

**LIMITED AMENDMENT
TO THE BYLAWS OF
RED CANYON TOWNHOMES OWNERS ASSOCIATION**

THIS AMENDMENT is made this 13th day of September, 2010.

RECITALS

The Red Canyon Townhomes Owners Association, a Colorado nonprofit corporation (“Association”) certifies that:

- A. The Association desires to amend its Bylaws currently in effect in order to eliminate the timeframes for late fees for failure to pay assessments in a timely manner, and address other collections procedures.
- B. Pursuant to Article XIX, Section 1 of the existing Bylaws, the Bylaws may be amended at any meeting of the Board by a majority vote of the Directors.

NOW THEREFORE, the Bylaws of the Association are hereby amended as follows:

I. Amendments.

a. **Repeal and Replacement.** Article IV, Section 8 is hereby repealed in its entirety and replaced with the following:

Section 8. Billings. Each billing by the Association to an Owner, whether an advance billing of a general Common Expense assessment or a billing of apportioned Common Expenses under Section 9.03 or 9.05 of the Declaration, or a special Common Expense assessment, or otherwise, shall be due and payable by the last day of the month in which the billing is made. If a Unit is owned in undivided interest by two or more Owners, each of such co-Owners shall be jointly and severally liable for each general and special Common Expense assessment, except as otherwise provided in the Declaration. An assessment shall be deemed billed when in writing, placed in an envelope addressed to the Owner at his or her last address as shown on the books of the Association, postage prepaid, and deposited in the U.S. Mail. All assessments and fines not paid when due shall bear interest from and after the same are due at the rate of one and one-half percent (1.5%) per month, or at any other rate established in a collection policy adopted by the Executive Board. Further, any Common Expense assessment or fine not paid within fifteen (15) days of the past due date, or any other reasonable timeframe established in collection policy, shall incur a late payment charge of \$50.00 in addition to interest. The Executive Board, the treasurer, or the property manager or managing agent contracted by the Association, is empowered to take any and all action and remedies for collection of Common Expense assessments, fines, fees, interest and charges as are provided for in the Declaration, the Articles of Incorporation, these Bylaws, any collection policy adopted by the Executive Board, or as are permitted at law or in equity.

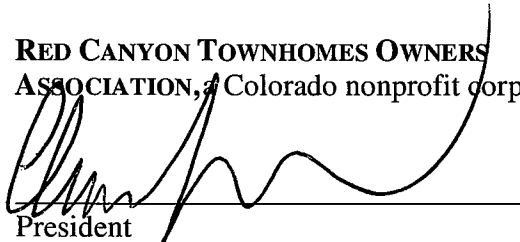
b. **Repeal and Restatement.** Article XVI, Section 2 is hereby repealed in its entirety and replaced with the following:

Section 2. Fines for Violations. Following notice and an opportunity for a hearing, the Executive Board may levy reasonable fines for violations of the Declaration, the Articles of Incorporation, these Bylaws, the Rules and Regulations or any other governing document of the Association. The amount of fine, which could include a per diem fine for continuing violations, shall be set forth in the enforcement and fine policy adopted by the Board of Directors. All such fines shall constitute an assessment against the Unit of the Owner who, or whose resident, guest, tenant, or invitee, committed the breach, and shall constitute a lien on such Unit and be collectible in the same manner as any other assessment, as provided in the Declaration or Colorado law.

II. **No Other Amendments.** Except as amended by the terms of this Amendment, the Bylaws shall remain in full force and effect.

By signature below, the President and Secretary of the Executive Board certify that this amendment was approved by a majority of Directors at a meeting of the Executive Board.

**RED CANYON TOWNHOMES OWNERS
ASSOCIATION,** a Colorado nonprofit corporation



President



Secretary