

**RESOLUTION OF THE RASPBERRY MOUNTAIN RANCH PROPERTY OWNERS' ASSOCIATION, INC.****COLLECTION OF UNPAID ASSESSMENTS**

**The Board of Directors of the Raspberry Mountain Ranch Property Owners' Association, Inc. (herein after known as the "Association") adopted the following Policies and Procedures pursuant to Colorado Revised Statute (C.R.S.) 38-33.3-209.5 and 317.**

**AUTHORITY:** In case of any conflict between the Articles of Incorporation, the Declaration of Covenants, Conditions and Restrictions and the Bylaws, and these listed "Policies and Procedures"; such provisions of the Articles, Declaration and Bylaws shall take precedence and supersede any provisions of these "Policies and Procedures".

In the event a Court of competent jurisdiction finds a provision of any of these Policies and Procedures void or otherwise unenforceable, the other provisions shall remain in full effect.

**EFFECTIVE DATE:** \_\_\_\_\_

1/1/2012

**RESOLUTION:** Adoption of a policy and procedure to be followed regarding collection of unpaid assessments:

1. A Member who fails to pay any assessment or other amount owed to the Association, within thirty (30) days after written notice of such failure to pay is delivered to such Member, shall be automatically suspended from membership until all such dues and assessments are fully paid, at which time such Member shall be automatically reinstated. During any period of suspension, a Member shall not be entitled to exercise the rights and privileges of membership, including without limitation, the right to vote.
2. Any Assessments which are not paid when due shall be delinquent. Delinquent assessments shall bear interest from thirty (30) days following the date of delinquency at the rate of 18% per annum. The Association may assess a monthly late charge of \$50.
3. The Association may bring an action at law against the Owner personally obligated to pay the same, and/or foreclose the lien against such Owner's Tract. In the event a judgment is obtained, such judgment shall include late charges and interest on the assessment and reasonable attorneys' fees, together with the expenses and costs of the action. The Board may enforce such lien by filing with the Clerk and Recorder of Huerfano County a statement of lien with respect to the Tract, setting forth the name of the Owner, the legal description of the Tract and the Owner's interest therein, the name of the Association and the amount of delinquent assessments then owing. The lien statement shall be duly signed and acknowledged by an officer of the Association and notice thereof shall be sent by US mail, return receipt requested, to the Owner of the Tract at the address of the Tract or at such other address as the Association may have in its records for the Owner of the property. Such a claim of lien shall also secure all



assessments, charges, fees, and sums which come due thereafter until the lien, together with all costs, attorney fees, charges and interest have been fully paid or otherwise satisfied.

**PRESIDENT'S CERTIFICATION:** The undersigned, being the President of Raspberry Mountain Ranch Property Owners' Association, Inc., a Colorado nonprofit corporation, certifies that the foregoing Resolution was adopted by the Board of Directors of the Association at a duly called and held meeting of the Board of Directors, and after a 30 day review by the authorized voting membership.

In witness thereof, the undersigned has subscribed his/her name.

**RASPBERRY MOUNTAIN RANCH PROPERTY OWNERS' ASSOCIATION, INC.**  
A Colorado nonprofit corporation

By: J. Hanley  
President

On the 23RD day of July in the year 2011.