

right of use and enjoyment shall be appurtenant to and shall pass with the title to the Unit of such Owner subject to the following rights:

(a) The right of the Board to make such use of the Common Areas as may be necessary or appropriate for the performance of the duties and functions which it is obligated or permitted to perform under the Declaration or the Act. The Board, in its sole discretion, may from time to time grant easements and rights-of-way on, across, under and over the Common Areas.

(b) The right of the Board to make reasonable Rules regarding the use of the Common Areas.

(c) The rights reserved in the Declaration to the Declarant, the Owners and the Association.

(d) The right of the Board to suspend the voting rights of a Member for any period during which any Assessment against such Member's Unit remains unpaid; and for a period not to exceed sixty days for any infraction of its published Rules.

(e) Any other right which the Association may lawfully exercise pursuant to C.R.S. § 38-33.3-302 as it may be amended from time to time.

ARTICLE IV THE ASSOCIATION

Section 4.1 General Purposes and Powers. The Association is responsible for maintenance, repair and replacement of Common Areas. Through its Board, the Association shall perform functions and manage the Property as provided in the Declaration so as to further the interests of the Owners. Any purchaser of a Lot and any purchaser of a Unit shall be deemed to have assented to the responsibilities of the Association and the management of the Common Areas by the Association in accordance with its responsibilities. The Association shall have all the powers and authority permitted pursuant to the Act necessary and proper to effectuate such purposes. The Association may assign its future income, including its right to receive Common Expense Assessments only with the affirmative vote of the Owners entitled to cast fifty-one percent (51%) of the votes of the Association at a meeting called for that purpose. The Association may make such assignments for the purpose of carrying out its responsibilities under the Declaration.

Section 4.2 Executive Board. The affairs of the Association shall be managed by the Board which may delegate authority to a manager for the Association, provided no such delegation shall relieve the Board of final responsibility. The Board shall have at least three members. Only during the Period of Declaration Control (as defined below) the members of the Board need not be Members or Owners.

