

A RESOLUTION
OF THE BOARD OF DIRECTORS
OF
THE KEN-CARYL RANCH TOWNHOUSE ASSOCIATION

PERTAINING TO MAINTENANCE OF THE EXTERIOR OF HOMES

WHEREAS: Article VI, Section 2 of the Supplemental Declaration of Covenants and Restrictions of The Ken-Caryl Ranch Townhouse Association provides for assessments to be levied upon the members for the improvement and maintenance of properties, including Common Properties, and of the homes situated upon the properties, and

WHEREAS: The Association is currently providing for the maintenance of the Common Properties, limited to landscaping, streets, recreational facilities and painting of the exterior surfaces of the townhomes, and

WHEREAS: The well-being of the community and preservation of values of the townhomes depend upon well maintained Common Properties and townhomes situated thereon, and

WHEREAS: The owners of the townhomes share common walls and exterior surfaces due to the nature of the townhome structure and desire timely maintenance of exterior surfaces, and

WHEREAS: At the Annual Meeting of Members held on September 19, 1989, a majority of members present in person and by proxy expressed a desire for the Association to exercise the responsibility for maintenance and repair of the exteriors of the townhomes due to the nature of the townhome unit and to insure proper maintenance.

THEREFORE BE IT RESOLVED THAT:

The Association shall provide, in addition to maintenance upon the Local Common Properties, exterior maintenance upon each Townhouse as follows: paint, repair, replace and care for exterior building surfaces and repair, replace and care for roofs, gutters and downspouts as limited below. The purpose of this undertaking shall be to prevent and repair damage caused by normal wear and tear, aging and predictable weather action upon the exterior surfaces of the homes; and not to reconstruct and repair damage caused by casualty losses, structural defects, faulty construction, ground movement and other similar factors.

Maintenance of exterior surfaces shall include painting, staining, repair and replacement of siding, fascia, external rafters, and trim boards.

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Maintenance of roofs shall include all exterior surfaces including shingles and underlayment, flashing and roof jacks, but will not include roof deck, underlying structural members nor skylights. Repairs to skylights shall be limited to caulking and/or fastening of flashing.

It is the intent of the Board of Directors to schedule and perform preventative maintenance to exterior surfaces, including roofs and gutters, according to the previously established painting rotation by the Association of approximately 25% of the homes receiving this maintenance each year. Repairs to damaged areas, including roofs, will be handled on a priority basis upon notification to the Association that repairs are needed.

Brick and concrete surfaces shall be maintained by the Association. The decision on the method of repair, whether to tear out and replace, overlay, caulk, etc. shall rest with the Board of Directors.

Entrance doors and door jambs, including painting of doors and thresholds, shall be the responsibility of the Owner. The Association's maintenance of garage doors shall be limited to painting only.

Casualty losses caused by vandalism, wind, hail, rain, etc., will not be considered maintenance items, and will be the responsibility of the Owner and/or the insurer of the property.

Damage caused by ground movement, subsidence, ground water, surface water action (except sprinkler water), faulty initial construction, and other similar factors shall be the responsibility of the Owner.

Damage to interior surface caused by weather action on the exterior shall be repaired by the Owner. The Association, through its Managing Agent, will make reasonable effort to respond to damage calls and to repair the exterior components contributing to the interior damage as quickly as possible. However, preservation of the townhome is the responsibility of the Owner. The Association, or its Managing Agent, will not be responsible for interior repairs under any circumstances, whether caused by its action, lack of action, or delays in action for any reason.

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Except as provided above, the Owner shall be responsible for all other maintenance and repairs, including without limitation routine maintenance and cleaning of the Townhouse, any fixtures, furnishings, equipment and appliances located thereon, glass and screen surfaces, skylights, any patio or deck, planters and flower boxes of any type, and any fence built, added to or modified by current Owner or predecessor after the initial construction by the developer/builder.

In the event that the need for exterior maintenance or repair of a Townhouse is caused, at the sole discretionary determination of the Board of Directors, through the willful or negligent acts or omissions of its Owner, or through the willful or negligent acts of the family, guests or invitees of the Owner, including without limitation pets or animals, the cost of such maintenance shall be the personal obligation of such Owner, and shall be added to and become part of the assessment to which such Townhouse is subject and shall be an addition to any annual or special assessments to which such Townhouse is subject.

Notwithstanding anything stated above, the schedule and manner in which such maintenance is performed shall be at the sole discretion of the Board of Directors of Ken-Caryl Ranch Townhouse Association.

PASSED BY ACTION OF THE BOARD OF DIRECTORS THIS 15 DAY OF
APRIL, 1990.

Clarence D. Rush
Clarence D. Rush, President

Robert C. Stroh
Robert C. Stroh, Vice President

Julie S. Kearful
Julie S. Kearful, Secretary

Richard M. Arnold
Richard M. Arnold, Treasurer

Gerald Baker
Gerald Baker, Member

Frank A. Leidich
Frank A. Leidich, Member

Brad Sobel
Brad Sobel, Member

The Ken-Caryl Ranch Townhouse Association, Inc.

Guidelines for Window and Patio Door Replacements

Adopted August 16, 2004; Revised October 19, 2004; Revised November 16, 2004

INTRODUCTION

The Ken Caryl Ranch Townhouse Association, by its Board of Directors, in an effort to be responsive to homeowners who wish to replace windows and patio doors in their dwelling units, has developed these guidelines for the use of homeowners in planning and installing replacement windows and patio doors.

The Association requires the homeowner to submit an architectural request for board approval with detailed plans, colors and design of the windows or doors to be installed. A brochure depicting the color and window or door style to be installed must accompany your architectural request. Failure to include this information may delay review of your request.

Non-compliance to these specifications will subject the homeowner to disciplinary action and require him/her to remove the improvement to comply with these guidelines.

GENERAL SPECIFICATIONS

1. The approved color(s) are as follows:
 - a. Complete replacement of **all** windows and patio doors – white is the approved color.
 - b. Partial replacement of one or more windows, or a patio door – bronze or white to match existing windows or patio door.
2. All replacement windows must match in size and style of replaced windows. Windows to be double hung style basement windows **ONLY** can be single slider(s).
3. Replacement screens are at the owner's option – either full or partial.
4. Removal of the trim and/or siding, installation of membrane and metal window flashings, reinstallation of trim and/or siding and exterior paint touchup are paid by the Homeowner.

5. Replacement trim boards are to be of cedar material, matching in size of existing trim boards, with owner obtaining paint codes from the Association. Painting of the new boards are the owners responsibility.
6. Windows can be installed with or without grids. If replacing only a few windows all new windows must match existing in style and color.
7. Trapezoid windows may either be replaced or have the exterior frame painted to match new window frames.
8. Window glass shall be a minimum of double pane.
9. In addition to these guidelines, the manufacturer's installation specifications shall be followed. If there is a conflict between these guidelines and the manufacturer's specifications, the association board shall determine the proper course. In all cases, the board's decision shall be final.
10. Any damage to the building or grounds will be repaired by the homeowner to pre-existing conditions.
11. Homeowner must begin work within 90 days from approval by the Board of Directors. If work is not begun within this period a new request must be submitted. Work is to be completed within 60 days.
12. All other Ken-Caryl Ranch Master Association and The Ken-Caryl Ranch Townhouse Association covenants and rules shall apply.


Ernie Christensen, President


Ruth Inners, Vice President

Julie Kearful, Secretary

Floyd Pratt, Treasurer


Brad Sobel, Director


Kathryn Mandt, Director


Linda Crowder, Director