

*SPRING VALLEY AT UTE CREEK HOMEOWNERS ASSOCIATION, INC.
c/o Flagstaff Management, Inc.
2030 Terry Street, Suite 104
Longmont, CO 80501
Phone: (303) 682-0098
Fax: (303) 682-1111*

Date: August 2, 2019

Re: *Proposed Amended and Restated Articles of Incorporation, Bylaws, and Declaration for Spring Valley at Ute Creek Homeowners Association, Inc.*

Dear Homeowners:

The Spring Valley at Ute Creek Homeowners Association, Inc. (“Association”) previously made copies of the following documents available to homeowners for review and comment: (i) Amended and Restated Articles of Incorporation for Spring Valley at Ute Creek Homeowners Association, Inc. (“A&R Articles”); (ii) Amended and Restated Bylaws of Spring Valley at Ute Creek Homeowners Association, Inc. (“A&R Bylaws”); and (iii) Amended and Restated Declaration of Covenants, Conditions, and Restrictions of Spring Valley (“A&R Declaration”) (collectively the “A&R Governing Documents”). The Association is now seeking your approval of the proposed A&R Governing Documents. Complete copies of the proposed A&R Governing Documents are enclosed for your review and consideration.

The Association’s existing governing documents are significantly outdated and the proposed A&R Governing Documents are intended to bring the Association’s governing documents up to current standards. The following is a summary of the some of the changes:

- The Association’s documents have been brought into compliance with the Colorado Common Interest Ownership Act.
- The Declarant’s rights and voting classes have been removed as the Declarant no longer is entitled to exercise these rights.
- Assessment provisions have been updated to comply with current standards. This does not mean that your assessments will increase or will be allocated differently than they have been in the past.
- Use restrictions, including but not limited to leasing restrictions, have been updated and expanded to better meet the needs and practices of the Community and to comply with Colorado law.
- Architectural review procedures and requirements have been updated and expanded.
- The Articles and Bylaws have been updated to take advantage of statutory provisions in the Colorado Revised Nonprofit Code.

The Board has decided to conduct the vote on this matter by mail and has therefore enclosed a Ballot for you to cast your vote on the proposed A&R Governing Documents. You may vote for or against the proposed A&R Governing Documents on the enclosed Ballot. In order for the Association to meet quorum, Ballots must be returned by homeowners holding at least 20% of the total votes in the Association (i.e., homeowners holding 56 of the 279 total votes).

In order for the A&R Articles to be approved and become effective, homeowners holding at least two-thirds of the votes of all of the Members in the Association must approve the adoption of the A&R Articles (homeowners holding 187 of the 279 total votes). In order for the A&R Bylaws to be approved and become effective, at least a quorum of homeowners must return their ballots (homeowners holding 56 votes) and a majority of the votes cast must be cast in favor of the adoption of the A&R Bylaws. In order for the A&R Declaration to be approved and become effective, homeowners holding at least 67% of the

votes in the Association must approve the adoption of the A&R Declaration (homeowners holding 187 of the 279 total votes).

Please cast your vote on the enclosed Ballot and return your Ballot to the Association no later than **5:00 p.m., October 1, 2019**. **Ballots returned after that date/time cannot be counted, so it is imperative you return your Ballot by the deadline.** The prompt return of the enclosed Ballot will aid the Association in reducing the expense of additional solicitations.

Should you have any further questions regarding this matter please contact any one of your current Board members.

Sincerely,

Spring Valley at Ute Creek Homeowners Association, Inc.
Board of Directors

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**BALLOT FOR VOTE ON THE PROPOSED
AMENDED AND RESTATED GOVERNING DOCUMENTS FOR
SPRING VALLEY AT UTE CREEK HOMEOWNERS ASSOCIATION, INC.**

The Spring Valley at Ute Creek Homeowners Association, Inc. (the "Association") solicits your vote by written Ballot for voting on proposed (i) Amended and Restated Articles of Incorporation for Spring Valley at Ute Creek Homeowners Association, Inc. ("A&R Articles"); (ii) Amended and Restated Bylaws of Spring Valley at Ute Creek Homeowners Association, Inc. ("A&R Bylaws"); and (iii) Amended and Restated Declaration of Covenants, Conditions and Restrictions of Spring Valley ("A&R Declaration") (collectively the "A&R Governing Documents"). If the proposed A&R Governing Documents are approved, they will replace the Association's existing governing documents.

Please cast your vote below and return your Ballot to the Association.

I/We represent myself/ourselves to be (an) owner(s) of the following Lot within the Spring Valley community: _____ (insert address). I/We cast my/our vote in reference to the following matters as indicated. **Check only one for each document.**

I. Vote on proposed A&R Articles:

_____ Vote IN FAVOR of and APPROVE the proposed A&R Articles

_____ Vote AGAINST and REJECT the Proposed A&R Articles

II. Vote on proposed A&R Bylaws:

_____ Vote IN FAVOR of and APPROVE the proposed A&R Bylaws

_____ Vote AGAINST and REJECT the Proposed A&R Bylaws

III. Vote on proposed A&R Declaration:

_____ Vote IN FAVOR of and APPROVE the proposed A&R Declaration

_____ Vote AGAINST and REJECT the Proposed A&R Declaration

Owner signature

Date

Owner signature

Date

Printed Name of Owner(s): _____

RETURN YOUR BALLOT TO:

Spring Valley at Ute Creek Homeowners Association, Inc.
c/o Flagstaff Management, Inc.
2030 Terry Street, Suite 104
Longmont, CO 80501
Fax: (303) 682-1111

You may also return your ballot to the Association via email at fmc900@flagstaffmanagement.com.