

**RESOLUTION
OF THE
BATTLEMENT MESA SERVICE ASSOCIATION
REGARDING ALTERNATIVE DISPUTE RESOLUTION (ADR)**

SUBJECT: Adoption of a procedure regarding alternative dispute resolution.

PURPOSE: To adopt a standard procedure to be followed for alternative dispute resolution

AUTHORITY: The Declaration, Articles and Bylaws of the Association and Colorado law.

**EFFECTIVE
DATE:** January 1, 2006

RESOLUTION: The Association hereby adopts the following Policy and Procedures:

1. Mediation may be pursued by the Association before any lawsuit is filed. Mediation shall not be required if time constraints prevent accomplishing mediation.
2. Mediation will not be pursued by the Association if an Owner refuses to do so.
3. If mediation is to be pursued, it must be pursued using a trained mediator or facilitator that is familiar with governance of owner associations.
4. Mediation allowed for or required under this Policy must be in compliance with the Uniform Arbitration Act and/or the Dispute Resolution Act, as applicable.
5. If the parties to the mediation cannot agree on the facilitator or mediator or other qualified person to conduct the mediation, then each party shall choose a qualified person and those so chosen shall then select another qualified person. In the event either party fails to select a qualified person within 10 days of the request to mediate, the chosen person shall select two other qualified persons.
6. The costs of mediation shall be split equally among the parties involved in the mediation.
7. Unless otherwise defined in this Resolution, initially capitalized or terms defined in the Declaration shall have the same meaning herein.
8. The provisions of this Resolution shall be in addition to and in supplement of the terms and provisions of the Declaration and the law of the State of Colorado governing the Community.

9. The Board may deviate from the procedures set forth in this Resolution if in its sole discretion such deviation is reasonable under the circumstances.

10. This policy may be amended from time to time by the Board of Directors.

PRESIDENT'S

CERTIFICATION: The undersigned, being the President of the Battlement Mesa Service Association, a Colorado nonprofit corporation, certifies that the foregoing Resolution was approved and adopted by the Board of Directors of the Association, at a duly called and held meeting of the Board of Directors of the Association on December 20, 2005 and in witness thereof, the undersigned has subscribed his/her name.

BATLEMENT MESA SERVICE ASSOCIATION
a Colorado non-profit corporation,

By: Charles St. Hill
_____, President