

**BY-LAWS
OF
SUMMIT MEADOWS WEST HOMEOWNERS' ASSOCIATION, INC.**

Article I

NAME AND LOCATION. The name of the corporation is Summit Meadows West Homeowners' Association, Inc., a Colorado non-profit corporation, hereinafter referred to as the "Association". Meetings of members may be held at such places within the State of Colorado, County of Mesa, as may be designated by the Board members.

Article II

Section 1. "Association" shall mean and refer to Summit Meadows Homeowners' Association, Inc., its successors and assigns.

Section 2. "Properties" shall mean and refer to that certain real property described in the Declaration of Covenants, Conditions and Restrictions for Summit Meadows West, and such additions thereto as may hereafter be brought within the jurisdiction of the association.

Section 3. "Common Area" shall mean all real property owned or leased by the Association for the common use and enjoyment of the Owners. Common Area shall also include any interest which the Association may acquire in any lands, any easements granted to the Association and all installations, including irrigation facilities and personalty, existing for the common use of Association members.

Section 4. "Lot" shall mean and refer to each numbered Lot shown upon any recorded subdivision map of the Properties, with the exception of the Common Area.

Section 5. "Owner" shall mean and refer to the record owners, whether one or more persons or entities, of the fee simple title to any Lot which is a part of the Properties, including contract sellers, but excluding those having such interest merely as security for the performance of an obligation.

Section 6. "Declaration" shall mean and refer to the Declaration of Covenants, Conditions and Restrictions applicable to the Properties recorded in the office of Mesa County Clerk, including any amendments thereto.

Section 7. "Member" shall mean and refer to those persons entitled to membership as provided in the Declaration.

Section 8. "Architectural Control Committee" shall mean the committee appointed by the Board for the control of architectural styles and construction within the Properties.

Article 111

MEETING OF MEMBERS

Section 1. Annual Meeting. Annual Meetings of the members shall be held during the month of February on a date and at a time set by the Board of the Association.

Section 2. Special Meetings. Special meetings of the members may be called at any time by the President or by the Board upon written request of the members who are entitled to vote one-fifth (1/5) of all of the votes of the members.

Section 3. Notice of Meetings. Written or electronic notice of each meeting of the members shall be given by, or at the direction of, the Board or the Board's designee, by mailing or electronically mailing a copy of such notice at least 15 days before such meeting to each member entitled to vote on the date of such mailing, addressed to the member's address last appearing on the books of the Association or supplied by such member to the Association for the purpose of notice. Such notice shall specify the place, day and hour of the meeting, and in the case of a special meeting, the purpose of the meeting.

Section 4. Quorum. The presence at the meeting of members entitled to cast, or of proxies entitled to cast, one-fifth (1/5) of all of the votes of the members shall constitute a quorum for any action except as otherwise provided in the Articles of Incorporation, the Declaration, or these By-Laws. If, however, such quorum shall not be present or represented at any meeting, the members entitled to vote there at shall have power to adjourn the meeting from time to time, without notice other than announcement at the meeting, until a proper quorum is present or represented.

Section 5. Proxies. At all meetings of members, each member, in good standing, may vote in person or by proxy. All proxies shall be in writing and filed with the Board. Every proxy shall be revocable and shall automatically terminate upon conveyance by the member of his or her Lot.

ARTICLE 1V

BOARD: SELECTION: TERM OF OFFICE

Section 1. Number. The affairs of this Association shall be managed by a Board of at least three people, who need not be members of the Association.

Section 2. Term of Office. At each annual meeting the members shall elect at least three people for a term of one year.

Section 3. Removal. Any Board member may be removed from the Board, with or without cause, by a majority vote of the members of the Association. In the event of death, resignation or removal of a Board member, his or her successor shall be selected by the remaining members of the Board and shall serve for the unexpired term of his or her predecessor.

Section 4. Compensation. Board members may receive compensation for serving as a member of the Board for actual expenses incurred in the performance of their duties.

Section 5. Action Taken Without a Meeting. Each Board member shall have the right to take any action in the absence of a meeting which they could take at a meeting by obtaining the approval of the entire Board. Any action so approved shall have the same effect as though taken at the annual meeting of the members.

ARTICLE V

NOMINATION AND ELECTION OF THE BOARD

Section 1. Nomination. Nomination for election to the Board shall be made by another voting member, who is in good standing. There shall be as many nominations for election as it shall in its discretion determine.

Section 2. Election. Election to the Board shall be by secret written ballot, unless a majority of the quorum of members elect to vote by open vote. At such election the members, in good standing, or their proxies may cast one vote for each Lot for each vacancy to be filled. The persons receiving the largest number of votes shall be elected. Cumulative voting is not permitted.

ARTICLE VI

MEETINGS OF THE BOARD

Section 1. Regular Meetings. Regular meetings of the Board shall be held without notice, as such place and hour as may be fixed from time to time by resolution of the Board.

Section 2. Special Meetings. Special meetings of the Board shall be held when called by the President of the Association, or by any two Board members, after not less than three (3) days' notice to each Board member.

Section 3. Quorum. Fifty percent of the number of Board members present in person, by telephone or electronic devise shall constitute a quorum for the transaction of business. Every act or decision done or made by a majority of the Board present in person, by telephone, or by electronic devise at a duly held meeting at which a quorum is present shall be regarded as the act of the Board.

ARTICLE VII

POWERS AND DUTIES OF THE BOARD

Section 1. Powers. The Board shall have power to:

(a) adopt and publish rules and regulations governing the use of the Common Area and facilities, and the personal conduct of the members and their guest thereon, and to establish penalties for the infraction thereof;

(b) suspend the voting rights of a member during any period in which such member shall be in default in the payment of any assessment levied by the Association;

(c) exercise for the Association all powers, duties and authority vest in or delegated to this Association and not reserved to the membership by other provisions of these By-laws, the Articles of Incorporation or the Declaration;

(d) declare the office of a member of the Board to be vacant in the event such member shall be absent from three (3) consecutive regular meetings of the Board;

(e) employ a manager or such other employees or independent contractors as they deem necessary and to prescribe their duties;

(f) control and manage the irrigation water for the properties by establishing watering schedules;

Section 2. Duties. It shall be the duty of the Board to:

(a) cause to be kept a complete record of all its acts and corporate affairs and to present a statement thereof to the members at the annual meeting of the members or at any special meeting when such statement is requested in writing by one-fifth (1/5) of the members who are entitled to vote;

(b) supervise all officers, agents and employees of this Association, and to see that their duties are properly performed as more fully provided in the Declaration, to:

(1) fix the amount of the annual assessment against each Lot at least thirty (30) days in advance of each annual assessment period;

(2) send written notice of each assessment to every Owner subject thereto at least thirty (30) days in advance of each annual assessment period; and

(3) foreclose the lien against any property for which assessments are not paid within thirty (30) days in advance of each annual assessment period; and

(c) issue, or to cause an appropriate person to issue, upon demand by any person, a certificate setting forth whether or not any assessment has been paid. A reasonable charge may be made by the Board for the issuance of these certificates. If a certificate states an assessment has been paid, such certificate shall be conclusive evidence of such payment;

(d) procure and maintain adequate liability and hazard insurance on property owned by the Association;

(e) cause all officers or employees having fiscal responsibilities to be bonded, as it may deem appropriate;

(f) cause the Common Area to be maintained.

ARTICLE VIII

OFFICERS AND THEIR DUTIES

Section 1. Enumeration of Offices. The officers of this Association shall be a president, a vice president, a secretary and/or treasurer, and such other officers as the Board may from time to time by resolution create.

Section 2. Election of Officers. The election of officers shall take place at the annual meeting.

Section 3. Term. The officers of this Association shall be elected annually and hold office for one (1) year unless he or she shall sooner resign, or shall be removed, or otherwise be disqualified to serve.

Section 4. Special Appointments. The Board may elect such other officers as the affairs of the Association may require each of who shall hold office for a period not to exceed one year, and who shall have such authority, and perform such duties as the Board may, from time to time, determine.

Section 5. Resignation and Removal. Any officer may be removed from office with or without cause by the Board. Any officer may resign at any time by giving written notice to the Board, the president or the secretary. Such resignation shall take effect on the date of receipt of such notice or any later time specified therein, and unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective.

Section 6. Vacancies. A vacancy in any office may be filled by appointment by the Board. The officer appointed to such vacancy shall serve for the remainder of the term of the officer he or she replaces.

Section 7. Multiple Offices. The offices of secretary and/or treasurer may be held by the same person. No person shall simultaneously hold more than one of any of the other offices except in the case of special offices created pursuant to Section 4 of this Article.

Section 8. Duties. The duties of the officers are as follows:

President

(a) The president shall preside at all meetings of the Board; shall see that orders and resolutions of the Board are carried out, shall sign all leases, mortgages, deeds and other written instruments and shall co-sign all checks and promissory notes; and shall be in charge of the day-to-day affairs of the Association. Additionally, the president may prepare, execute, certify and record any amendments to the Declaration on behalf of the Association.

Vice-President

(b) The vice-president shall act in the place and stead of the president in the event of his or her absence, inability or refusal to act, and shall exercise and discharge such other duties as may be required of him or her by the Board.

Secretary

(c) The secretary shall record the votes and keep the minutes of all meetings and proceedings of the Board and of the members; keep the corporate seal of the Association and affix it on all papers requiring said seal; serve notice of meetings of the

Board and of the members; keep appropriate current records showing the members of the Association together with their addresses, and shall perform such other duties as required by the Board.

Treasurer

(d) The treasure shall receive and deposit in appropriate bank accounts all monies of the Association and shall disburse such funds as directed by resolution of the Board; shall co-sign with the president all checks and promissory notes of the Association; keep proper books of account; and shall prepare an annual budget and a statement of income and expenditures to be present to the membership at its regular annual meeting.

ARTICLE IX COMMITTEES

The Association shall appoint an Architectural Control Committee, as provided in the Declaration. In addition, the Board shall appoint other committees as deemed appropriate in carrying out its purpose.

ARTICLE X BOOKS AND REORDS

The books, records and papers of the Association shall at all times, during reasonable business hours, be subject to inspection by any member, subject to the provisions of Colorado Revised Statutes, Section 7-136-102. The Declaration, the Articles of the Incorporation and the By-Laws of the Association shall be available for inspection by any member at the principal office of the Association, where copies may be purchased at reasonable cost.

ARTICLE XI

ASSESSMENTS

As more fully provided in the Declaration, each member is obligated to pay to the Association annual and special assessments which are secured by a continuing lien upon the property against which the assessment is made. Any assessments which are not paid when due shall be delinquent. If the assessment is not paid within thirty (30) days after the due date, the assessment shall bear interest from the date of delinquency at the rate of 21 percent per annum, and the Association may bring an action at law against the Owner personally obligated to pay the same or foreclose the lien against the property. The Association may add as an additional charge all interest, cost and reasonable attorney's fees incurred in collecting any amounts owed. No Owner may waiver or otherwise escape liability for the assessments provided for herein by non-use of the Common Area or abandonment of his or her Lot. The record owners of any Lot are personally liable for all maintenance charges owned or assumed during such time of ownership.

ARTICAL XII

CORPORATE SEAL

The Association shall have a seal in circular form having within its circumference the words: Summit Meadows West Homeowners' Association, Inc.

**ARTICLE XIII
AMENDMENTS**

Section 1. These By-Laws may be amended, at a regular or special meeting of the members, by a vote of a majority of a quorum of members present in person or by proxy.

Section 2. In the case of any conflict between the Articles of Incorporation and these By-Laws, the Articles shall control; and in the case of any conflict between the Declaration and these By-Laws, the Declaration shall control.

ARTICLE XIV

MISCELLANEOUS

The fiscal year of the Association shall begin on April 1st and end on the 30th day of March of every year.

IN WITNESS WHEREOF, we, being all of the members of Board of Summit Meadows West Homeowners' Association, Inc. have hereunto set our hands effective this 18th day of May, 2014.

CERTIFICATION

I, the undersigned, do hereby certify:

That I am the duly elected and acting secretary of the Summit Meadows West Homeowners' Association, Inc., a Colorado corporation, and,

That the foregoing By-Laws constitute the By-Laws of said Association, as duly adopted at a meeting of the Board thereof, held on the 18th day of May, 2014.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed the seal of said Association this 18th day of May, 2014.

CERTIFICATION

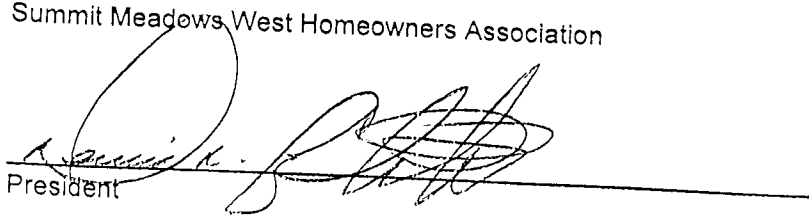
I, the undersigned, do hereby certify:

That I am the duly elected and acting president of the Summit Meadows West Homeowner's Association, Inc., A Colorado Non-Profit Corporations and,

That the foregoing By-Laws constitute the By-Laws of said Association, as duly adopted at a meeting of the Board thereof, held on the 18th day of May 2014.

IN WITNESS WHEREOF, I have hereunto subscribed my name of said Association this 29th day of March, 2023.

Summit Meadows West Homeowners Association



President