

Dear Neighbors,

Today, we are at an important milestone for Mountain Side. The HOA Board of Directors is pleased to present three updated governing documents for your review and vote.



This effort represents nearly three years of careful work, including collaboration with two external law firms and more than a year of owner feedback and revisions.

Why was this update necessary, and how does it benefit you?

Written in 1983, our documents are outdated. Colorado law has changed significantly, and some provisions are no longer enforceable or consistent with current statutes. Updating them ensures Mountain Side remains legally compliant, clearly governed, and well-positioned for the future.

These revisions do not change the character of Mountain Side or impose new restrictions on owners. They modernize language, clarify responsibilities, and strengthen the framework that supports stewardship of our amenities and common areas. They also provide clearer guidance on roles, elections, and the legal limits of board authority.

Forty-three years later, Mountain Side remains a community of beauty & cooperation.

Many of you helped guide this community over the years, and many contributed thoughtful input during this update process. This work honors that legacy by ensuring Mountain Side remains strong and stable for decades to come.

Now, we need your participation. We respectfully ask both Condominium owners and Homeowners to vote **IN FAVOR** of all three Amended & Restated governing documents.

Included in this packet:

- The Amended & Restated Articles of Incorporation, Bylaws, and Declarations
- A formal letter from legal counsel explaining key updates and voting procedures
- Your Directed Proxy voting form

Please take a few minutes to:

1. Complete your Directed Proxy
2. Return it by mail, or scan/photograph and email it as instructed

As a Mountain Side property owner, your participation is essential and appreciated. Thank you for your time, your trust, and your continued commitment to our community.

If you have questions, please contact any Board member or our Community Area Manager, Andrea Shand (Ashand@srgsummit.com).

Sincerely,

David Arnold, President - Mountain Side HOA

Mountain Side has two Associations: (1) The Homeowners Association (HOA) oversees amenities and architectural review for homes, and (2) the Condominium Association oversees the 201 condo units in 10 buildings and their grounds.

Each Association has its own governing documents.

ALL owners are asked to vote on the enclosed HOA documents.

Condo owners will also receive a separate packet to vote on the Condo Declarations. (The Condo Association's Articles and Bylaws were approved last year.)

MOUNTAIN SIDE HOMEOWNERS ASSOCIATION
c/o Summit Resort Group, Inc.
P.O. Box 678
Frisco, CO 80424

Re: Proposed Amendments to the Declaration, Bylaws, and Articles of Incorporation

Dear Owner(s):

The Board of Directors for the Mountain Side Homeowners Association (the "Association") has been working on amendments to the Association's Declaration, Bylaws, and Articles and has solicited input and feedback from Owners and is now ready for a formal vote. Enclosed, please find the following amended documents:

- Proposed Amended and Restated Declaration of Covenants, Conditions, and Restrictions for Mountain Side P.U.D. (the "Proposed A&R Declaration")
- Proposed Second Amended and Restated Articles of Incorporation for Mountain Side Homeowners Association (the "Proposed A&R Articles")
- Proposed Amended and Restated Bylaws of Mountain Side Homeowners Association (the "Proposed A&R Bylaws") (collectively, all three documents are the "Proposed A&R Governing Documents").

Copies of the Proposed A&R Governing Documents are included herein for your review. The Proposed A&R Governing Documents contain a number of proposed changes. Some of the most significant are:

- Update and bring the A&R Governing Documents into compliance with current law;
- Remove Declarant references, rights, and responsibilities, as such language is no longer applicable;
- Modify the restrictions contained in the original Declaration to reflect the way the Association currently operates;
- Prohibit smoking on certain portions of the Common Elements;
- Update vehicular parking, storage, and repairs;
- Update pet restrictions and;
- Limit the number of Units which may be owned by an individual directly, or indirectly through an affiliate of the Owner, to no more than a total of four;
- Update sign and flag restrictions in compliance with Colorado law;
- Update the architectural review and approval provisions;
- The A&R Articles and A&R Bylaws have also been updated to take advantage of statutory provisions in the Colorado Revised Nonprofit Act.

Comparison charts for the documents have also been included, which outline the changes and additions and corresponding sections in the current Association documents.

APPROVAL REQUIREMENTS

The Proposed Amendments contain different approval requirements as follows:

- In order for the Proposed A&R Declaration to be adopted and become effective, it must be approved by Owners of not less than fifty percent (50%) of the Residential Units.
- In order for the Proposed A&R Bylaws to be adopted and become effective, it must be approved the affirmative vote of a majority of a quorum of the Owners present at a regular or special meeting of the Owners called for such purpose.
- In order for the Proposed A&R Articles to be adopted and become effective at least a majority of the total votes in the Association entitled to be cast in person or by proxy, at a regular or special meeting of the Members at which a quorum was present must be in favor of the amendment.

VOTING PROCESS

The Association will be voting on the Proposed Amendments at a Special Meeting of the Members at a later date and time, and we will be mailing you a separate Notice of Special Meeting. However, we cannot set the future Special Meeting date until we have enough Directed Proxies to move forward with a vote.

Please return your completed Directed Proxy at your earliest convenience so we can collect enough proxies to move forward with the meeting. You can still attend the future meeting and vote in person if you like, in which case we will void your proxy.

RETURN OF DIRECTED PROXY

You may return your Directed Proxy using any of the following options:

- Return your Directed Proxy by mail to the Association, c/o Altitude Community Law P.C., Attn: Jamie Hamilton, 555 Zang St., Suite 100, Lakewood, CO 80228; or
- Scan and email your Directed Proxy to the Association, at jhamilton@altitude.law; or
- Take a legible photo of your Directed Proxy and email to the above email address; or
- Hand-deliver your Directed Proxy to any of the Board members.

Once we have enough proxies to move forward with the vote we will provide written notice of the Special Meeting of the Members, at which the Directed Proxies will be used for the vote.

If you have any questions on the above or attached, please contact the Association's manager at ashand@srgsummit.com.

Sincerely,

Board of Directors
Mountain Side Homeowners Association
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