

MacARTHUR PARK HOMEOWNERS' ASSOCIATION, INC.
RECORDS INSPECTION POLICY

Effective Date: 1-1-06

In compliance with the Colorado Common Interest Ownership Act, the Board of Directors desires to adopt a uniform and systematic records inspection policy.

The Association hereby adopts the following policies and procedures for records inspection:

1. The Association shall maintain, at a minimum, the following records:
 - (a) financial records sufficiently detailed to enable the Association to provide statements of unpaid assessments in accordance with the Colorado Common Interest Ownership Act;
 - (b) minutes of Membership meetings, minutes of Board meetings, a record of all actions taken by the Members or Board by written ballot or written consent in lieu of a meeting, a record of all actions taken by a committee of the Board in place of the Board on behalf of the Association, and a record of all waivers of notices of meetings of Members and of the Board or any committee of the Board;
 - (c) a record of Members in a form that permits preparation of a list of names and addresses of all Members, showing the number of votes each Member is entitled to vote;
 - (d) the Articles of Incorporation, Declaration, Covenants, Bylaws, rules and regulations, and resolutions adopted by the Board relating to the characteristics, qualifications, rights, limitations, and obligations of Members;
 - (e) written communications within the past three years to Members generally as Members;
 - (f) a list of the names and business or home addresses of its current directors and officers;
 - (g) its most recent annual report, if any; and
 - (h) all financial audits or reviews conducted pursuant to the Colorado Common Interest Ownership Act during the immediate preceding three years.

2. Records shall be made reasonably available for inspection and copying by a Member or the Member's authorized agent. "Reasonably available" means available during normal business hours upon notice of 5 business days, to the extent that:
 - (a) the request is made in good faith and for a proper purpose;
 - (b) the request describes with reasonable particularity the records sought and the purpose of the request; and
 - (c) the records are relevant to the purpose of the request.

All requests shall be submitted on the form attached to this policy.

3. A Membership list may not be:
 - (a) used to solicit money or property unless such money or property will be used solely to solicit votes of the Members in an election held by the Association;
 - (b) used for any commercial purpose;
 - (c) sold to or purchased by any person; or
 - (d) used for any other purpose prohibited by law.

Any Member requesting a Membership list shall be required to sign the agreement attached to this policy indicating that he/she will not use the list for the purposes stated above.

4. Upon receipt of a request, the Association shall make an appointment with the Owner, at a time convenient to both parties, to conduct the inspection. Unless otherwise agreed, all records shall be inspected at the office of the managing agent, Management Specialists, Inc., at 390 Interlocken Crescent, Suite 500, Broomfield, CO 80021-8041. All appointments for inspection will be limited to two hours. If additional time is needed, another appointment will be made within two weeks, at a time convenient to both parties.

5. At the discretion of the Board of Directors or Manager, records will be inspected only in the presence of a Board member, management company employee or other person designated by the Board.

6. During inspection, an Owner may designate pages to be copied with a paperclip, post-it note, or other means provided by the Association. Copies will be made at a cost of 15 cents per page for one-sided copies and 20 cents per page for two-sided copies. The Owner shall be responsible for paying the total copying cost prior to receiving the copies. If the Association's management company increases or decreases the copying cost to the Association, the copying cost charged to the Owner shall be increased or decreased accordingly, without amendment to this resolution.

7. Records may not be removed from the office in which they are inspected without the express written consent of the Board.

8. The following records will not be available for inspection without the express written consent of the Board:

- (a) Documents which are privileged or confidential between attorney and client or which concern pending or imminent court proceedings;
- (b) Documents related to investigative proceedings concerning possible or actual criminal misconduct;
- (c) Documents which, if disclosed, would constitute an unwarranted invasion of individual privacy;
- (d) Documents which the Association is prohibited from disclosing to a third party as a matter of law; and
- (e) Inter-office memoranda, preliminary data, working papers and drafts, and general information or investigations which have not been formally approved by the Board.

9. The Association may pursue any Owner for damages or injunctive relief or both, including reasonable attorney fees, for abuse of inspection and copying rights, including use of any records for a purpose other than that stated in the Owner's request.

IN WITNESS WHEREOF, the undersigned certify that this Records Inspection Policy was adopted by resolution of the Board of Directors of the Association on this 13 day of December, 2005.

MacARTHUR PARK HOMEOWNERS'
ASSOCIATION, a Colorado nonprofit corporation,

By: 
Its: President

ATTEST:

By: 

MacARTHUR PARK HOMEOWNERS' ASSOCIATION, INC.

REQUEST FOR ACCESS TO ASSOCIATION RECORDS

Member Name: _____ Date: _____

Address: _____

Telephone #: _____

Pursuant to state law and the Association's Records Inspection Policy, I hereby request that the MacArthur Park Homeowners' Association, Inc. provide access to the records of the Association. I understand that upon receipt of this request, the Association will set an appointment with me during regular business hours.

1. The records that I wish to review are (attach a separate piece of paper if necessary):
 - a. _____
 - b. _____
 - c. _____

2. I certify that my request to review the records of the Association is for a proper purpose related to my Membership in the Association, and that this request is not for commercial purposes or my personal financial gain. Specifically, my purpose for wanting to review the records of the Association is as follows:

3. I acknowledge and accept the Association's records inspection policy. I acknowledge and accept that the records of the Association will be made available to me only at such time and place as the Association's policy provides, and that there may be a cost associated with providing copies of these documents for me. I agree to pay any costs associated with copying these documents. In the event the records provided to me by the Association are used for any improper purpose, I will be responsible for any and all damages, penalties and costs incurred by the Association, including attorney fees, and I shall be subject to all enforcement procedures available to the Association through its governing documents and/or Colorado law.

Member Signature: _____ Date: _____

**AGREEMENT REGARDING USE OF THE MEMBERSHIP LIST FOR
MacARTHUR PARK HOMEOWNERS' ASSOCIATION, INC.**

I have requested a copy of the Membership list for the MacArthur Park Homeowners' Association, Inc.

The list shall be used only for the following purpose(s):

I understand that under the terms of Colorado law, the Membership or voting list, or any portion thereof, may not be obtained or used for any purpose unrelated to my interests as a Member of the Association. I further understand and agree that without limiting the generality of the foregoing, the Membership list, or any portion thereof, may not be:

- (a) Used to solicit money or property unless such money or property will be used solely to solicit votes of the Members in an election held by the Association;
- (b) Used for any commercial purpose;
- (c) Sold to or purchased by any person; or
- (d) Used for any other purpose prohibited by law.

In the event the list is used for any improper purpose, I will be responsible for any and all damages, penalties and costs incurred by the Association, including attorney fees, and I shall be subject to all enforcement procedures available to the Association through its governing documents and/or Colorado law.

Understood and agreed to this _____ day of _____, 200__ by:

Printed Name

Signature

Address