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BYLAWS

OF

EDGEMONT RANCH UNIT 1

PROPERTY OWNERS ASSOCIATION

February 23rd, 2026

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BYLAWS of EDGEMONT RANCH UNIT 1 PROPERTY OWNERS ASSOCIATION

INTRODUCTION

These are the Bylaws of EDGEMONT RANCH UNIT 1 PROPERTY OWNERS ASSOCIATION. Capitalized terms are defined in the Declaration.

ARTICLE I NAME

The name of the corporation is EDGEMONT RANCH UNIT 1 PROPERTY OWNERS ASSOCIATION hereinafter referred to as the "Association" or "EPOA."

ARTICLE II BOARD OF DIRECTORS

Section 2.1. *Number and Qualification.* The affairs of the Association shall be governed by a Board of Directors which shall consist of five persons who shall be Owners or Owner's spouse. If any Lot is owned by a partnership, trust, limited liability company or corporation, any officer, partner, member, trustee, or employee (or the spouse of such officer, partner, member, trustee, or employee) of that Owner shall be eligible to serve as a Director and shall be deemed to be an Owner for the purposes of the preceding sentence. Directors shall be elected by the Owners.

Section 2.2. *Powers and Duties.* The Board of Directors may act in all instances on behalf of the Association, except as provided in the Declaration, these Bylaws or the Act. The Board of Directors shall have, subject to the limitations contained in the Declaration and the Act, the powers and duties necessary for the administration of the affairs of the Association, which shall include the powers and duties set forth in C.R.S. § 38-33.3-302(1), and in the Declaration and which shall specifically include:

- A. Maintain businesslike relations with Owners or occupants;
- B. Hire and terminate managing agents and other employees, agents, and independent contractors;
- C. Make contracts and incur liabilities;
- D. Adopt & amend budgets for revenue, expenditure and reserves.
- E. Regulate the use, maintenance, repair, replacement and modification of common elements.
- F. Cause additional improvements to be made as a part of the common elements;

- G. Impose charges for late payment of assessments, recover reasonable attorney fees and other legal costs for collection of assessments and other actions to enforce the power of the association, regardless of whether or not suit was initiated, and, after notice and an opportunity to be heard, levy reasonable fines for violations of the Declaration, Bylaws, and rules and regulations of the association;
- H. Impose reasonable charges for the preparation and recordation of amendments to the declaration or statements of unpaid assessments;
- I. Provide for the indemnification of its officers and executive board and maintain directors' and officers' liability insurance;
- J. Exercise any other powers conferred by the declaration or bylaws;
- K. Exercise all other powers that may be exercised in this state by legal entities of the same type as the Association; and
- L. Exercise any other powers necessary and proper for the governance and operation of the association.

Section 2.3. *Budget.* After adoption of any proposed budget for EPOA, the Board of Directors shall deliver by email, first-class mail or otherwise provide a summary of the budget to all the Owners and shall set a date for a meeting of the Owners to consider the budget. Such meeting shall occur within fourteen (14) days, but no more than forty-five (45) days after mailing or other delivery of the summary, or as allowed for in the Bylaws. The Board of Directors shall give notice to the Owners of the meeting as allowed for in the Bylaws.

- A. *Circumstances Requiring Owner Approval.* Whenever, in the judgment of the Board of Directors, Common Area, Open Space or Open Areas, if any, shall require additions, alterations, repairs or improvements costing in excess of \$30,000 said work shall not be made unless it has been approved by a majority of the members present and voting via email or ordinary mail ballot to Owners where a quorum is reached. When said approval has been obtained, all members shall be assessed for the cost thereof above and beyond that allocated from the reserved fund as a common charge. However, Common Area/Open Space fire mitigation shall be an exception from the \$30,000 limitation, but only when the net cost after outside reimbursements or grants does not exceed \$40,000. Additionally, work scheduled and paid for from Long-Term Reserves per the Long-Term Reserve study shall be excepted from the \$30,000 limitation.
- B. *Circumstances Where Owner Approval Not Required.*

At the annual budget meeting of the Association or at a special meeting of the Association called for such purpose, the Owners shall be afforded the opportunity to veto the budget of the projected revenues, expenditures and reserves for the Association's next fiscal year as proposed by the Board of Directors. Unless 25% of all Owners veto the proposed budget, the budget is ratified. In the event the proposed budget is rejected, the budget last ratified by the Owners continues until such time as the Owners do not veto a subsequent budget proposed by the Board of Directors as provided above.

Section 2.4. *Books and Records.* It shall be the duty of the Board of Directors to maintain the financial records and to cause to be kept a complete record of all its acts and corporate affairs of the Association in accordance with C.R.S. §38-33.3-317 of the Colorado Common Interest Ownership Act (the "Act").

Section 2.5. *Standard of Care.* In the performance of their duties the Officers and members of the Board of Directors are required to exercise ordinary and reasonable care.

Section 2.6. *Term of Office.* A term of office shall be four (4) years. Three Directors shall be elected every two years and the other Directors shall be elected two years into the term of the other three directors, resulting in staggered terms.

Section 2.7. *Election of Directors.* Election of Directors shall be by simple majority vote of the members via mail ballot, email ballot, those present at the annual meeting, or a combination of the preceding.

Section 2.8. The election of Directors shall be by ballot. Ballots shall be counted by a neutral third party or by a committee of volunteers. Such volunteers shall be Owners who are selected or appointed at an open meeting, in a fair manner, by the President or another person presiding during that portion of the meeting. The volunteers shall not be Board members and, in the case of a contested election for a Board position, shall not be candidates. The neutral party shall decide upon the qualifications of the voters and shall report the number of Owners represented at the meeting and titled to vote on such question, shall conduct and accept the votes, and, when the voting is completed, shall ascertain and report the number of votes respectively for and against the question. Reports of the neutral party shall be in writing, signed and delivered by him or her to the Secretary of the meeting.

Section 2.9. *Removal of Directors.* Directors may be removed in accordance with C.R.S. §7-128-108. A Director elected by voting members may be removed, with or without cause, by the Owners at a meeting called for the purpose of removing that director, and the meeting notice shall state that the purpose, or one of the purposes, of the meeting is removal of the Director. At any such meeting of the Owners at which a quorum is present, removal will occur with a two-thirds vote of all Owners present and entitled to vote.

Section 2.10. *Vacancies*. In the event of death, resignation or removal of a Director, a successor to serve for such unexpired term shall be selected by a majority vote of the remaining Directors of the Board of Directors. If there should be no such remaining Directors of the Board, then any Owner of the Association may call for an immediate election at a special meeting otherwise in accordance with these Bylaws.

Section 2.11. *Regular Meetings*. Regular meetings of the Board of Directors may be held at such time and place as shall be determined from time to time by a majority of the members of the Board of Directors, but at least two meetings shall be held each year. Notice of regular meetings of the Board of Directors shall be posted on the Association's website.

Section 2.12. *Special Meetings*. Special meetings of the Board of Directors may be called by the President or a majority of the Directors on at least three business days' notice to each Director. The notice shall be e-mailed or mailed and shall state the time, place and purpose of the meeting. Any member of the Board of Directors may, at any time, waive notice of any meeting of the Board of Directors in writing and such waiver shall be deemed equivalent to the giving of notice. Actual attendance by members of the Board of Directors at any meeting of the Board of Directors shall constitute a waiver of notice by him of the time and place thereof.

Section 2.13. *Action Without Meeting*. The Board of Directors may take action without a meeting by obtaining the written approval of all of the Directors or written confirmation of an action taken by telephone, email, or other form of electronic communication. A printed copy of electronic text communication shall be considered written confirmation as required herein. Any action taken without a meeting shall be effective immediately upon the receipt by the Secretary of said written approval or written confirmation.

Section 2.14. *Telephone Communication in Lieu of Attendance*. A Director may attend a meeting of the Board of Directors by using any means of communication by which all Directors participating may hear each other during the meeting. A Director participating in a meeting by this means is deemed to be present in person at the meeting.

Section 2.15. *Quorum of Directors*. At all meetings of the Board of Directors, a majority of the Directors shall constitute a quorum for the transaction of business, and the votes of a majority of the Directors present at a meeting at which a quorum is present shall constitute a decision of the Board of Directors. If, at any meeting at which there shall be less than a quorum present, a majority of those present may adjourn the meeting. At any adjourned meeting at which a quorum is present, any business which might have been transacted at the meeting originally called may be transacted without further notice.

Section 2.16. *Compensation*. No member of the Board of Directors shall receive any compensation for acting as Director. However, Directors may receive reimbursement for

necessary expenses actually incurred in connection with the Director's duties. Directors acting as employees may be compensated for those duties.

Section 2.17. *Non-Waiver.* All the rights, duties and privileges of the Board of Directors shall be deemed to be continuing and shall not be exhausted by a single act or series of acts. To the same extent, the failure to use or employ any remedy or right hereunder or hereafter granted shall not preclude its exercise in the future nor shall any custom bind the Board of Directors.

ARTICLE III OWNERS

Section 3.1. *Annual Meeting.* Annual meetings of Owners shall be held the third Saturday in July or at such other date as set forth in the notice at a suitable place convenient to the Owners, as may be designated by the Board of Directors or the President. At these meetings, the Directors shall be elected by ballot of the Owners in accordance with the provisions of Article II of the Bylaws. The Owners may transact other business as may properly come before them at these meetings.

Section 3.2. *Special Meetings.* Special meetings of the Owners may be called by the President, whenever he/she deems such a meeting advisable. A special meeting shall be called by the Secretary when so ordered by the majority of the members of the Board of Directors or upon written request of Owners comprising no less than twenty percent (20%) of the votes in the Association. A request by the Owners shall state the purpose or purposes of such meeting and the matter proposed to be acted upon at the special meeting. The Secretary shall give notice stating the purpose or purposes of the meeting to all members entitled to vote at such meeting. No special meeting need be called upon the request of Owners entitled to cast less than fifty percent (50%) of the votes of the Association to consider any matter which is substantially the same matter (as determined by the sole discretion of the Board of Directors) voted upon at any meeting of the members held during the preceding twelve (12) months.

Section 3.3. *Notice of Meetings of the Owners.* The Secretary or other Officer specified in the Bylaws shall cause notice to be e-mailed or sent prepaid by United States mail to the mailing address of each Lot or to the mailing address designated in writing by the Owner, not less than fourteen (14) nor more than forty-five (45) days in advance of a meeting, in addition to posting the notice on the Association's website and posting a copy of the notice in a conspicuous place. The notice of the meeting must state the time and place of the meeting and the items on the agenda, including the general nature of any proposed amendment to the Declaration or Bylaws, any budget changes, and any proposal to remove an Officer. No action shall be adopted at a meeting except as stated in the notice.

Section 3.4. *Waiver of Notice.* Any Owner may, at any time, waive notice of any meeting of the Owners in writing, and the waiver shall be deemed equivalent to the receipt of notice.

Section 3.5. *Order of Business.* The order of business at all meetings of the Owners shall be as follows:

- A. Roll call (or check-in procedure);
- B. Proof of notice of meeting;
- C. Approval of minutes of preceding meeting;
- D. Reports
 - Officers' reports
 - Committee reports
- E. Election of Directors of the Board of Directors (when required);
- F. Review of budget;
- G. Unfinished business, and
- H. New business.

Section 3.6. *Voting.*

- A. Each Lot, condominium or townhouse, in the Edgemont Ranch Unit 1 shall be entitled to one (1) vote in the EPOA. Each Multi-Family Lot developed into apartments shall be entitled to one (1) vote per 4 apartments. Undeveloped Multi-Family Lots shall be entitled to one (1) vote per Lot. If title to a Lot, condominium or townhouse is owned by more than one (1) Person, such persons shall collectively vote their interest as a single vote. If only one of the multiple owners of a Lot, condominium or townhouse is present at an EPOA meeting, such owner is entitled to cast the vote allocated to that Lot, condominium or townhouse. If more than one of the multiple owners is present, the vote allocated to that Lot, condominium or townhouse may be cast only in accordance with the agreement of a majority in interest of the owners. There is a majority agreement if any of the multiple owners casts the vote allocated to that Lot, condominium or townhouse without protest being made promptly to the person presiding over the meeting by any of the other owners of the Lot, condominium or townhouse. In the event of a protest being made by one or more multiple owners, and a majority of the multiple owners of the Lot, condominium or townhouse cannot agree on how to cast their vote, any vote cast for that Lot, condominium or townhouse shall be null and void with regard to the issue being voted upon. Such multiple owners and their Lot, condominium or townhouse shall nevertheless be counted in determining the presence of a quorum with respect to the issue being voted upon.
- B. A vote allocated to a Lot may be cast under a signed proxy duly executed by an Owner. If a Lot is owned by more than one person, each owner of the Lot may vote or register protest to the casting of votes by the other owners of the Lot

through a duly executed proxy. An Owner may revoke a proxy given under this section only by actual notice of revocation to the person presiding over a meeting of the Association. A proxy is void if it is not dated or purports to be revocable without notice. A proxy terminates eleven (11) months after its date, unless it specifies a shorter term.

- C. The vote of a corporation, limited liability company or trust may be cast by any officer, member or trustee of that corporation, Limited Liability Company (LLC) or trust in the absence of express notice of the designation of a specific person by the Board of Directors or bylaws of the owning corporation or trust. The vote of a partnership may be cast by any general partner of the owning partnership. The moderator of the meeting may require reasonable evidence that a person voting on behalf of a corporation, limited liability company or trust owner is qualified to vote.
- D. Cumulative voting shall not be permitted.
- E. At the discretion of the Board or upon the request of twenty percent of the unit owners who are present at the meeting or represented by proxy, if a quorum has been achieved, a vote on any matter affecting the common interest community on which all unit owners are entitled to vote shall be by secret ballot. The results of a vote taken by secret ballot shall be reported without reference to the names, addresses, or other identifying information of unit owners participating in such vote.
- F. Unless demanded by at least twenty percent (20%) of the Owners present in person or by signed proxy at such meeting and entitled to vote there at, or determined by the President to be advisable, the vote on any other question need not be by ballot.

Section 3.7. *Quorum.* At each meeting of the Owners, twenty-five percent (25%) of the Owners entitled to vote, whether present in person or represented by proxy, shall constitute a quorum at that meeting. In the absence of a quorum, the Owners present in person or represented by proxy and entitled to vote, by a majority vote, may adjourn the meeting from time to time, until a quorum shall be present or represented. At any Owner meeting re-called to order subsequent to such an adjournment at which a quorum is present, any business may be transacted which might have been transacted at the meeting originally called.

Section 3.8. *Majority Vote.* The vote of a majority of the Owners present in person or by proxy at a meeting at which a quorum shall be present shall be binding upon all Owners for all purposes except where a higher percentage vote is required in the Declaration, Bylaws or by law.

ARTICLE IV OFFICERS

Section 4.1. *Designation.* The principal Officers of the Association shall be the President, the Vice President, the Secretary and the Treasurer, all of whom shall be elected by the Board of Directors. The Board of Directors may appoint an Assistant Treasurer, an Assistant Secretary and other Officers as it finds necessary. The President and Vice President, but no other Officers, need to be Directors. Any two (2) offices may be held by the same person, except the combination of offices of President and Vice President, and President and Secretary, and President and Treasurer. Nothing herein shall prohibit a Director from being an Officer.

Section 4.2. *Election of Officers.* The Officers of the Association shall be elected annually by the Board of Directors at the first meeting of the Board of Directors held following the election of Directors. They shall hold office at the pleasure of the Board of Directors. In the absence of such annual election, those Officers continuing to serve on the Board of Directors following the election of Directors shall continue serving in such capacity until new Officers are elected.

Section 4.3. *Removal of Officers.* Upon the affirmative vote of a two-thirds (2/3) majority of the Directors, any Officer may be removed, either with or without cause. A successor may be elected at any regular meeting of the Board of Directors or at any special meeting of the Board of Directors called for that purpose.

Section 4.4. *President.* The President shall be the chief executive Officer of the Association. The President shall preside at all meetings of the Owners and of the Board of Directors. The President shall have all of the general powers and duties which are incident to the office of President of a non-stock corporation organized under the laws of the State of Colorado, including but not limited to the power to appoint committees from among Owners from time to time as the President may decide is appropriate to assist in the conduct of the affairs of the Association. At a meeting of the Board of Directors, the President may fulfill the role of Treasurer in the absence of the Treasurer. The President may cause to be prepared and may execute amendments, attested to by the Secretary, to the Declaration and these Bylaws on behalf of the Association, following authorization or approval of the particular amendment as applicable.

Section 4.5. *Vice President.* The Vice President shall take the place of the President and perform the President's duties whenever the President is absent or unable to act. If neither the President nor Vice President is able to act, the Board of Directors shall appoint some other Director to act in the place of the President on an interim basis. The Vice President shall also perform other duties imposed by the Board of Directors or by the President.

Section 4.6. *Secretary.* The Secretary shall keep the minutes of all meetings of the Owners and the Board of Directors. The Secretary shall have charge of the Association's

books and papers as the Board of Directors may direct and shall perform all the duties incident to the office of Secretary of a non-stock corporation organized under the laws of the State of Colorado. The Secretary may cause to be prepared and may attest to the execution by the President of amendments to the Declaration and the Bylaws on behalf of the Association, following authorization or approval of the particular amendment as applicable.

Section 4.7. *Treasurer.* The Treasurer shall be responsible for Association funds and securities, for keeping full and accurate financial records and books of account showing all receipts and disbursements and for the preparation of all required financial data. This Officer shall be responsible for the deposit of all monies and other valuable effects in depositories designated by the Board of Directors and shall perform all the duties incident to the office of Treasurer of a non-stock corporation organized under the laws of the State of Colorado. The Treasurer may endorse on behalf of the Association, for collection only, checks, notes and other obligations and shall deposit the same and all monies in the name of and to the credit of the Association in banks designated by the Board of Directors. All routine and everyday accounting duties may be delegated to a management company or other designated professional upon a majority vote by the Board of Directors. Except for reserve funds described below, the Treasurer may have custody of and shall have the power to endorse for transfer, on behalf of the Association, stock, securities or other investment instruments owned or controlled by the Association or as fiduciary for others. Reserve funds of the Association shall be deposited in segregated accounts and invested in accordance with the policy adopted by the Board of Directors. Funds may be withdrawn from these reserves for the purposes for which they were deposited, by check or order, authorized by the Treasurer, and executed by two Directors, one of whom may be the Treasurer if the Treasurer is also a Director.

Section 4.8. *Agreements, Contracts, Deeds, Checks, etc.* Except as provided in Sections 4.4, 4.6, 4.7, and 4.10 of these Bylaws, all agreements, contracts, deeds, leases, checks and other instruments of the Association shall be executed by two (2) Officers of the Association or by any other two (2) persons designated by the Board of Directors.

Section 4.9. *Compensation.* The President and Vice President shall not receive any compensation for their services except reimbursement for necessary expenses actually incurred in connection with Association duties. The Secretary and Treasurer may be compensated for their services if the Board of Directors determines that such compensation is appropriate. Compensation, if any, shall be in an amount proposed by the Board of Directors and approved by the majority of Owners present or represented by proxy at a meeting of the Owners.

Section 4.10. *Statements of Unpaid Assessments.* The Treasurer, Assistant Treasurer, a manager employed by the Association or, in their absence, any Officer having access to the books and records of the Association may prepare, certify, and execute statements of unpaid assessments. The Association may charge a reasonable fee for preparing

statements of unpaid assessments. The amount of this fee and the time of payment shall be established by resolution of the Board of Directors. In accordance with C.R.S. §38-33.3-316, the Association shall furnish to an Owner or such Owner's designee or to a holder of a security interest or its designee upon written request, delivered personally or by certified mail, first-class postage prepaid, return receipt, to the Association's registered agent, a written statement setting forth the amount of unpaid assessments currently levied against such owner's unit. The statement shall be furnished within fourteen calendar days after receipt of the request and is binding on the association, the Board, and every Owner. If no statement is furnished to the Owner or holder of a security interest or to his or her designee, delivered personally or by certified mail, first-class postage prepaid, return receipt requested, to the inquiring party, then the Association shall have no right to assert a lien upon the unit for unpaid assessments which were due as of the date of the request.

Section 4.11. *Other Duties and Powers.* The Officers shall have such other duties, powers, and responsibilities as shall, from time to time, be authorized by the Board of Directors.

ARTICLE V MISCELLANEOUS

Section 5.1. *Notices.* All notices for the Association or the Board of Directors shall be delivered to the office of the Association, or to such other address as the Board of Directors may designate by written notice to all Owners and to all holders of Security Interests in the Lots who have notified the Association that they hold a Security Interest in a Lot. Except as otherwise provided, all notices to any Owner shall be sent to the Owner's address as it appears in the records of the Association. All notices to holders of Security Interests shall be sent by registered or certified mail to their respective addresses, as designated by them in writing to the Association. All notices shall be deemed to have been given when mailed, except notices of changes of address, which shall be deemed to have been given when received.

Section 5.2. *Fiscal Year.* The Board of Directors shall establish the fiscal year of the Association, or if no fiscal year is established by the Board of Directors, the fiscal year shall be the calendar year.

Section 5.3. *Waiver.* No restriction, condition, obligation or provision contained in these Bylaws shall be deemed to have been abrogated or waived by reason of any failure to enforce the same, irrespective of the number of violations or breaches which may occur.

Section 5.4. *Office.* The principal office of the Association shall be at EPOA, In care of AREM, 1201 Main Avenue W, Suite 103, Durango, Colorado 81301:or at such other place as the Board of Directors may from time to time designate.

Section 5.5. *Invalidity.* The invalidity of any part of these Bylaws shall not impair or affect in any manner the enforceability or affect the balance of these Bylaws.

Section 5.6. *Amendments.* These Bylaws, or any one of them, may be altered or repealed, or new Bylaws may be made, at any meeting of the Association duly constituted for such purpose, a quorum being present, by the affirmative vote of seventy-five percent (75%) of the votes entitled to be cast in person or by proxy.

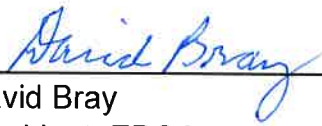
Section 5.7. *Exculpability of the Board and Officers.* Neither the Board as a body nor any member thereof nor any Officer of the Association shall be personally liable to any Owner in respect for any action or lack of action arising out of the execution of his office. Each Owner shall be bound by good faith actions of the Board and Officers of the Association in the execution of the duties of said Directors and Officers. Unless acting in bad faith, no Director or Officer of the Association shall be liable to any Owner or other person for misfeasance or malfeasance in office.

Section 5.8. *Conflict.* Anything to the contrary herein notwithstanding, if any provision of this instrument is in conflict with or contradiction of the requirements of any law, then the requirements of said law shall be deemed controlling.

Dated this February 23rd, 2026.

ATTEST:

Certified to be the Bylaws adopted by the consent of the Directors of Edgemont Ranch Unit 1 Property Owners Association as approved by the affirmative vote of seventy-five percent (75%) of the votes entitled to be cast in person or by proxy at the meeting called to Order for the purpose of adopting said Bylaws on the February 23rd, 2026.



David Bray
President, EPOA



Nora Montgomery
Secretary, EPOA