

TRAILMARK HOMEOWNERS ASSOCIATION, INC.

DESIGN REVIEW COMMITTEE CHARTER

WHEREAS, Article 4, Section 4.3 of the Declaration of Trailmark Homeowners Association, Inc. ("Declaration") establishes a Design Review Committee consisting of at least three members; and

WHEREAS, Article 4, Section 4.3 of the Declaration provides for the appointment of Design Review Committee ("DRC") by the Board of Directors to review and approve or disapprove plans for Improvements (as defined in the Declaration) submitted by owners, as generally provided for in Article 4 of the Declaration; and

WHEREAS, Article 5, Section 5.2(l) of the Bylaws, C.R.S. § 7-128-206 and C.R.S. § 38-33.3-303(3)(b) grant the Board of Directors the power to adopt and implement administrative standards, as designated by a written Board resolution; and

WHEREAS, the Board of Directors deems it desirable to establish administrative procedures and standards to guide the DRC in a reasonable and productive manner in the implementation of residential Improvements, changes and modifications.

Committee code policy:

Committees are defined, and members assigned, by the Board of Directors, as needed to support the community and the Board. All committees will have an assigned Director as the liaison to the Board to ensure the committee is conforming to the governing documents and continuity within the community is being followed. By accepting a committee member role, committee members agree to conduct themselves in a way that positively impacts the community and the Board. Failure to meet this code of conduct may result in the immediate removal from said committee.

NOW, THEREFORE, BE IT RESOLVED that the Design Review Committee (DRC) will act and operate subject to the following:

I. RESPONSIBILITY

The primary responsibility of the Design Review Committee (DRC) is to act on all applications for the approval of modifications or Improvements to any unit as set forth in Article 4 of the Declaration.

The DRC shall not have the power to approve plans for any Improvement that violates any of the express provisions of the Declaration (including any amendments or supplements) or any provision of the rules and regulations (collectively, the "Governing Documents") without the express written approval of the Board of Directors. In all other respects, the DRC may exercise its sole discretion in determining whether to approve or disapprove any plans.

II. MANNER OF OPERATION

The DRC shall conduct its business in strict accordance with the procedures set forth in the Declaration and in the interests of the Association. As such, the Committee is charged with maintaining awareness of

the legal obligations, risks, and responsibilities of the Association. Regarding the rights of owners, the committee may take no action other than those authorized in the Governing Documents without prior authorization by the Board.

A. FUNCTIONS.

Functions of the DRC include the following:

- a. To serve as the design review board and assist in regulating the external design appearance of the units and improvements thereon in accordance with the architectural provisions of the Governing Documents, to preserve and enhance values, and to maintain a harmonious relationship throughout the community; and
- b. To serve as the design review board and assist in regulating the external design appearance of the units and improvements thereon in accordance with the architectural provisions of the Governing Documents, to preserve and enhance values, and to maintain a harmonious relationship throughout the community; and
- c. To serve in such other capacities as may be determined, from time to time, by the Board of Directors in enforcing the provisions of the Governing Document, Articles of Incorporation, and/or Bylaws of the Association.
- d. DRC Meetings on the 1st and 3rd Wednesday of the month
- e. DRC Chair to process DRC decision language to management company within 3 business days of the DRC meeting, or to the Board for matters that require Board input.

B. REPORTING AND COMMUNICATION.

- a. One designated committee member is to serve as the Chair of the committee.
- b. The DRC shall submit to the Board, via the Association's management company and/or assigned community association manager, written reports of its activities on at least a monthly basis. Such reports shall include at least the following:
 - i. A list of all applications received; and
 - ii. A list of decisions on applications; and
 - iii. A list of committee recommendations which require formal Board action.

The above reports are to be prepared and exchanged between the DRC and the Association's community association manager. The manager will ensure the proper reporting and distribution to the Board and individual homeowners.

Any committee recommendations which require formal Board action (e.g. owner requests for a variance, proposed changes to the Association's rules or design guidelines, etc.) shall be submitted to the community association manager in advance of the next regularly scheduled Board meeting for inclusion in the meeting agenda. Committee members shall also be responsible for checking, monitoring and responding to all committee correspondence and emails, including Board requests and for inspecting completed projects as necessary.

- c. DRC communications policy - The DRC committee shall establish a committee chair that will act as the direct point of contact between the committee and the Board via the Board liaison. Within the DRC Committee, individuals will work together to fulfill their assigned duties and draft a proposal of decisions agreed upon for referral for further action either to the property management company or the Board. All members of the committee must be included/allowed to participate in developing proposals for the Board and be permitted to respond to questions and feedback from the Board. Decisions made by the committee must be the vote of a majority of the committee, however, the decisions need not be unanimous. The committee chair and Board liaison shall work together to facilitate communication between the committee and the Board. Only the Board or designated representative such as the assigned management company is permitted to direct communication about DRC matters to the community.

C. ELIGIBILITY.

DRC candidates and members shall be owners in good standing. Good standing is defined as current in the payment of assessments and not otherwise in violation of the Governing Documents.

D. TERMS AND APPOINTMENT OF MEMBERS.

The DRC shall consist of five members. The Board may invite interested candidates to express their desire to serve on the committee. Committee members in good standing are eligible for reappointment. A diverse representation of owners from throughout the community is desired.

Interested candidates should submit a written request for appointment and attach a short "candidate bio" to the community association manager, including any personal or professional information (e.g., related experience or training, services on other committees, etc.), which may assist in the appointment process.

Other membership considerations:

- a. The members of the DRC Committee are appointed by the Board of Directors to serve indefinitely at the discretion of the Board.
- b. Committee members may choose to resign at any time.
- c. DRC members may not participate in the approval process for applications for modifications or improvements of their own home.

The Board shall approve the members of the DRC. Members of the DRC may make recommendations to the Board of Directors for the appointment of a chairperson; however the appointment shall be made by the Board of Directors.

E. REMOVAL

The Board of Directors may remove any DRC member at any time, without cause. Such removal may be immediate, at the Board's sole discretion. Additionally, the committee may make recommendations to the Board of Directors regarding removal of committee members for failing to actively participate in committee business.

F. AUTHORITY

The DRC Committee is an advisory body only with the task of upholding the governing documents as it relates to property improvement requests and responses and has no independent decision-making authority. All recommendations will be submitted to the Board of Directors for review and approval.

G. COMMUNICATIONS

In the interest of ensuring active communication between the Board of Director and the committee, it is expected that at least one committee representative will attend a regularly scheduled business meeting of the Board of Directors if the committee needs to present committee recommendations, update the Board on the status of pending committee tasks, or to request assistance from the Board. The Board of Directors may attend any DRC meeting.

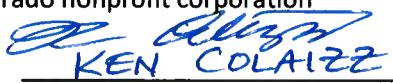
It is expected that the committee will provide accurate and timely information about its activities to the Board of Directors and the Association's community association manager. It is the responsibility of the committee to ensure that this information is updated on a regular basis.

III. APPROVAL

This Design Review Committee charter was approved by the Board of Directors of the Trailmark Homeowners Association, Inc. this 11th day of NOVEMBER, 2025.

TRAILMARK HOMEOWNERS ASSOCIATION, INC.,
a Colorado nonprofit corporation

By:


KEN COLAIZZI
Its: TRAILMARK HOA PRESIDENT