

POLICY FOR ALTERNATIVE DISPUTE RESOLUTION

This Policy for Alternative Dispute Resolution supersedes and replaces all prior dispute resolution policies.

PURPOSE: Adoption of a policy and procedure for alternative dispute resolution for The Pointe Homeowners' Association, Inc. ("Association").

AUTHORITY: The Supplemental Declaration of Covenants, Conditions, Restrictions and Agreements which was recorded in the records of the Douglas County Clerk and Recorder's office on January 22, 2001 at Reception number 01004885 ("Declaration"), Articles of Incorporation, Bylaws of the Association, and Colorado law including §38-33-101 et. seq., §38-33.3-124 and §38-33.3-209.5, C.R.S., and other applicable Colorado and Federal laws.

EFFECTIVE: **March 8, 2016**

RESOLUTION: The Association hereby adopts the following policy:

Mediation

1. The Association recognizes the value in resolving disputes between the Association, the Declarant, property managers, and unit owners without resort to costly, time-consuming litigation.
2. The parties may, but need not, agree to submit any dispute to mediation.
3. The parties may, but need not be represented by counsel at mediation.
5. Unless agreed by both (or all) parties, the costs of the mediation charged by the mediator shall be borne equally by the parties.
6. All parties shall bear the costs of their own attorney fees and costs in the mediation and each shall share equally in the costs of the mediator.
7. If mediation takes place and an agreement is reached, the parties may reduce their agreement to a Stipulation which may be submitted to the Court with a request to enter it as an Order of the Court. If either party violates the Stipulation, the other party may thereafter apply to the Court for relief without having to once again comply with these ADR procedures.

Litigation

1. If a conflict has not been resolved by mediation, nothing in this provision precludes any party from pursuing his/her/its rights in a court of law or equity.

Exclusions from Policy

1. This Policy does NOT apply to the Association's actions for collection of common expense or special assessments pursuant to the Declaration, § 38-33.3-316, C.R.S., and the Association's Collection Policies and Procedures.
2. This Policy does NOT apply to the Association's enforcement of the Declaration or § 38-33.3-316, C.R.S.
3. This Policy does NOT apply to disputes between unit owners, who are encouraged to resolve disputes between themselves, using mediation, if desired.

Definitions

Unless otherwise defined in this Policy, initially capitalized or terms defined in the Declaration shall have the same meaning herein.

Supplement to Law

The provisions of this Policy shall be in addition to and in supplement of the terms and provisions of the Declaration and the law of the State of Colorado governing the Project.

Deviations

The Board may deviate from the procedures set forth in this Policy if in its sole discretion such deviation is reasonable under the circumstances.

Amendment

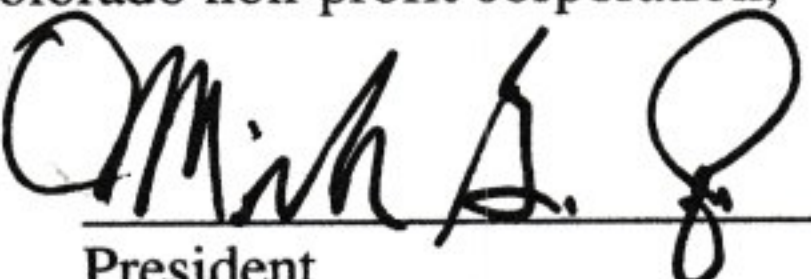
This Policy may be amended from time to time by the Board of Directors.

CERTIFICATION:

The undersigned President of the Board of Directors for The Pointe Homeowners' Association, Inc., a Colorado nonprofit corporation, hereby certifies that the foregoing Resolution was approved and adopted by the Board of Directors of the Association, at a duly called and held meeting of the Board of Directors on March 8, 2016.

**THE POINTE HOMEOWNERS' ASSOCIATION,
INC.**

A Colorado non-profit corporation,

By: 
Its: President