

SHADOW CREEK CONDOMINIUM ASSOCIATION



“RULES OF THE ROAD”

August 2008

"Rules of the Road" - 2008

Shadow Creek Condo Association
315 & 337 Arapahoe Ave, Boulder, Colorado 80302

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Introduction

Shadow Creek has maintained itself for twenty years now as an outstanding place to call home. Achieving this has required cooperation among all of the Owners. We have a condominium management company to help with technical expertise, and are governed by a Board whose members are fellow Owners elected to staggered terms at our Annual Meeting each year. Most of us have moved here from individual homes, so that some adjustments are called for in adapting to living among 23 other neighboring families. The Condominium Covenants set these out as rules; they actually represent the cumulative experience of various condominiums, a kind of distilled common sense bearing on how multiple families can live peacefully under the same roof. Living by these rules becomes second nature after one lives here for a while. Times of transition, selling the unit, or renting it out, require that the realty agent, and the new Owner or Tenant, read the Covenants carefully so that the transition takes place smoothly.

The policies and covenants will be reviewed periodically to allow for any necessary addition, modifications and/or updates. We encourage Owners to provide the Board with comments.

Thanks,
Shadow Creek Board of Directors

1. Owner and/or Tenant - Welcoming Committee

It is the responsibility of each Owner to read and understand the Association's Covenants, procedures, rules, etc. If a unit is sold or rented, the Owner obviously must insure that the new Owner, Tenant or their sales representative has copies of these documents and discusses in detail their important features. Our Condo Manager can provide copies of these documents, if necessary. This is important because on occasion in the past, when these documents have not been read, misunderstandings and inconveniences have resulted.

The Board will set up a Welcoming Committee with at least one Board member, to meet personally with each new Owner and/or Tenant. The purpose will be to greet new residents, and to insure that they understand the rules of the road regarding what is expected of each resident of the Shadow Creek Condo Association. This

understanding of the rules governing the operation of our Association is essential in preserving the quality of life, and consequently the value, of our property here at Shadow Creek.

Everyone should try to be aware of the daily tasks and activities occurring on Association property. Neighborly awareness automatically enhances building security.

Signed copies of all leases will be given to the Board and/or Condo Manager. Owners are responsible for providing their Tenant with a copy of this booklet along with the copy of their lease.

2. The Association will “Monitor all Moves in/out of each condo unit”

The Board of Directors has established a procedure to check all moves into and out of each unit/building. For each move a representative of the Board will insure that no damage is done to Association property. The unit's Owners, a Tenant, or a commercial mover could accomplish this move. Any damage by any of these parties will be billed directly to the unit Owner. The Owner or their representative will notify the Board and/or our Manager, Angela Bartlett (303)-443-7872, as to the exact move date. An Association representative will be present for the “Move in and/or Out ” operation.

3. Construction within units

In addition to moves in or out and leasing, construction projects within each of our units present another time where experience has told us that special attention is required. Over time we have had occasional problems with contractors working late hours on noisy projects, or using our common areas as a workshop for cutting countertops, etc. In other words, causing incidental damage or inconvenience as a project proceeds. Owners are welcome to consult informally with the Board or Construction Oversight Committee when contemplating a project within your unit.

As plans develop for construction or renovation within a unit, the procedure calls for the Owner to bring the proposal in writing to the Project Management Committee for review. Approval by that Committee in advance is necessary before the start of any work on the project.

Before construction actually begins, in order to minimize the impact of a project on other residents, we have found it imperative that the following guidelines be

reviewed by the Owner or the Project Management Committee with the contractor or the contractor's Project Manager:

- a. Work on a unit should be confined to ordinary working hours (8 AM to 5 PM). In special circumstances (e.g., illness in a neighboring unit), hours may be limited accordingly.
- b. In order to prevent damage and curtail noise in the Common Areas,, carpentry and stone work should be done only in areas designated by the Board for those purposes.
- c. Trash, including leftover lumber, cabinets, carpet remnants, boxes, etc., are to be disposed of by the contractor at sites of their own, not in our bins, which are for residents' trash only.

It is important that the rules of the road be clearly presented to the contractor. Our experience has been that, once that is done, most cooperate freely, and unnecessary damage to the common areas and inconvenience to our Owners have been avoided.

Note: See Appendix D for Construction Project Review Procedure

4. Noise

It is obvious that excessive noise levels can negatively affect neighboring residents, and therefore must be controlled and/or limited.

When Tenants of leased units are not appropriately apprised of the condominium regulations, problems like loud music or washing/drying clothes after 10 PM can result in issues with neighbors. It is important for Owners to be sensitive to these issues, and, when a unit is leased, particularly important that they appropriately and fully apprise their Tenants of the condominium regulations. To foster neighborly resolution, it is suggested that, when a noise problem arises, each Owner/Tenant contact the initiator of the noise and explain the problem. If an equitable solution cannot be found between the affected parties the issue should be reported to the Board or Condo manager. They will review the facts of the problem and explore appropriate actions to alleviate the problem.

The trend in recent years toward conversion of the original carpeted floors to wood or tile surfaces in several units has presented challenging problems. The buildings were originally designed for sound to be controlled by carpet over sub-flooring. Substituting hard materials (wood, tile) provides less cushioning of sound to the unit below, with obvious consequences. Experience with the first several units who have replaced carpets with wood or tile has demanded that a compromise would have to be made between the desires of those wishing to alter the floor

surface, and the impact of that on the comfort and value of the units below them. These considerations resulted in the Homeowners Association adopting a rule that replacement surfaces should preserve the sound absorption quality of the existing surface, so that carpeted surfaces be replaced only with new carpet, etc. Units with already existing hard surface flooring will not be required to remove that flooring, but are required to work with the Board and neighbors in mitigating noise issues or complaints from adjacent units. Note: See Appendix F for floor surfaces.

5. BBQ Grills

All BBQ grills that use the standard 20-pound propane tank are illegal and are prohibited by the City of Boulder (includes both front and rear patio decks, throughout the Shadow Creek complex, except for the gazebo area). In accord with the City of Boulder ordinance, all Shadow Creek owners are directed by the Board to remove all 20-pound propane tanks from their individual decks immediately. As demonstrated in the disastrous Gold Run Condo fire in 2007, these grills present a severe accelerated fire hazard to our owners and the complex.

It should be noted that BBQ grills are allowed if the propane tank capacity is no greater than 2.5 pounds. Unfortunately, our searches have revealed that 2.5-pound propane tanks are not available for purchase. The only tank available that meets the City's ordinance criteria is a 1-pound tank available at McGuckin Hardware with the connecting hardware that will allow the legal operation of your existing grills. This type of small tank will limit your long-term grill operation - maybe one or two cook outs, but will work. If you have any questions please call Sam or George.

6. Parking

There are (18) parking spots in Building 315 and (17) Parking spots in Building 337. Each Owner is guaranteed one space in their respective building at no extra charge. One additional inside space per unit is available on a first come first served basis at a cost of \$35/month - there are (6) in 315 and (5) in 337. The two outside spaces near the gazebo are also reserved for resident parking and may be assigned, again on a first-come/first serve basis, for a fee of \$25/month.

Owner-occupied units have the priority additional spaces for additional parking spaces over Tenant occupied units. When an Owner moves, parking spaces do not go with the unit; rather, the space or spaces are returned to the pool of parking spaces, to be reassigned by seniority on a first-come first-served basis, according to the waiting list maintained by the Board and the Building Manager. Priority is

assigned to an Owner who is already on the "Waiting List." The (5) visitor parking spots are not for the use of residents, but are for Visitors only. Note: See Appendix C for current parking assignments

7. Animals/Pets in the Shadow Creek Complex

The existing covenants do not allow animals at Shadow Creek, except with the express written consent and approval of a two-thirds majority of the Board. Since pets have sometimes presented problems to neighbors, we would like Owners with animals presently in the Association complex, if they have not already done so, to submit a written request to the Board for approval allowing the pets to continue to reside in their respective buildings. If a an approved pet should become a nuisance or inconvenience to another resident, and the conflict can not be resolved satisfactorily between the parties, the Board has the right to press the Owner to correct the problem or, if necessary, have the animal permanently removed from the Shadow Creek Property.

8. Security

Security of our two buildings is all of our business and responsibility, all Owners, Tenants and guests. If we all pay attention to security and use some simple precautions, we can reasonably protect our buildings, common areas and private property. Here are the simple guidelines for maintaining security:

Keep entry, inner garage, and all other stairway doors locked at all times unless they are in active use and under direct observation. Do not let anyone into the building that you do not know. In the spirit of Neighborhood Watch, observe any person in the complex that you do not recognize, loitering, etc., and question their business.

9. Trash and Eco-cycle

Each building has a trash storage area completely hidden from general observation. It is important that this area be closed from outside observation so as not to become an "eye sore". This means keeping the outside main closure doors secured at all times. Inside this area are the following containers:

- o 3 cubic yard dumpster for general garbage.

- o 1 cubic yard container or 64 Gallon Cart for mixed paper which includes: magazines, phonebooks, newspapers, & inserts, corrugated cardboard & brown paper bags, cereal boxes, gift boxes, paper egg cartons, six or twelve pack paper cartons, envelopes, office paper, manila file folders, carbonless paper, mail, legal pads and wire spiral notebooks.
- o 1 - 64 Gallon Cart for commingled items such as: cans, paper milk or juice cartons, drink boxes with foil liners, glass bottles and jars, plastic bottles with a # 1 or # 2 on the bottom. Please discard bottle caps.
- o Please empty and rinse all containers, flatten large plastic bottles, flatten all cardboard boxes and do not ball up aluminum foil. No Styrofoam containers are to be put in the recycle bins.

Detailed instructions for sorting recycle materials are posted on the garage side of the door to each trash area. These are updated as necessary. Trash is collected once a week. All trash garbage should be placed in plastic bags and transferred to the container. This sealing will help reduce odors, spilling of trash in the garage, etc. It is important that the garbage lids are closed tightly and the animal protection bar pulled over it to prevent the entrance of water or raccoons into the container. Escape odors will also be minimized. Large items can be placed outside the container, but inside the enclosed areas. Owners should understand that large items such as furniture, mattresses, plants that will not fit into the containers require a special call and treatment by Western Disposal to handle at an extra charge for oversized materials. Owners on “good faith” should notify the Condo Manager of their responsibility to pay for this extra service. Please flatten big boxes before either putting them in the containers/dumpster or stacking them for recycle.

General trash that is either dropped into the outside areas or blown into the complex will take little time to pick up and place in our containers. When in doubt pick it up.

10. Pool

The pool is for residents and their guests only. Rules and hours of operation are posted at poolside and copies are mailed to individual unit Owners each spring. A key is available by calling the condo manager at 303-443-7872. Obviously it is important that users of the pool keep the noise level under control; this is especially needed with young children. Due to the winds in the Boulder area, the umbrella must be folded down and secured by the last person using the pool as they leave. Otherwise the table and umbrella are vulnerable to damage. Note: See Appendix E for pool rules.

11. Smoking

Residents are of course entitled to smoke in their units. The Board requests that no residents or guests smoke in the common areas, hallways or garage.

12. Windows

Once a year, The Association has the common area windows professionally cleaned. Individual Owners can contact this contractor to have interior windows cleaned at this time, for which you pay separately. Notices are posted approximately (2) two weeks before window cleaning with the name and number of the contractor.

13. Flowers

Flower beds are planted and maintained by the residents and a part-time gardener. Each Spring a one or two day cleanup is planned. The purpose is to tackle necessary cleanup in the garage, minor tree pruning, leaves removal, etc. It also doubles as a “getting to know you day ” with volunteer refreshments furnished by individual residents, and we do have some good cooks. If you are not able to attend this function, a small contribution would be nice, to defray the purchase of our bedding plants.

14. Homeowners Fees

Our homeowner's fees are established for the coming year at \$360/mo/unit. The fee is used for current operating expenses, and also is calculated to provide the Association with a reserve for future major facility systems, e.g., roof replacement, building painting, new carpet in the common areas, boiler replacement, etc. This Reserve protects us against the stress and inconvenience of emergency assessments when a large predictable repair becomes necessary. These fees are due and payable on the tenth day of the month and prompt payment will prevent residents from occurring late fees.

15. Complex Maintenance

Maintaining Association property and facilities is the major priority for the Board. As we enter our approximately 22nd year, our systems and facilities are getting older and are starting to require repair and, in some instances, replacement. Although the Board has the primary responsibility for these tasks, we welcome and

encourage the participation of all unit owners. Residents can help by monitoring items such as trash on the property, light bulbs burned out, water leaking from sprinkler heads, pool not properly cleaned, etc., and reporting problems in these areas to the Board or our Condo Manager. A list of all committees will be updated each year with the people involved. Let them know if you observe anything needing attention. As mutual owners of a fine condominium complex, we're all in this together.

16. Owners and their Tenants

Owners are responsible for making sure these rules, along with the covenants, are made part of your lease agreement. Your Tenants are expected to follow the same rules we Owners do, so they need to be informed about their responsibilities. The Condo manager shall ensure that new Owners and Tenants read and sign-off on these Rules of the Road, along with the other, more formal documents they will be signing.

17. Elevator

The elevator is for the use of all of us. Access to it must be kept clear, and the grocery cart stored clear of the elevator doors when not in use. As with other common areas, the elevator should be protected from damage, particularly when it is being used to transport furniture or appliances.

18. List of Association Contractors

- o See Appendix A

19. List of Association Committees with Members

- o See Appendix B

20. Current Parking Assignments

- o See Appendix C
- o Building 315
- o Building 337

21. Construction Project Review Procedures

- o See Appendix D

22. Pool Rules

- o See Appendix E

23. Criteria for Flooring Surfaces

- o See Appendix F

24. Board of Directors

John Martin
David Rosenberg
Mary Spalding
George Thompson
Sam W. Maphis
Jerry Jacobson