

**EAGLE RIVER COMMERCIAL CENTER ASSOCIATION, INC.
POLICY REGARDING ALTERNATIVE DISPUTE RESOLUTION (ADR)**

PURPOSE: Adoption of a procedure regarding Alternative Dispute Resolution (“**ADR**”) for Eagle River Commercial Center Association, Inc. (“**Association**”).

AUTHORITY: The Governing Documents and Colorado Law.

The Governing Documents are comprised of:

- a. Condominium Declaration for Eagle River Commercial Center Association, as amended and supplemented;
- b. Plat Maps for Eagle River Commercial Center Association, as amended;
- c. Bylaws of Eagle River Commercial Center Association, as amended;
- d. Articles of Incorporation for Eagle River Commercial Center Association;
- e. Rules and Regulations of Eagle River Commercial Center Association;
- f. Responsible Governance Policies of Eagle River Commercial Center Association, as required by C.R.S. 38-33.3-209.5.

Colorado Law is comprised of:

- a. Colorado Common Interest Ownership Act (“**CCIOA**”) codified at C.R.S. 38-33.3-101 et seq.; and
- b. Colorado Revised Not for Profit Corporation Act (“**CRNPCA**”) codified at C.R.S. 7-121-102 et. seq.

EFFECTIVE DATE: DECEMBER 13, 2023.

RESOLUTION: The Association hereby adopts the following Policy Regarding Alternative Dispute Resolution (“**Policy**”) in compliance with C.R.S. 38-33.3-209.5 which replaces any previous ADR policies. All capitalized terms not defined herein shall have the definitions designated to them in the Governing Documents or Colorado Law.

1. The processes delineated in the Policy Regarding Enforcement of Covenants and Rules with Related Notice, Cure, Impartial Fact-Finding Procedures and Schedule of Fines (“**Enforcement Policy**”) governs the assessment of fines for a violation of the Governing Documents and may also be utilized by the Board of Directors at its discretion for any enforcement action that does not involve a fine.

2. In the event of any dispute involving the Association and an Owner not governed by the Enforcement Policy and/or in conjunction with enforcement processes, Owners are invited and encouraged to meet with the Board of Directors and/or any committee appointed by the Board of Directors to resolve any dispute informally. Such a meeting may occur telephonically.

3. Nothing in this Policy shall be construed to require any specific form of ADR, such as mediation or arbitration, or require the parties to meet. Neither the Association nor the

Owner waives any right to pursue whatever legal or other remedial actions available to either party under the Governing Documents and Colorado Law.

PRESIDENT'S CERTIFICATION: The undersigned President of Eagle River Commercial Center Association, Inc., a Colorado nonprofit corporation, certifies that the foregoing Policy was approved and adopted by the Board of Directors of the Association in compliance with the Governing Documents and Colorado Law.

EAGLE RIVER COMMERCIAL CENTER ASSOCIATION, INC., a
Colorado nonprofit corporation

By: Dan Lambert  pres.
President of the Board of Directors