation shall keep correct and complete books and records of account and shall also keep minutes of the proceedings of its membership, officers and committees. All books and records of the corporation may be inspected by any member, or his or her agent or attorney, for any proper purpose at any reasonable time.

ARTICLE VI
Miscellaneous

Section 1 - Waivers of Notice

Whenever notice is required by law, by the articles of incorporation or by these bylaws, a waiver thereof in writing signed by the director or other person entitled to said notice, whether before, at or after the time stated therein, shall be equivalent to such notice.

Section 2 - Seal (THIS SECTION WILL BE DELETED IF THE HOA ATTORNEY DETERMINES BY LAW THAT THE HOA DOES NOT NEED A SEAL)

The corporate seal of the corporation shall be circular in form and shall contain the name of the corporation, the year of its organization and the words "Seal, Colorado."

Section 3 - Fiscal Year

The corporation's books of account shall be kept on the basis of the calendar year.

ARTICLE VII
Amendments

The membership of the corporation shall have power to make, amend and repeal the bylaws of the corporation at any annual meeting of the membership or at any special meeting called for that purpose, but such action shall require an affirmative vote of two-thirds of the voting membership present at such meeting.

ARTICLE VIII

Rules and Regulations

PARAGRAPHS 1 THROUGH 8 HAVE BEEN INCORPORATED INTO THE COVENANTS

- ~~1. Propane tanks are considered service equipment and should therefore be screened by planting or fencing to conceal them from view of neighboring lots, drives and roads.~~
- ~~2. Materials for fencing must be approved by the Architectural Control Committee.~~
- ~~3. Any garden, tool or supply shed must be of new construction.~~
- ~~4. Shooting in the community is allowed if the following conditions are met:
 - ~~a) Harmful projectiles may not leave the owner's property;~~
 - ~~b) Shooting must be done during daylight hours, and~~
 - ~~c) Any person shooting under the age of 18 must be under the supervision of a responsible adult.~~~~

- ~~5. No parking shall be allowed within the road right-of-way except for short term visitors. Any parking of visitors for longer than three days needs approval by the Committee.~~
- ~~6. There will be no inoperative vehicles or machinery left on a lot for more than 48 hours unless parked in a garage or other approved structure.~~
- ~~7. Owners of animals shall at all times, have immediate control of those animals, which includes nuisance barking, howling, screeching, etc.~~
- ~~8. All lots shall be mowed before July 15th of each year to prevent subsequent fire hazard.~~
9. 1. Article V, Section 13 of the Covenants provides time limits for completion of a dwelling and garage. For each calendar month after ground breaking that construction is not completed within the time permitted by the Covenants, there shall be a fine imposed on the Owner as follows:
 - a) During the first (3) months the fine shall be \$200.00 per month, and
 - b) For each month thereafter the fine shall be \$300.00 per month.
10. 2. Article II, Section 2 of the Bylaws and Article III, Section 3 of the Covenants state the requirements for Homeowner's dues/assessments/ fees. Failure of the Owner to pay as required will result in the following:
 - a) Charge (1%) one percent per month interest on the unpaid amount until paid in full and
 - b) Charge a \$20.00 handling fee for processing the charge.
 - c) Record the amount owed through a formal lien process if the failure to pay exceeds (90) ninety days from due date.
11. 3. Owners who are in violation of the Bylaws and/or Covenants will be given adequate time to correct the deficiencies. Adequate time is defined as (60) sixty to (90) ninety days (depending upon the violation and weather conditions) after initial notification to the Owner that a violation exists. If the violation is not corrected within the specified period, a notice of intent to fine will be sent by registered mail to the Owner not later than (10) ten days before the beginning date of the fine. Under extenuating circumstances, the Owner may request an extension from the Architectural and Environmental Committee. Assessment of a fine will be fifty (\$50.00) per violation plus ten (\$10.00) per month per violation for a period of six (6) months, after which the following action will be taken if the violation has not been corrected:
 - a) Record the assessment of a fine through a formal lien process and
 - b) Initiate legal action to adjudicate the situation in accordance with Article VII of the Covenants