

SHADOW CREEK CONDOMINIUM ASSOCIATION



“RULES OF THE ROAD”

July 2012

"Rules of the Road" - 2012
Shadow Creek Condo Association
315 & 337 Arapahoe Ave, Boulder, Colorado 80302

Table of Contents:

- 1. Owner and/or Tenant - Welcoming Committee**
- 2. Moves in/out of each condo unit**
- 3. Construction within units**
- 4. Noise**
- 5. BBQ Grills**
- 6. Parking**
- 7. Animals/Pets**
- 8. Security**
- 9. Trash and Eco-cycle**
- 10. Pool**
- 11. Smoking**
- 12. Windows**
- 13. Flowers**
- 14. Homeowners Fees**
- 15. Complex Maintenance**
- 16. Owners and their Tenants**
- 17. Elevator**

Appendix A – List Of Association Contractors

Appendix B – List of Association Committees with Members

Appendix C – Current Parking Assignments

Appendix D – Construction Project Review Procedure

Appendix E – Pool Rules

Appendix F – Criteria for Flooring Surfaces

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's 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

See Appendix A

19. List of Association Committees with Members

See Appendix B

20. Current Parking Assignments

See Appendix C

Building 315

Building 337

21. Construction Project Review Procedures

See Appendix D

22. Pool Rules

See Appendix E

23. Criteria for Flooring Surfaces

See Appendix F

24. Board of Directors

Mary Nakasian, President
George Thompson, Treasurer
Sam W. Maphis, VP
Jerry Jacobson
Roger Gridley

**Appendix A
List of Complex Contractors**

Name	Address	Telephone Number	Expertise
D.L. Adams Associates, Inc.. 1	701 Boulder Street Denver, CO 80211	303-455-1900	Sound Engineer
B.A.R. Electric Co. Brett Ratner	5765 Arapahoe Ave, Suite C Boulder, CO 80303	303-444-6789	Electrician
Buffalo Lock & Key, Inc.	2510 Baseline Road Boulder, CO 80305	303-494-0707	Locks & Keys
Bartlett Property Management	P.O. Box 325 Eldorado Springs, CO 80025	303-443-7872	Management
The City of Boulder	P.O. Box 275 Denver, CO 80263	303-441-3260	Water/Sewer
Centennial Plumbing & Heating, Inc.	Boulder, CO 80301	303-586-8934	Heating/Plumbing
Colorado Seamless Gutters, Inc.			
Carpet Van Boulder, CO 80303	6367 Arapahoe Road	303-449-0011	Carpet Installation
Door Specialties	4410 Steele Street Denver, CO 80216	303-292-5080	Overhead Garage Doors
Freedom Fire Protection, LLC		303-827-2060	Fire Alarms
Garvins Sewer Service, Inc.		303-442-3347	Sewer Cleaners
Henry Lopez Associates	1526 Spruce Street	303-447-2813	
HI-Tech Appliances	364 S. McCaslin Blvd. Louisville, CO 80024	303-665-0951	Alliance Repairs
Holder, Inc	11392 Jay Street Westminster, CO 80020	303-465-927	Front Entry Security
Lew Grothe	2280 Forest Ave. Boulder, CO 80304	303-521-1923	Building Maintenance
Sun & Shade Groundskeeping	P.O. Box 21212 Boulder, CO 80302	303-931-7991	Grounds Maintenance
Messerly Painting	1025 Venice Street Longmont, CO 80501	303-359-9113	Interior Painting

<p>Otis Elevator Company ID # TMN 261038</p>	<p>P.O. Box 73579 Chicago, IL 60673-7579</p>	<p>1-800-233-6847</p>	<p>Elevator Repairs</p>
<p>Pestrite Boulder Valley PC</p>	<p>Windsor</p>	<p>303-442-0754</p>	<p>Pest Control</p>
<p>Xcel Energy Gas/Electric Service</p>	<p>P.O. Box 92002</p>	<p>1-800-481-4700 Amarillo, TX 79120-6002</p>	
<p>Quality Pools, Inc.</p>	<p>2083 30th Street Boulder, CO 80301</p>	<p>303-786-9700</p>	<p>Pool Service</p>
<p>Squeegee Clean Blue Sky Window</p>	<p>P.O. Box 20083 Boulder, CO 80308</p>	<p>303-661-0430</p>	<p>Window Cleaning</p>
<p>State Farm Insurance CO. ServiceMaster of Boulder, Inc.</p>	<p>Bill Tutterow</p>	<p>303-442-7736</p>	<p>Insurance Agent</p>
<p>Safe Systems, Inc. Maintenance</p>	<p>3460 Walnut Street Boulder, CO 80301-2500</p>	<p>303-448-4340</p>	<p>Fire Alarm</p>
<p>Superior Aggregates, Inc</p>	<p>PO Box 21373 Boulder, CO 80308</p>	<p>303-661-3021</p>	<p>Concrete/Asphalt</p>
<p>Trident snow Removal, Inc.</p>	<p>395 Oneida St. Boulder. CO 80303</p>	<p>303-554-1615</p>	<p>Snow Removal</p>
<p>Qwest</p>	<p>Denver, CO 80244-0001</p>	<p>1-800-603-6000</p>	<p>Elevator Phones</p>
<p>Van Lier Roofing, Inc.</p>	<p>3869 Walnut Street</p>	<p>303-440-0510</p>	<p>Roof Repairs</p>
<p>Conserv-A-Watt, Inc.</p>	<p>P.O. Box 40279 Denver, CO 80204</p>	<p>303- 629-0066</p>	<p>Light Bulbs</p>
<p>Western Disposal</p>	<p>P.O. Box 9100 Boulder, CO 80301-9100</p>	<p>303-444-2037</p>	<p>Trash Removal</p>
<p>Save Home Heat</p>	<p>5741 Arapahoe Ave. Boulder 80303</p>	<p>303-443-9762</p>	<p>Heating Contractor</p>

Shadow Creek Condominium Association
Appendix B
Committee Sign-Up Sheet
March 2012

Architectural Committee:

Sam Maphis
George Thompson

Audit/Finance Committee:

George Thompson

Gardening/Landscape Committee

Deane Johnson
Wilson Crumpacker
Gina Martin-Smith
Jerry Jacobson
John Martin

Maintenance Committee:

Sam Maphis

Pool Committee:

Bonnie Crumpacker
Coila Maphis
Gina Martin-Smith
John Martin

Social/Welcome Committee:

Caroline Thompson

Recycle Committee:

Gina Martin-Smith
Wilson Crumpacker

SHADOW CREEK CONDO ASSOCIATION
CURRENT PARKING ASSIGNMENTS

BUILDING 315

10	MCCARTY-102	OPEN	9
11	HOVEM-202	CRUMPACKER-304	8
12	GRIDLEY-104	MATHER-301	7
13	SANFORD-103	MATHER-302	6
		GRIDLEY-104	5
14	NAKASHIAN-101	JACOBSON-201	4
15	JACOBSON-TEMP	LEVINE-203	3
16	OPEN	OPEN	2
17	MCCARTY-102	JOHNSON-204	1
18	MCCARTY-102		

SHADOW CREEK CONDO ASSOCIATION
CURRENT PARKING ASSIGNMENTS
BUILDING 337

1	WESTBERG - 304	SPALDING - 201	17
2	LEVENSON - 202	OPEN	16
3	OPEN	MAPHIS - 104	15
4	LOGMAN - 303	MAPHIS - 104	14
5	McCORKLE - 301	DOSTAL - 103	13
		DOSTAL - 102	12
6	ROSENBERG - 302	MARTIN-SMITH - 203	11
7	THOMPSON - 202	HORNER - 203	10
8	THOMPSON - 100	MARTIN-SMITH - 203	9

APPENDIX D
CONSTRUCTION PROJECT REVIEW PROCEDURE
Revised as of July 17, 2012

Review procedure for processing changes, modifications and additions contemplated by any owner living in the Shadow Creek Condo Association Complex (SCCA), including exterior as well as interior unit modifications such as remodeling, painting, carpeting, etc.

The procedures outlined here are the result of our 25 years of experience with construction projects. Before these procedures, we encountered such problems as contractors starting too early or ending too late in the day, machining wood, stone, and other materials in the common areas, being careless about damaging walls and carpet in moving materials and equipment in and out of the building, filling our dumpsters with construction debris, etc. It has been these experiences that led to the following set of procedures designed to allow projects to move ahead expeditiously while protecting our structures from damage and minimizing inconvenience to other owners while a project is being done.

Step 1. Property owner submits in writing (email is fine) to the **Project Management Committee** a clear, concise and detailed application for review. This should include the appropriate drawings or sketches, if needed.

Step 2. The Committee reviews the data, conducts site surveys/inspections as required, and discusses the project with the applicant. The Committee, may, if appropriate, contact owners of neighboring units that may be affected and/or request additional information/justification from the applicant. The Committee provides a written recommendation to the Board for approval, disapproval or other action. The Committee may, when appropriate, recommend that the item be placed on the agenda for a coming Board Meeting. The owner and interested others may attend any meeting at which the project is to be discussed.

Step 3. The Board approves or disapproves the application, or may table it for additional information and further review, after which the issue is brought back to the Board for final disposition. Scheduling a full discussion before the Board is an option available to the Committee, the applicant or the Board.

Step 4. The Board will provide written confirmation of the decision to the applicant, Committee, and for the record. This confirmation may be via official meeting notes prepared by the Association's Management, or via separate

correspondence specific to the issue. The Committee will make every effort to complete this review process within 30 days, keeping in mind the timing needs and intentions of the owner. To that end, the applicant should provide complete details of the project with the application. The Committee is available for consultation as the project is being planned and is in progress.

When a project is approved and ready to proceed, a fee is assessed to cover the cost of reviewing and then monitoring it, as well as to defray the costs of general wear and tear to the common areas occasioned by the work, and needs for carpet cleaning or minor touch-up. The fee is set according to the size and complexity of the project, and the potential for damage to the common areas, using the cost of the project as a rough gauge of that. To that end, the unit owner provides with each request to the Committee an estimated cost for that project, which can be adjusted upon completion, when the actual cost is known.

The fee schedule:

<u>Modification Estimated Cost</u>	<u>Non-refundable Deposit</u>
Up to \$5,000	\$ 200
\$5,000 to \$50,000	\$ 500
More than \$50,000	\$1,000

These fees are collected prior to the start of each modification.

The current method is to calculate by proportion within each category. For example, within the \$5,000 category, a \$2,000 project would carry a fee of 2/5ths of \$200. Further adjustments are based on the complexity of the project and its impact on other homeowners, the common areas, and the SCCA complex as a whole. The adjustment can be requested by the owner or initiated by the Committee, with the Board making the final decision and the appropriate adjustment.

For each project, the Project Management Committee issues a set of instructions/guidelines to the owner, whose responsibility it is to ensure that the contractors are informed of the conditions they are required to meet in the performance of any work on the SCAA property. The Committee provides a copy of the instructions/guidelines to the Board. These conditions apply to work done for the Association as a whole, as well as work for an individual owner, and might include such items as:

- On-site meeting with the owner and contractor to discuss SCAA rules and policies, including acceptable hours of operation. The goal of this meeting is to protect the Association's property and to minimize negative impact on other homeowners during the construction.
- Designated areas for work, equipment set-up, storage of materials, use of SCCA power/water, etc.
- Requirements for protection of elements in the common areas of the complex when moving material through the building.
- Establishment of a finite time period for the construction.
- Daily and final clean up by the contractor of all materials; construction debris and discarded materials are to be hauled away by the contractor
- Location for parking of contractor vehicles.

At the completion of the project the Project Management Committee will conduct a final inspection of the SCCA complex, to determine if any damage has occurred.

In the event that any of the above conditions are being ignored or violated by a contractor, as noted by the owner or a Committee member, it will be the Owner's responsibility to see that work stops until the behavior is corrected. In the unlikely event that an Owner fails to do this, or a contractor fails to comply, the Board may step in and require that construction stop until the issue is remedied.

Example from a recent Project:

The procedure outlined above may sound cumbersome, but in fact it almost always works quickly and smoothly. Here is an example from a recent project in which the decision was reached within a week after receiving the description of the work:

On May 9, 2012, The Unit Owner sent an email to the Construction Management Committee, inquiring about the process, and was sent a reply indicating that the Committee would need a brief description of the project, in this instance, the kind of replacement porch windows being planned, etc.

On May 26, the Owner sent an email with a detailed description of the project, and a cost estimate from his contractor.

On June 1, Letter of Approval to the Owner, including some conditions which the Owner accepted and agreed he would forward to the contractor.

The total cost of the project was estimated at approximately \$2,800. Using the sliding scale, $\$2,800/\5000 is 56%. Appendix D calls for 0-\$5,000 to be a fee of \$200. 56% of \$200 is \$112; the fee was rounded off to \$100.

Shadow Creek Condominium Association
Appendix E
POOL RULES

Pool Hours: 6 AM - 9 PM

All persons using the pool do so at their own risk. Owners and management are not responsible for accidents or injuries. Quiet times are before 9 AM and after 6 PM. No children under 14 are allowed in the pool during those times. Owners are responsible for informing renters and guests of the pool rules.

The pool is for private use only. No commercial use is permitted.

No pets are allowed in the pool area.

No glass containers are allowed.

No smoking, please.

No running or diving.

Unnecessary noise is not permitted.

Children must be supervised by an adult.

Management can refuse use of the pool to anyone at any time.

If you put up the umbrella, please take it down again before leaving the pool area. Each year an umbrella is ruined because someone has left it up and the wind takes it.

General Information

Residents have priority over guests. Normally, residents in each unit will be allowed to have up to four guests using the pool and patio at one time. Residents can request the right to have more than four guests by contacting the pool committee. Requests need to be made at least five days in advance.

Residents with guests are asked to be considerate of the rights of other residents who want to use the pool at the same time.

Residents are liable, and will be charged, for any pool damage or vandalism caused by themselves or their guests. Owners are responsible for their tenants.

Shadow Creek Condominium Association
Appendix F
Criteria for all flooring surfaces within the complex

The following Board approved policy shall govern all new floor surface changes / modifications / replacements within the Shadow Creek Condo Association (SCCA) complex. This detailed policy is based on the approval of the 4th amendment to our Declaration approved by 19 of our 24 owners, or 79.2 % on March 31 2008. (The minimum requirement for passage of any change to SCCA Declaration is 67%.)

Any Owner planning a project should carefully read Amendment IV (attached) before proceeding. What follows is a summary and outline of how the Amendment is to be implemented. The rationale for these Rules and Procedures is summarized in the opening paragraphs of the Rules. Essentially, controlling noise and other forms of potential nuisances is for the comfort of all of us, and for the maintenance of the property value of each of our units.

Any project should begin with a presentation of it in writing to the Board, which will refer it to the Project Management Committee for approval and oversight of the project. In the case of a projected change in flooring surface, the flooring acoustic design criteria utilized by this Committee are based on engineering studies, reports and recommendations dated 15 February 2007 and 15 October 2007. These studies were performed by the acoustic engineering firm D.L. Adams and Associates, Inc., with the objective of adjusting the noise absorption properties of all floor surfaces with in the complex to meet the acoustic criteria that have been established for high-end condominiums. The consultant's recommendations and design drawings for each floor surface are the basis of this Board policy.

All replacements surfaces are to be 'in kind' only; i.e., tile or other hard surface floorings are to be placed only where that surface type already exists, unless the new surface would provide an improved absorption characteristic – for example, tile may be replaced with carpet, but not vice versa. New carpet should have an underlayment that meets the acoustic standards outlined by the above engineering studies. Wood, tile and other hard surface floors are acceptable only in the kitchen, entryway and bathroom areas. First floor units, having no unit directly below them, are allowed to place hard surface flooring in other areas of the unit, as approved by the Board. This approval will be dependent upon the outcome of investigation of issues of lateral transmission of sound to adjacent units on the same floor. If deemed necessary, inspection of a new floor installation by an independent

qualified inspector selected by the Committee, at the Owners expense, may be required.

Units with existing hard surface flooring will not be required to remove them, but will work with the Board in mitigating any noise issues and/or complaints from adjacent owners in accordance with our adopted owners mediation committee and policies, as described below. Mitigating of existing hard surface flooring noise may be achieved through the strategic placement of area rugs in high traffic areas, with acoustic absorbent pad underlayment that has been recommended by the engineering study and has been approved by the Board for noise reduction. Other mitigating efforts, such as the use of soft-soled slippers by Owners or Tenants and their guests, may also help abate floor noise.

The Board has the responsibility, authority and procedures in place to deal with noise levels coming from any unit to another unit or the common elements of SCCA. Should a noise complaint arise, the first recommendation will be for the two Owners to discuss the issues between themselves and/or with the Shadow Creek 'Owners Mediation Committee', to seek solutions by informal means. If that should fail to reach resolution, and the Board determines that one or other party to the dispute is not voluntarily participating adequately in the mitigation process, the Board is empowered to assess fines in order to advance the goal of securing co-operation in the process. If that step fails to secure resolution, we are mandated to have available to us Alternated Dispute Resolution (ADR) procedures, a copy of which is available from the President of the Board or the Property Management.

The Committee will continue to monitor technological advances that may occur in the noise reduction properties of flooring installations that could prove applicable to the acoustic situation in our buildings.

The Board,
Shadow Creek Homeowners Association