

EATON PAGOSA ESTATES PROPERTY OWNERS ASSOCIATION (EPEPOA)

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POLICY RESOLUTION 2020-02

Regarding the Clarification of Related Owners

WHEREAS, the Declaration of Protective Covenants for Eaton Pagosa Estates Subdivision states: EPEPOA is an Organization whose members include all of the owners of the lots of Eaton Pagosa Estates Property Owners Association, Inc., a Colorado non-profit corporation, herein referred to as "Association"; and

WHEREAS, Article VII, Section 3 of the Bylaws specifies that "Directors cannot be elected who are related to other Directors"; and

WHEREAS, in order to clarify the persons who are considered to be related; and

WHEREAS, Colorado Common Interest Owners Act (CCIOA) Colorado Rev. Stat. Ann. § 38-33.3-310.5 addresses executive board member conflicts of interest and as it specifically applies the Colorado Nonprofit Corporation Act standards (Colo. Rev. Stat. Ann. § 7-128-501) to HOAs; and

WHEREAS, the Association's Attorney of Record provided the below legal opinion; and

WHEREAS, the Board distributed a copy of this resolution to the membership; and

WHEREAS, it is the intent that this resolution be applicable to all owners and shall remain in effect until otherwise rescinded, modified or amended by a majority of the Board of directors; and

NOW, THEREFORE BE IT RESOLVED that the clarification of persons who are "related" be as follows:

Persons who are considered to be related include relationships established by blood, marriage, or legal action. Examples include: spouse, mother, father, son, daughter, sister, brother, mother-in-law, father-in-law, sister-in-law, brother-in-law, son-in-law, daughter-in-law, stepparent, stepchild, aunt, uncle, nephew, niece, grandparent, grandchild, or cousin. The term also includes domestic partners (a person with whom the Director's life is interdependent and who shares a common residence) and, a daughter or son of a Director's domestic partner.

By: Desi G. Dundjcs
Desi Dundjcs, President

By: Kate Crawford
Kate Crawford, Secretary

Date: 7-2-20

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