



BY-LAWS OF THE VISTAS AT WALKING STICK HOME OWNERS ASSOCIATION

(A Colorado Non-Profit Corporation)

These are the By-Laws of The Vistas at Walking Stick Home Owners Association,
a Colorado Non-Profit Corporation, and referred to as "The Vistas HOA."

I. Purpose and Definitions

1. The Vistas HOA is formed for the purpose on constituting an association pursuant to the Declaration of Covenants, Conditions, Restrictions and Easements for Walking Stick Vista, recorded 4/19/2010 No. 1838846 pages 1-55 of the records of the Clerk and Recorder for the County of Pueblo, Colorado along with the Walking Stick Vista Planned Unit Development, amended and approved by Pueblo Zoning Commission and City Council, 10-15-2015, and The Design Guidelines revisions approved by Pueblo Zoning Commission and City Council, 5-18-2015.

2. All present or future owners or tenants or other persons that might use in any manner the property subject to the Declaration are subject to the provisions of these By-Laws. Acquisition, rental or occupancy of any of the property subject to the Declaration shall constitute acceptance and ratification of these By-Laws and shall be an agreement to comply with the declaration of these By-Laws.

3. The terms used in these By-Laws are defined by the definition of terms in the Declaration, and any modifications to the Declaration.

4. The "Act" shall mean and refer to the Colorado Common Interest Ownership Act, as amended, C.R.S. 38-33.3-101 et. seq.

II. Membership, Voting, Quorum

1. **Membership.** Every owner of a lot subject to the Declaration by virtue of being an owner and for so long as the person is an owner, shall be a member of The Vistas HOA and shall be subject to the Declaration and the By-Laws. Membership shall be appurtenant to and may not be separated from ownership of any Lot. No owner, whether one or more persons, shall have more than one membership per Lot owned, but all of the persons owning each lot shall be Entitled to the rights of membership and of use and enjoyment appurtenant to such ownership. The Declarant shall be a member as provided by the Declaration.

2. **Restrictions.** An owner shall not transfer, pledge or alienate his membership in the Vistas HOA in any way except upon sale or encumbrance of a Lot, and then only to the purchaser or mortgagee of the Lot.

3. **Classes of Members.** The Vistas HOA shall have a class of voting membership comprising of all wners, including Declarant.

4. **Voting.** All Members shall be entitled to vote on The Vistas HOA matters on the basis of one vote for each Lot, as each lot is originally platted by Declarant. Upon completion of a home that spans several lots, the homeowner will combine their voting rights to one residence and be allowed only one vote. If the homeowner possesses several lots or homes than he shall be entitled to one vote per Lot



and one vote per residence that he possesses. The number of votes shall be determined by reference to the Walking Stick Vista, filing No. 1. When more than one person is the owner of any Lot, or residence, all such persons shall be Members. A vote for such Lot may be exercised by one person or in the alternative persons as owners themselves determine. If more than one of the multiple owners is present at a meeting in person or by proxy, the vote allocated to their Lot may be cast only by agreement of the majority interest of the Owners.

5. **Quorum.** Except as otherwise provided in these By-Laws, the presence in person or by proxy of members holding 10% of votes entitled to be cast shall constitute a quorum.

6. **Proxies.** Any owner of a lot may sign his voting right by proxy duly executed by the member. Any owner of a Lot may revoke a proxy given under this Section only by actual notice of revocation to the person presiding over a meeting of The Vistas HOA. A proxy is void if it is not dated or purports to be revocable without notice. A proxy terminates one year after its date unless the proxy specifies a shorter term.

III. Administration

1. **Annual Meeting.** Annual meetings of The Vistas HOA shall be held during the month of March of each year on a date and time selected by the Board of Directors. The purpose of the annual meeting shall include the election of the Board of Directors for the transaction of any other business that may come before the meeting subject to and in accordance with the Declaration and these By-Laws.

2. **Special Meetings.** A Special meeting of the Members may be called by a request of the President of the Board of Directors, upon resolution of the Board of Directors adopted at a previous meeting, upon the receipt of written request of 25 members, or upon the request of the Declarant. Any such meeting shall be held at such place and time as the President determines within sixty (60) days of the written request.

3. **Place of Meetings.** The meetings of The Vistas HOA shall be held at such place within or without the State of Colorado as the Board of Directors may determine.

4. **Notice of Meetings.** The Secretary shall cause to be mailed, emailed or delivered written notice of each annual or special meeting stating the meeting's purpose, as well as the time and place it is to be held. To each Member of record at the registered address of each member at least fifteen (15) days but not more than fifty (50) days prior to such meeting. The mailing of the notice in the manner provided by this section or the delivery of such notice shall be considered notice served, and the Certificate of the Secretary that such notice was duly given shall be prima facie evidence of notice.

5. **Adjourned Meetings.** If any member of the members cannot be organized because a quorum has not attended, the members who are present, either in person or by proxy may adjourn the meeting to a time not less than forty-eight (48) hours from the time the original meeting was called.

6. **Order of Business.** The order of business of all meetings of the members shall be as follows:
- (a) Roll call and certifying proxies
 - (b) Proof of notice of meeting or waiver thereof
 - (c) Reading of minutes of previous meeting
 - (d) Reports of officers