

Proposed changes to the Grandview Villas HOA Declarations

Change 1:

To help to lower the HOA's Property Insurance Coverage premiums, this proposal changes the wording in three places in Section 22.2 of the Declarations with respect to Property Insurance Coverage.

22.2 Property Insurance Coverage.

(a) Property insurance will cover:

(i) the project facilities including all buildings on the Property, for example, the Units and all fixtures, equipment and any Improvements ~~and betterments~~ whether part of a Unit or a Common Element, and such personal property of Unit Owners as is normally insured under building coverage, but excluding land, excavations, portions of foundations below the undersurface of the lowest basement floors, underground pilings, piers, pipes, flues and drains and other items normally excluded from property policies; and

(ii) all personal property owned by the Association.

...

(d) The maximum deductible for insurance policies shall be the lesser of ~~\$10,000~~ \$20,000 or one percent (1%) of the policy face amount.

(e) The difference between the total policy deductible and ~~\$250~~ \$1000 deductible per Unit damaged shall be paid by the Association as a Common Expense. Of the deductible portion, ~~\$250~~ \$1000 per Unit Owner affected shall be paid by each of the Unit Owners suffering the loss as an additional Common Expense.

Change 2:

To help to lower the HOA's Property Insurance Coverage premiums and to protect both the individual Unit Owner and the collective interests of the Association, this proposal makes it mandatory for Unit Owners to maintain H06 policies on their Units.

22.5 Unit Owner Policies. ~~An insurance policy issued to the Association does not preclude Unit Owners from obtaining insurance for their own benefit.~~

In order to protect both the individual Unit Owner and the collective interests of the Association, Unit Owners shall be required to maintain a Condo Insurance Policy (also known as an H06 Policy) which covers 1) Dwelling, 2) Personal Property, 3) Liability, and 4) Loss of Use. Unit Owners should also investigate adding loss assessment coverage, which helps pay for special assessments which may be charged by the Association to cover the deductible for

the Association's Property Insurance.

Change 3:

In an organization where we struggle to get a 20% quorum participation at Annual and Budget Meetings, the 67% or Unit Owners required to make a change to the Declarations has been extremely difficult. A change to 15.1 is proposed which will reduce the requirement for future changes to the Declarations from the current 67% (33 votes) to a new standard of 51% (25 votes). This change is in compliance with CO Statutes which require a minimum of 51% . Additionally outdated wording with respect to Declarant Control would be removed.

15.1 In General. Except in cases of amendments that may be executed ~~by the Declarant in the exercise of its Development Rights or by~~ the Association under Article XI of this Declaration and C.R.S., §38-33.3-107, or by certain Unit Owners under Article XII and Section 14.1 of this Declaration and C.R.S., §38-33.3-218, and except as limited by Section 15.4 and Article XVIII of this Declaration, this Declaration and the Map may be amended only by vote or agreement of Unit Owners of Units to which at least ~~sixty-seven percent (67%)~~ percent fifty-one percent (51%) of the votes in the Association are allocated. The procedure for amendment must follow the procedures of C.R.S., §38-33.3-217. ~~At all times prior to the beginning of construction of Improvements on Parcel B of Exhibit A, the Declarant reserves the exclusive right to amend either or both of this Declaration and the Map as is necessary to reflect any change or modification of any portion of Parcel B or changes in the nature and extent of the Phase II Development as Declarant determines necessary in its sole discretion.~~

Change 4:

Likewise, 100% of the vote of the organization on any matter is unrealistic. CO Statute requires this number to be no lower than 67%, which matches this proposal. Additionally outdated wording with respect to Declarant Control would be removed.

15.4 Unanimous Supermajority Consent. Except to the extent expressly permitted or required by other provisions of the Act or this Declaration, an amendment may not ~~create, limit, or increase the Special Declarant Rights or the Development Rights,~~ increase the number of Units, change the boundaries of a Unit, the Allocated Interests of a Unit or the uses to which a Unit is restricted, except by ~~the unanimous~~ consent or vote of sixty-seven percent (67%) of the Unit Owners.