

RULES AND REGULATIONS

for

THE VILLAS AT WALTON CREEK

Rules and Regulations for the Villas at Walton Creek

The Executive Board of the Villas at Walton Creek reserves the right to make amendments to the Rules and Regulations at any time.

If any individual unit owner wishes to seek a variance from the strict application of the Rules and Regulations they must put their request in writing and deliver it to the managing company, the managing company will then deliver it to the board for review at one of the scheduled board meetings. The request will then be given consideration and the owner will be given a written response following the board meeting.

Violations of Rules and Regulations; Enforcement; Fines

Any owner or guest may notify a board member or the managing agent of a violation of these Rules and Regulations. If, upon notice to the board, three or more members of the board concur that there is a violation, then the board may:

Provide a written "Notice of Violation" to the owner and to any occupant. In the case of violation which, in the opinion of a majority of the board, requires immediate attention, the board may notify local law enforcement personnel, may seek injunctive relief and, where appropriate, damages, from the appropriate court, or take such other action as is authorized under the declaration or bylaws.

In any case where written "Notice of Violation" has been provided to the owner and any occupant, and the violation is not promptly corrected, or there are repeated violations, then the board may determine that the owner is "delinquent", and may levy a fine of up to but not limited to \$100.00 for each violation or occurrence. Notice of such fine shall be in writing, shall be levied as an "assessment" against the owner and the owner's individual unit, and a copy of such notice shall be provided to any first lienor of such unit.

In the event that any fine is not paid within thirty (30) days of the date that notice of such fine is sent to the individual unit owner, the board may proceed to collect such a fine in the same manner as the board may enforce collection of any other unpaid assessment, including the filing a lien, initiation of a collection action, and foreclosure proceedings.

Hardship: Variance or Waiver

In the event that the owner of a condominium believes that the Rules and Regulations effect a hardship on such owner and that such hardship is unique to such owner and the owner's property, then the owner may request either a variance (temporary) or a waiver (permanent) from the board with respect to the specific provisions of the Rules and Regulations which create the hardship.

For the variance, the owner must specify the period of variance requested, the nature of the unique hardship, and must show the board that there will be no significant negative impact on any other owner if such variance is granted.

For a waiver, the owner must show that all of the requirements for a variance are met, and that they will continue to be met by any future owner or occupant of the owner's individual unit.

Adoption; Amendment

In order to be effective, these Rules and Regulations must be adopted by approval of at least 75% of the members of the board.

An amendment to the Rules and Regulations may be proposed by any board member or individual unit owner, by submittal of a written request or written proposal, and shall be considered at the next regular meeting of the board, or at a special meeting which is called for the purpose of discussing a proposed amendment. Any amendment must be approved by at least 75% of the members of the board.

Building Exterior

There will not be any projections allowed on the exterior of the building such as antennas, satellite dishes, clotheslines, speakers, but not limited to the above mentioned. No flags except on national holidays and they must be hung properly, not draped on the deck railings or buildings and be kept in good condition. Any decorations in connection with a religious or national holiday must be removed in a timely fashion after the holiday is over.

Signs

There will be no signs of any kind allowed within the Villas at Walton Creek complex including signs, which could be posted inside a unit window, and seen from the exterior of the building. The only sign exceptions to be allowed without the written consent of the executive board are the individual unit and building numbers as installed as part of the original construction. A permanent front sign that identifies the Villas at Walton Creek and any construction signage, allowed only as the reminder that the Villas at Walton Creek are under construction.

Hazardous Substances

All hazardous substances are prohibited on site, including but not limited to: toxic, noxious, flammable, combustible, or explosive materials. The exception to this is during construction or maintenance activity in which circumstance any hazardous substances, as listed above, must be in approved containers for storage or handling of flammable or combustible materials. These materials are approved only on site during construction and maintenance periods, and must not be stored at any time within the units or garages, or in

such a manner that would expose the residents, visitors, or the general public to any safety or health concerns. During periods of construction or maintenance when these materials are being used, adjacent unit owners must be notified and the association must be notified.

“No smoking” signs must be posted and fire extinguishers must be available from the managing agent or individual involved in the construction or maintenance activity. Construction or maintenance personnel using hazardous materials must be trained and material safety data sheets must be provided on site. Disposal of any flammable or combustible materials on property is strictly forbidden.

Common household items such as household cleaning materials, paint, batteries and these types of items are permitted.

Landscaping

No individual landscaping improvements, which would be considered specific to any owner or tenant, will be allowed. Smaller planting beds and shrubs, which are specific to the front of each building, must be similar in nature and if replanted or changed annually must be approved by the Beautification Committee. The Beautification Committee will establish what plantings would be appropriate for the areas directly around the lower individual units and if an owner would like to plant any of the suggested plantings it must be done at the expense of the individual and must be maintained by the individual to the standards acceptable by the Beautification Committee and the Executive Board.

Maintenance

Certain specific aspects of the privately owned portions of the condominium, which may have a direct effect on the other units of the property shall be established on a maintenance schedule and regularly maintained as a whole by the Association to assure that the necessary maintenance schedules are achieved.

An example of such private property element will be the requirement that the clothes washer supply hoses will be serviced and changed every two (2) years (or use burst-proof hoses) and that all required fire extinguishers are serviced and ready for use. Every owner will install an ABC fire extinguisher in his or her individual unit that will be inspected on a regular basis.

Time frame to have fire extinguisher installed within the individual units will be within 30 days of written notice by the Management Company. Every owner will be notified in a timely fashion when the annual inspections will take place.

Use and Occupancy Restrictions

Subject to the special declarant rights reserved by the declarant, the following use restrictions apply to all units and to the common elements.

- A. Civil and criminal law. No use shall be made of the units and common elements that will in any manner violate the statues, rules and regulations of any governmental authority having jurisdiction over the property.
- B. Association Rules and Regulations. No use shall be made which is contrary to the rules and Regulations as may be adapted from time to time by the Executive Board.

Notice of Occupancy

Each owner of a condominium shall annually provide the Managing Agent with current written information regarding occupancy in their individual unit(s). Current information will include the Owner's primary residence address and phone numbers and address for notification if different from primary residence address and emergency notification person(s) and telephone numbers. If the status of the Owner of an individual unit changes within the year, that Owner shall report the change within thirty (30) days to the Managing Agent.

In addition to the Owner of the individual unit, long-term tenants occupying a condominium will need to have the same information on file with the Association. Individual units, which are rented on a short-term basis, will be required to have the same mandatory information on file with the Managing Agent. It is mandatory that the Owner of a condominium, renting out the condominium on a long-term basis, provide the renter with a copy of the Rules and Regulations.

Each unit may only be used and occupied, whether by an Owner, tenant, or lesee in accordance with the strict occupancy restrictions set forth herein. The Executive Board shall monitor and enforce these provisions for the protection and preservation of the values within the condominiums.

- 1. Six (6) persons in a one (1) bedroom, one (1) bath, den unit
- 2. Six (6) persons in a two (2) bedroom, two (2) bath unit
- 3. Eight (8) persons in a two (2) bedroom, two (2) or three (3) bath loft unit

Noise and Nuisances

The private rights of all Owners and occupants to enjoy peace and quiet shall be respected and maintained. Acceptable noise levels are permitted between the hours of 8:00 AM and 10:00 PM. Noise of any kind that is excessive (at any and all points in time) and can be heard inside another unit with the windows and doors open or closed is

prohibited. Examples include, but are not limited to: racing automobile engines, loud music, loud television, and loud conversation inside or outside the units. No Owner or occupant shall play or be allowed to play any musical instruments, radios, televisions, Hi-Fi, tape recorder, stereo or be allowed to make any types of loud noise in the common or private elements including garages any time of day or night. If the above activity or noise level disturbs or annoys any Owner or occupants in any other units, in addition to exercising any and all legal means of enforcing this covenant, a penalty will be assessed against the individual unit owner in the amount of \$10.00 per day after a formal complaint has been made and logged. To substantiate a complaint call Mountain Resorts at 879.3700 or the Steamboat Springs police at 879.1144.

Fire Arms

No fire arms of any kind, BB guns, pellet guns, air guns, bows and arrows, crossbows and other archery equipment, sling shots or fireworks (other than the ones approved by City ordinance) shall be discharged within the Villas at Walton Creek complex.

Storage

Storage of personal items of any kind will only be allowed inside individual condominium units and their respective garages. Any exterior storage or use of the exterior building or common elements including but not limited to such things as drying cloths or other activities which alter, detract or make different the look or view of the buildings and or the complex is prohibited. The only items allowed outside the condominium units and their garages are bicycles, which are considered in use at the time; however, no attachments to elements of the building to protect them from theft are allowed. Back decks and patios are allowed one (1) gas grill barbeque type grill. Absolutely no charcoal or wood grills of any kind are allowed on either patios or decks. No storage of any kind is allowed under the stairwells. When decorative umbrellas are used on patios and decks they must be securely fastened at all times to prevent any harm or damage. The Association will have the right to assess the unit owner \$10.00 per day for any of the above violations.

Absolutely no independent charcoal grills are allowed anywhere on the property at the Villas at Walton Creek.

Obstructions

No Owner or occupant shall place any structure whatsoever upon the common elements nor shall any Owner or occupant engage in any activity which will temporarily or permanently deny free access to any part of the common elements without written prior consent of the Executive Board, that has been obtained by using the proper channels to obtain a temporary variance. No structures of a temporary character including but not limited to any trailer, tent, shack, garage, barn, dog house or other building shall be constructed, placed or used on any portion of the Villas at Walton Creek at any time for

any purpose, either temporarily or permanently without the express written consent of the Executive Board.

Residential Purpose

The Villas at Walton Creek is hereby restricted to residential and uses related to the convenience and enjoyment of such residential use. No portion of the villas at Walton Creek shall be used in any way for the purpose that may endanger the health or unreasonably disturb the Owner of any unit or resident thereof.

Garages, decks and patios are not to be used as living space.

Business Uses

No business activities which would otherwise not be allowed under existing zoning codes or which would unreasonably disturb the Owner or occupant of any unit shall be conducted in any building or in any portion of the property; provided further however, that the foregoing covenants shall not apply to business activities, signs, billboards or other construction and maintenance of building of the Association, its successors and assigns in furtherance of its power and purposes.

Fencing and Screening

No fencing or screening of any kind shall be permitted within the platted area of the Villas at Walton Creek complex including but not limited to decks and patios without prior approval of the Executive Committee.

Exterior Appearances

No improvements, construction, modification, painting or other changes shall be made to the exterior of the existing building without the written consent of the Executive Board. Excluding screen doors that were approved prior to these Rules and Regulations (design of screen doors has been approved and must be followed – see Executive Committee for details).

Vehicle Operation and Private Roadway

Without written authorization of the Executive Board the following covenants and restrictions control the use and operation of vehicles within the complex:

Permitted motorized vehicles: There is a maximum of two (2) vehicles allowed per unit, excluding short-term visitors. Motorized vehicles allowed within the complex include passenger type automobiles, light duty pick-up trucks and motorcycles. No commercial trucks, utility vehicles, travel trailers, campers, boats, recreational type vehicles will allowed within the complex. The only exception to the above exclusions are commercial vehicles which will be allowed while construction or maintenance activities are being

performed and then these types of vehicles will only be allowed when and as needed during business hours. During construction or maintenance, commercial vehicles are not allowed to block access to or from any unit or garage without prior notification. No motorized vehicle of a recreational nature such as, but not limited to snowmobiles, three wheelers or quad-runners are allowed to be operated within the complex, nor are these vehicles allowed to be stored within the complex with or without a trailer.

Vehicle maintenance and repairs is strictly forbidden. Absolutely no oil changing allowed. Not prohibited by this provision is any vehicle body waxing or minor interior cleaning and detail work and washing of vehicles. Water hoses must have a control nozzle to conserve water.

All vehicles must display proper licensing tags, stickers or plates, which would identify that, they are currently legal to be operated on public roadways.

The speed limit within the complex for all vehicles, including bicycles, is 10 m.p.h.

Parking

Each unit is hereby allowed and granted the private reserve of two (2) parking spaces. These two (2) reserved spaces include first the private garage and second space is immediately in front of the unit's private garage. All other additional parking is reserved for visitor parking. With the exception of construction or maintenance. No parking on the private roadway is allowed. All motorized vehicles, including motorcycles, must utilize a parking space. With the exception that if a motorcycle and vehicle can be parked in one space in a comfortable and safe manner and still not impose on any other space, then this parking arrangement will also be allowed. The Association reserves the right to remove any vehicles from the complex, which are in violation of this covenant. Any all charges related to the removal of a vehicle in violation will be charged to the unit Owner.

Short-term renters will be issued temporary parking permits.

Exception: Building 14 the second parking space will be assigned in what would have been visitor parking directly across from the garage. Signs will be posted to reserve the space for each unit in Building 14.

Access to Parked Vehicle

The Owners of a vehicle parked outside of a garage must leave keys to the vehicle with the Association or with a responsible local person when the said owner is absent from Steamboat Springs, Colorado, in case the vehicle needs to be moved for snow removal or other emergency purposes. Absolutely no vehicle is to be left in a visitor parking space when Owner leaves town, no matter how short the departure.

Morgan Court Private Drive

Morgan Court has been established with the dedicatory language on the recorded plat and is established and reserved as a private access road for the exclusive benefit and use of the complex and as an emergency vehicle access. Morgan Court is in no way established as a public access route to other properties adjacent to the complex.

Garbage

Under no circumstance are bags of trash allowed on patios, decks, outside of front doors or outside of the garage. Nor are bags of trash allowed to be disposed of anywhere around the dumpster. All trash belongs inside the dumpster. No furniture or other large items will be allowed in the dumpster or anywhere around the dumpster. Such items must be disposed of in another manner. A fine of \$100.00 will be imposed on the unit owner.

Under no circumstance are the following items (including, but not limited to) to be disposed of in or around the Villas at Walton Creek dumpster areas: mattresses, box springs, oil, anti-freeze, tires, carpeting, appliances, hazardous waste and/or materials and construction material generated from off-site projects.

All garbage must be tied in plastic bags so it does not smell and dumpster lid must be closed.

Christmas trees must be disposed of at the City recycling drop off location. In no circumstances can they be stored on decks and patios waiting for their disposal. This creates a fire hazard and as does the dumping of the tree in the dumpster. The Christmas tree will not be disposed of anywhere around or inside the dumpster.

No littering of any kind is permitted, including the disposing of cigarette butts.

If a person breaks a glass container on the ground of the property, that person is required to clean up all pieces of glass and dispose of properly.

Animals and Pets

Please refer to the separate Villas at Walton Creek Pet Rules and Regulations.

Hot Tub and Spa Rules

The property has two (2) hot tubs available for use.

Operating hours 7:30 AM to 10:00 PM.

During the "shoulder" season one hot tube will be closed. This will alternate every season. Each resident will be given the code to access the hot tub. The gates to the hot

tubs must not be propped open for any reason. Once leaving the hot tub area, the resident must ensure the gate is properly closed. Any gate malfunctions must be reported to the Management Company.

No one under the age of 14 is allowed without a parent or adult guardian, an adult guardian being 18 years of age or older.

No radios without earphones are allowed.

Parents must quiet or remove their screaming/crying children.

No loud talking or loud laughter allowed.

Absolutely no bottles or glassware allowed in or near the hot tub area.

No grills inside or outside the fenced enclosure.

No running, pushing, horseplay or other rough games.

No diving.

Balconies

Nothing that shows above the rail may be stored on or about the balconies, including potted plants. In addition, the enclosure of any balcony or patio area is strictly prohibited. No hot tubs are allowed on decks or patios.

Garage Sales

Two (2) community garage sales will be held annually, one in the spring and one in the fall. Notice will be given to each individual unit owner of the date and time of the sales. At that time the individual unit owner may open their garage to sell items that are specifically from the their unit.