

DEFINITION OF LIMITED COMMON AREA ELEMENTS:

At Rim Village Vistas November 7, 2009 Annual meeting, 32 units were present via in-person or proxy.

Here are the notes as it relates to defining Limited Common Area Elements from New Business from the 2009 Annual Meeting:


(Found under New Business Item #4)

- 4. Limited common area element responsibility:
  - a. Current HOA bylaws are vague with regards to unit owner fiscal responsibility HOA fiscal responsibility or combined responsibility with regards to maintenance / repair of common area elements.
  - b. HOA board has drafted a document to outline responsibility of maintenance / repair of limited common area elements.
  - c. Open debate to the general membership.
    - i. Board attempting to be proactive by defining "grey areas".
    - ii. Membership can continue to accept vague definition of maintenance / repair of limited common area elements or define responsibility.
    - iii. Regardless of path our membership follows the unit owner will pay in the end via special HOA assessments, increased HOA monthly dues or individual payouts as defined by the LCC responsibility.
  - d. Matt Eilers unit 4A3 proposed that definitions of LCC responsibility be incorporated in to HOA bylaws.
  - e. Cory Clayson unit 4A6 seconded the motion.
  - f. Membership voted on incorporation of the definitions of LCC responsibility (26 Yes / 6 No).

End of information regarding Definition of Limited Common Area Elements from that meeting.

The following 4 pages define who is responsible for what: HOA vs Homeowner.

Board President at the time: Matt Eilers

x \_\_\_\_\_  
  
 Matt Eilers

State of Colorado County of Mesa  
 Subscribed and sworn before me on 2/29/16  
 \_\_\_\_\_  
 (Notary Signature)

LAURA RAMOS  
 NOTARY PUBLIC  
 STATE OF COLORADO  
 NOTARY ID 20134026847  
 MY COMMISSION EXPIRES APRIL 28, 2017

Ent 510983 Bk 827 Pg 309 - 313  
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 JOHN ALAN CORTES, Recorder  
 GRAND COUNTY CORPORATION  
 For: CANYONLANDS REALTY LLC

## **Rim Village Vistas**

### **Further Explanation of Responsibility of Limited Common Area Elements**

**\*The following document cannot be changed or amended without approval by the HOA membership without the required # of votes as stated by the current CC&R's.**

**The following guidelines apply to Building 1-5 as well as any future buildings in Rim Village Vistas.**

#### **HOA RESPONSIBILITY**

The following listed items all fall under the responsibility of the Rim Village Vistas HOA and the following conditions apply to each item listed below.

All maintenance, repair, replacement, damage and any water leaks that come in through the items listed below is the responsibility of the HOA.

- 1)Roof- Clay/Ceramic Tiles
- 2)Roof- All Membrane Material
- 3)Stucco/Stucco Cracking

\*Exception: If any Homeowner modifies these areas (EX-adding Dish...), they will now be responsible for any water leaks, repair, maintenance of the area where the addition occurred.

- 4)Gutter Downspouts

#### **HOMEOWNER RESPONSIBILITY**

The following listed items all fall under the responsibility of the Homeowner and the following conditions apply to each item listed below.

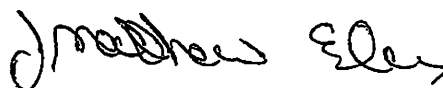
All maintenance, repair, replacement, damage and any water leaks that come in through the items listed below is the responsibility of the Homeowner. The Homeowner is not allowed to change out any of the items without permission from the HOA Board.

The HOA Board has the right to request a Homeowner to repair or replace the items listed below if the condition of this item is in a condition is deemed in need of being repaired/replaced. The HOA Board has the right to fine a Homeowner (See Fine Schedule) if a Homeowner is not repairing/replacing the item as requested in a reasonable amount of time or made other arrangements with the Board.

#### **Notification:**

The HOA Board or their representative (the current Association Management Company or the HOA's legal representative) will send a certified letter letting the Homeowner know of:

- 1) The item that needs to be repaired/replaced
- 2) When it needs to be repaired/replaced by
- 3) The Fine that would apply if the replacement/repair is not completed in the requested timeframe



- 4) The material/style/brand... that the item needs to be replaced/repaired with in order to keep with the current look of Rim Village Vistas

**Items:**

(all of the following items are Limited Common Area Elements that the Homeowner is responsible for to repair/replace/maintain as directed by the current Rim Village Vistas HOA Board of Directors or their representative. Any of the items listed below the Homeowner is also responsible for if a water leak has occurred at one of these spots. The Homeowner would be responsible for all water damage to their unit and any other affected unit if it came from one of the below listed areas.)

- 1) All Windows/Window Casing- (everything associated with the installation of a window)
- 2) Garage Door & surrounding trim
- 3) Garage Door Key Entry Pad
- 4) Patio Gate
- 5) Interior Unit- Master Bedroom Slider
- 6) Front Door- all associated parts including the doorbell
- 7) Interior Unit- Membrane Material off of Master Bedroom
- 8) Light Bulb replacement off of Patio & next to Garage
- 9) Stamped concrete- Patio areas
- 10) Electrical outlets- Patio & by garage (if applicable for the unit)
- 11) Sconces- Patio & by garage
- 12) Gas Line- Patio area
- 13) Water spigot- Patio area
- 14) Interior- Driveway from garage to asphalt (further defined below)
- 15) Exterior- Driveway from garage to asphalt (further defined below)
- 16) Heat Pumps-including water that comes into the unit from the heat pump
- 17) Vents- (Dryer, heater...)
- 18) Plants- For any plants that were added by the Homeowner (would need permission from the HOA Board to add plants)
- 19) Insects/Animals- any insects or animals that make their way into a unit from the outside
- 20) Wood- Patio area. Homeowners responsible for upkeep and staining (using stain approved by the HOA).

**Driveway Repair/Maintenance/Replacement further defined:**

Homeowners will be responsible for all repair, maintenance, replacement... of the driveways as defined by the following dimensions:

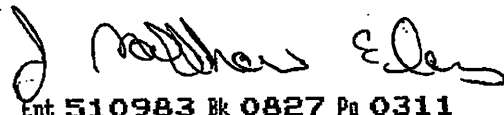
**Interior Unit:**

Width: ½ of the overall area that is shared with adjacent Homeowner.

Length: From the garage out to the Asphalt

**Exterior Unit:**

Width: from the corner of the unit to the corner of the unit as you look at the Exterior unit's garage



Ent 510983 Bk 0827 Pg 0311

Length: from the garage to the asphalt

\*for any unit(s) that are different from the norm at Rim Village Vistas, the current HOA Board will define what each Homeowner is responsible for if a driveway needs repair, maintenance, or replacement.

**Inside the Unit Structural, Plumbing, or Electrical Modification**

Any interior structural changes, major plumbing or electrical work, the Homeowner will need to obtain the permission of the HOA Board or representative before starting such work.

All contractors will need to be licensed and insured and will need to give a copy of their insurance to the HOA Board or Association Management Company prior to commencing work.

**Additions to Limited Common Area Elements:**

Absolutely no permanent or semi-permanent fixtures/items can be added to the Limited Common Area Elements (EX- Dish TV...) if adding this fixture/item entails compromising the integrity/structure of the common area element without the written permission of the Rim Village Vistas HOA Board of Directors.

If an item has been added without the permission of the HOA Board, the HOA Board can ask the item be removed, the property returned to it's original condition (at the Homeowners expense) within a reasonable amount of time. The HOA Board has the right, unless defined further in this document, to fine the Homeowner up to a maximum of our currently Monthly HOA Fee. per month until the Homeowner returns the area/item to compliance.

State of Colorado County of Mesa  
Subscribed and sworn before me on 2/26/16  
(Date)  
Laura Ramos  
(Notary Signature)

LAURA RAMOS  
NOTARY PUBLIC  
STATE OF COLORADO  
NOTARY ID 20134026847  
MY COMMISSION EXPIRES APRIL 28, 2017

J. Matthew Elias

# Rim Village Vistas

Further Definition of Responsibility for Maintenance/Repair  
of Limited Common Area Elements

*\*the following items are understood to include maintenance, repair, & leaks including but not limited to water leaks*

Item	HOA	Homeowner
Roof- (includes water leaks)	✓	
Windows/window casing- (includes water leaks)		✓
Garage Door including security pad/trim...		✓
Patio Gate		✓
Interior Unit- Sliding Door Off Master		✓
Front Door- including frame/hardware/doorbell		✓
Interior Unit- Membrane on Deck off Master	✓	
Exterior Unit- Membrane above garage	✓	
Any membrane/roof material on the flat areas on the very top of the units	✓	
Light Bulb Replacement (garage, patio)		✓
Gutter Downspouts	✓	
Water Leak (thru heat pump, garage, windows, doors, slider, vents)		✓
Stucco/stucco cracking- (structural problems only,not cosmetic)	✓	
Stamped Concrete in Patio area		✓
Electrical Outlets (patio or by garage)		✓
Sconces (patio & garage)		✓
Gas line (patio)		✓
Water spigot (patio)		✓
Interior Driveway (from garage to asphalt)		✓
Exterior Driveway (garage to asphalt)		✓
Insects/animals (coming in from outside, including patio area)		✓
Heat Pumps		✓
Vents (Dryer, heater...)		✓
Plants- (if Homeowner adds their own plants outside unit)		✓
Wood-Patio		✓

*J. Matthew Ellis*