## CHARLESTON PLACE ASSOCIATION, INC. MAINTENANCE, REPAIR, AND INSURANCE RESPONSIBILITY CHART

The following chart depicts the responsibility for maintenance, repair and insurance between the Owners and the Charleston Place Association, Inc. ("Association") pursuant to the Declaration of Covenants, Conditions and Restrictions for Charleston Place A Condominium recorded on May 10, 1976 at Reception No. 1734183 ("Declaration"). **This Chart does not amend the Declaration and in all respects, the Declaration will control.** 

Key O = Owner A = Association

	MAINTENANCE <sup>1,2</sup>	AUTHORITY	INSURANCE <sup>3,4,5</sup>	AUTHORITY
		FOR		FOR
		MAINTENANCE		INSURANCE
BUILDING EXTERIOR / BUILDING INTERIOR EXCLUDING UNITS <sup>6</sup>				
Structural components of the	A	Declaration	A	Declaration
buildings, including, but not		<b>Sections 2.7, 7.2</b>		Section 8.1
limited to, beams, girders,		·		
columns, perimeter and				
supporting walls				
Exterior surfaces of the	A	Declaration	A	Declaration
condominium buildings		<b>Sections 2.7, 7.2</b>		Section 8.1
Roof	A	Declaration	A	Declaration
		<b>Sections 2.7, 7.2</b>		Section 8.1
Gutters and downspouts	A	Declaration	A	Declaration
		<b>Sections 2.7, 7.2</b>		Section 8.1
Trim	A	Declaration	A	Declaration
		<b>Sections 2.7, 7.2</b>		Section 8.1
Chimney and flue	A	Declaration	A	Declaration
		<b>Sections 2.7, 7.2</b>		Section 8.1
Window Wells	A	Declaration	A	Declaration
		<b>Sections 2.7, 7.2</b>		Section 8.1
Shutters of Units	A	Declaration	A	Declaration
		<b>Sections 2.7, 7.2</b>		Section 8.1
Windows of Units – window	0	Declaration	A	Declaration
screens or other glass		Section 7.1		Section 8.1
surfaces		<b>7</b> 1 11		
Windows of Common	A	<b>Declaration</b>	A	Declaration
Elements – window screens		<b>Sections 2.7, 7.2</b>		Section 8.1
or other glass surfaces Windows of Units and	<u> </u>	D 1 4	<b>A</b>	D 1 4
Common Elements –	A	Declaration	A	Declaration
		<b>Sections 2.7, 7.2</b>		Section 8.1
caulking and trim around exterior of windows				
Doors – Common Elements	A	Declaration	A	Declaration
Doors – Common Elements	A	Sections 2.7, 7.2	A	Section 8.1
Exterior light fixtures	A	Declaration	A	Declaration
serving one Unit	A	Sections 2.7, 7.2	A	Section 8.1
Exterior light fixtures –	A	Declaration	A	Declaration
Common Elements	A.	Sections 2.7, 7.2	A.	Section 8.1
Common Elements	l	Sections 2.1, 1.2	l	Section 9.1

	MAINTENANCE <sup>1,2</sup>	AUTHORITY FOR	INSURANCE <sup>3,4,5</sup>	AUTHORITY FOR
		MAINTENANCE		INSURANCE
Balcony appurtenant to or	A	Declaration	A	Declaration
adjoining the Unit –		<b>Sections 2.7, 7.2</b>		Section 8.1
maintenance and repair				
Balcony appurtenant to or				
adjoining the Unit – keep in				
clean and sanitary condition				
7				
Patio appurtenant to or	A	Declaration	A	Declaration
adjoining the Unit - –		<b>Sections 2.7, 7.2</b>		Section 8.1
maintenance and repair		,		
Patio appurtenant to or				
adjoining the Unit – keep in				
clean and sanitary condition				
Porch appurtenant to or	A	Declaration	A	Declaration
adjoining the Unit –	A	Sections 2.7, 7.2	A	Section 8.1
maintenance and repair		Sections 2.7, 7.2		Section 6.1
Porch appurtenant to or				
1 1				
adjoining the Unit – keep in				
clean and sanitary condition		D 1 (1		D 1 (1
Storage spaces	A	Declaration	A	Declaration
		Sections 2.7, 7.2		Section 8.1
Laundry rooms	A	Declaration	A	Declaration
		<b>Sections 2.7, 7.2</b>		Section 8.1
Unit entry door to hall	0	Declaration	A	Declaration
		Section 7.1		Section 8.1
Halls, corridors, lobbies,	A	Declaration	A	Declaration
stairs, stairways, railing, fire		<b>Sections 2.7, 7.2</b>		Section 8.1
escapes, entrances and exits				
within Common Elements.				
UTILITIES <sup>8</sup>				
Utilities outside Units,	A	Declaration	A	Declaration
serving more than one		Sections 1.1, 2.7,		Section 8.1
Unit, including but not		7.2		
limited to, electrical and				
other wires, water/sewer				
pipes, cables, circuit boxes,				
water meters, and circuit				
breakers				
Utilities outside Units,	A	Declaration	A	Declaration
serving only one Unit,		Sections 1.1, 2.7,		Section 8.1
including, but not limited to,		7.2		
furnaces, heating equipment,				
thermostats, ducts, conduits,				
water pipes, electrical				
wiring, electrical outlets,				
telephone wiring, telephone				
outlets, light switches, hot				
water equipment, cable				
wiring, compressors, sump				
pumps, circuit breakers				
pumps, encur orearers	l .	I	<u> </u>	<u> </u>

	MAINTENANCE <sup>1,2</sup>	AUTHORITY FOR	INSURANCE <sup>3,4,5</sup>	AUTHORITY FOR
		MAINTENANCE		INSURANCE
Utilities inside Unit serving	0	<b>Declaration</b>	A	Declaration
only that Unit, including,		Sections 1.1,	11	Section 8.1
but not limited to, furnaces,		2.7.2, 7.1		
heating equipment,				
thermostats, ducts, conduits,				
water pipes, electrical				
wiring, electrical outlets,				
telephone wiring, telephone				
outlets, light switches, hot				
water equipment, cable				
wiring, compressors, sump				
pumps, circuit breakers				
Utilities inside Unit serving	0	Declaration	A	Declaration
more than one Unit,		Sections 1.1,		Section 8.1
including, but not limited to		2.7.2, 7.1		
furnaces, heating equipment, thermostats, ducts, conduits,				
water pipes, electrical				
wiring, electrical outlets,				
telephone wiring, telephone				
outlets, light switches, hot				
water equipment, cable				
wiring, compressors, sump				
pumps, circuit breakers				
Air conditioner, including	0	Declaration	A	Declaration
attached lines and hoses		Sections 1.1,		Section 8.1
serving only one Unit		2.7.2, 7.1		
Air Conditioner Housing	A	Declaration	A	Declaration
LINUTE INTERDIORS		<b>Sections 2.7.2, 7.1</b>		Section 8.1
UNIT INTERIORS Furnishings, including all	0	Declaration	0	Declaration
personal property such as	U	Sections 2.7.2, 7.1	U	Section 8.3
furniture, electronics,		Sections 2.7.2, 7.1		Section 8.5
clothing, area rugs, and				
freestanding appliances				
Permanent fixtures	0	Declaration	A	Declaration
including, but not limited to,		Sections 2.7.2, 7.1	12	Section 8.1
ceiling fans, hand rails,		,		
cabinets, countertops,				
bathtubs and showers, sinks,				
toilets, as initially installed				
by the Declarant	_		_	
Appliances including, but	0	Declaration	О	Declaration
not limited to, an oven,		Sections 2.7.2, 7.1		Section 8.3
range, refrigerator, and built–in microwave				
Window coverings, if within	0	Declaration	0	Declaration
Unit		Sections 1.1,		Section 8.3
		2.7.2, 7.1		Section 0.5
Partition walls within Unit –	0	Declaration	A	Declaration
unfinished portions	_	Sections 1.1,		Section 8.1
		2.7.2, 7.1		

	MAINTENANCE <sup>1,2</sup>	AUTHORITY FOR	INSURANCE <sup>3,4,5</sup>	AUTHORITY FOR
		MAINTENANCE		INSURANCE
including, but not limited to,				
studs and insulation		D 1 (1		D 1 (1
Partition walls within Unit –	О	Declaration	A	Declaration
finished surfaces including,		Sections 1.1,		Section 8.1
but not limited to, drywall,		2.7.2, 7.1		
paint, wallpaper, and				
paneling Perimeter walls – unfinished	A	Declaration	A	Declaration
	A	Sections 1.1,	A	Section 8.1
portions including, but not limited to, studs, insulation,				Section 6.1
beams, and girders between		2.7.2, 7.2		
perimeter wall and building				
exterior				
Perimeter walls – finished	0	Declaration	A	Declaration
surfaces including, but not	U	Sections 1.1,	A	Section 8.1
limited to, drywall, paint,		2.7.2, 7.1		Section 6.1
wallpaper, paneling, and		2.7.2, 7.1		
texture				
Party walls between Units -	A	Declaration	A	Declaration
unfinished portions	A	Sections 1.1,	A	Section 8.1
including, but not limited to,		2.7.2, 7.2		Section 6.1
studs and insulation		2.1.2, 1.2		
Party walls between Units -	0	Declaration	A	Declaration
finished surfaces including	U	Sections 1.1,	A	Section 8.1
but not limited to, drywall,		2.7.2, 7.1		Section 6.1
wood, tile, paint, wallpaper,		2.7.2, 7.1		
paneling, and texture				
Ceilings – unfinished	A	Declaration	A	Declaration
portions including, but not	11	Sections 1.1,	71	Section 8.1
limited to, studs, beams,		2.7.2, 7.2		Section 6.1
girders, supports, and		2.7.2, 7.2		
insulation				
Ceilings – finished surfaces	0	Declaration	A	Declaration
including, but not limited to,		Sections 1.1,	11	Section 8.1
drywall, paint, wallpaper,		2.7.2, 7.1		Section 611
paneling, and texture				
Floor coverings – including,	0	Declaration	0	Declaration
but not limited to, carpet,		Sections 1.1,		Section 8.3
tile, vinyl, and hardwood <b>not</b>		2.7.2, 7.1		
initially installed by				
Declarant				
Subflooring – including, but	A	Declaration	A	Declaration
not limited to, the beams,		Sections 1.1,		Section 8.1
floor joists, and plywood		2.7.2, 7.2		
deck or similar floor deck				
material				
Interior doors within a Unit	0	Declaration	A	Declaration
		Sections 1.1,		Section 8.1
		2.7.2, 7.1		
Fireplaces (including hearth,	0	Declaration	A	Declaration
damper, facade, firebox, and		Sections 1.1,		Section 8.1
		2.7.2, 7.1		

Screen   located within Unit   boundaries   Pests / insects in individual   O   Declaration   Sections 2.7.2, 7.1   Section 8.3		MAINTENANCE <sup>1,2</sup>	AUTHORITY FOR MAINTENANCE	INSURANCE <sup>3,4,5</sup>	AUTHORITY FOR INSURANCE
Pests / insects in individual Units					
Units Sections 2.7.2, 7.1 Section 8.3  GROUNDS  Grass, trees, shrubbery, flowers and similar landscaping constituting part of the Common Elements  Sprinkler systems constituting part of the Common Elements  Private roads, streets and drives, sidewalks, curbs, steps, and walkways (including snow removal)  Common area parking A Declaration A Declaration Sections 2.7, 7.2 Section 8.1  Carport A Declaration A Declaration A Declaration Sections 2.7, 7.2 Section 8.1  Lighting for private roads, streets and drives, sidewalks, curbs, steps, and walkways  Entry facilities A Declaration A Declaration A Declaration Sections 2.7, 7.2 Section 8.1  Sanitary sewer & storm A Declaration A Declaration A Declaration Sections 2.7, 7.2 Section 8.1  Sanitary sewer & storm A Declaration A Declaration Sections 2.7, 7.2 Section 8.1  Outbuildings A Declaration A Declaration A Declaration Sections 2.7, 7.2 Section 8.1					
GROUNDS Grass, trees, shrubbery, flowers and similar landscaping constituting part of the Common Elements Sprinkler systems constituting part of the Common Elements Private roads, streets and drives, sidewalks, curbs, steps, and walkways (including snow removal) Common area parking Carport <sup>9</sup> A Declaration Sections 2.7, 7.2 A Declaration Sections 2.7, 7.2 Bections 2.7,		O		O	
Grass, trees, shrubbery, flowers and similar landscaping constituting part of the Common Elements  Sprinkler systems constituting part of the Common Elements  Private roads, streets and drives, sidewalks, curbs, steps, and walkways (including snow removal)  Carport A Declaration Sections 2.7, 7.2  Carport A Declaration Sections 2.7, 7.2  Lighting for private roads, streets and drives, sidewalks, curbs, steps, and walkways  Entry facilities A Declaration Sections 2.7, 7.2  Sanitary sewer & storm Sections 2.7, 7.2  Sanitary sewer & storm Sections 2.7, 7.2  Sections 2.7, 7.2  A Declaration A Declaration Sections 2.7, 7.2  Section 8.1			Sections 2.7.2, 7.1		Section 8.3
flowers and similar landscaping constituting part of the Common Elements  Sprinkler systems Common Elements  Private roads, streets and drives, sidewalks, curbs, steps, and walkways (including snow removal)  Carport <sup>9</sup> A Declaration Sections 2.7, 7.2  Carport <sup>9</sup> A Declaration Sections 2.7, 2.2  Carport A Declaration Sections 2.7, 2.2  Lighting for private roads, streets and drives, sidewalks, curbs, steps, and walkways (including snow removal)  Carport A Declaration Sections 2.7, 2.2  Section 8.1  Lighting for private roads, streets and drives, sidewalks, curbs, steps, and walkways  Entry facilities  A Declaration Sections 2.7, 7.2  Section 8.1  Declaration Sections 2.7, 7.2  Section 8.1  Sections 2.7, 7.2  Section 8.1  Declaration Sections 2.7, 7.2  Section 8.1			1	1	1
landscaping constituting part of the Common Elements  Sprinkler systems constituting part of the Common Elements  Private roads, streets and drives, sidewalks, curbs, steps, and walkways (including snow removal)  Common area parking  A  Declaration Sections 2.7, 7.2  Sections 2.7, 7.2  Sections 2.7, 7.2  Declaration Sections 2.7, 7.2  Section 8.1  Carport9  A  Declaration Sections 2.7, 7.2  Section 8.1  Lighting for private roads, streets and drives, sidewalks, curbs, steps, and walkways  Entry facilities  A  Declaration Sections 2.7, 7.2  Section 8.1  A  Declaration Sections 2.7, 7.2  Section 8.1  Sections 2.7, 7.2  Section 8.1  Section 8.1  A  Declaration Sections 2.7, 7.2  Section 8.1  Section 8.1  Sections 2.7, 7.2  Section 8.1  Declaration Sections 2.7, 7.2  Section 8.1  Declaration Sections 2.7, 7.2  Section 8.1  Declaration Sections 2.7, 7.2  Section 8.1		A		A	
of the Common Elements  Sprinkler systems constituting part of the Common Elements  Private roads, streets and drives, sidewalks, curbs, steps, and walkways (including snow removal)  Common area parking  A  Declaration Sections 2.7, 7.2  Sections 2.7, 7.2  Declaration Sections 2.7, 7.2  A  Declaration Sections 2.7, 7.2  Section 8.1  Lighting for private roads, streets and drives, sidewalks, curbs, steps, and walkways  Entry facilities  A  Declaration Sections 2.7, 7.2  Sections 2.7, 7.2  Section 8.1  Declaration Sections 2.7, 7.2  Section 8.1  Declaration Sections 2.7, 7.2  Section 8.1  Declaration Sections 2.7, 7.2  Section 8.1			<b>Sections 2.7, 7.2</b>		Section 8.1
Sprinkler systems constituting part of the Common Elements					
constituting part of the Common Elements  Private roads, streets and drives, sidewalks, curbs, steps, and walkways (including snow removal)  Common area parking  A Declaration A Declaration Sections 2.7, 7.2  Carport A Declaration A Declaration Sections 2.7, 7.2  Lighting for private roads, streets and drives, sidewalks, curbs, steps, and walkways  Entry facilities  A Declaration A Declaration A Declaration Sections 2.7, 7.2  Sections 2.7, 7.2  Section 8.1  A Declaration A Declaration A Declaration Sections 2.7, 7.2  Section 8.1  Section 8.1  Sections 2.7, 7.2  Section 8.1  Section 8.1  Sections 2.7, 7.2  Section 8.1  Section 8.1  Section 8.1					
Common Elements   Private roads, streets and drives, sidewalks, curbs, steps, and walkways (including snow removal)   Common area parking   A   Declaration Sections 2.7, 7.2   Section 8.1		A		A	
Private roads, streets and drives, sidewalks, curbs, steps, and walkways (including snow removal)  Common area parking  A  Declaration Sections 2.7, 7.2  A  Declaration Sections 2.7, 7.2  Carport  A  Declaration Sections 2.7, 7.2  A  Declaration Sections 2.7, 7.2  Lighting for private roads, streets and drives, sidewalks, curbs, steps, and walkways  Entry facilities  A  Declaration Sections 2.7, 7.2  A  Declaration Sections 2.7, 7.2  Section 8.1  Sections 2.7, 7.2  Section 8.1  Sections 2.7, 7.2  Section 8.1  Sanitary sewer & storm sewer lines  Outbuildings  A  Declaration A  Declaration Sections 2.7, 7.2  Section 8.1  A  Declaration Section 8.1  A  Declaration Section 8.1  A  Declaration Section 8.1			<b>Sections 2.7, 7.2</b>		Section 8.1
drives, sidewalks, curbs, steps, and walkways (including snow removal)  Common area parking  A  Declaration Sections 2.7, 7.2  Carport9  A  Declaration Sections 2.7, 7.2  Carport9  A  Declaration Sections 2.7, 7.2  Lighting for private roads, streets and drives, sidewalks, curbs, steps, and walkways  Entry facilities  A  Declaration Sections 2.7, 7.2  Section 8.1  A  Declaration Sections 2.7, 7.2  Section 8.1  Sections 2.7, 7.2  Section 8.1  Declaration Sections 2.7, 7.2  Section 8.1  A  Declaration Sections 2.7, 7.2  Section 8.1  Source Section 8.1  A  Declaration Sections 2.7, 7.2  Section 8.1  Curbuildings  A  Declaration A  Declaration Section 8.1  A  Declaration A  Declaration Section 8.1  Declaration A  Declaration Section 8.1	Common Elements				
steps, and walkways (including snow removal)  Common area parking  A  Declaration Sections 2.7, 7.2  Carport  A  Declaration Sections 2.7.2, 7.2  Lighting for private roads, streets and drives, sidewalks, curbs, steps, and walkways  Entry facilities  A  Declaration Sections 2.7, 7.2  Section 8.1  Curbs, steps, and walkways  Entry facilities  A  Declaration Sections 2.7, 7.2  Section 8.1  Curbs, steps, and walkways  A  Declaration Sections 2.7, 7.2  Section 8.1  Curbs, steps, and walkways  A  Declaration Sections 2.7, 7.2  Section 8.1  Curbs, steps, and walkways  A  Declaration Sections 2.7, 7.2  Section 8.1  Curbs, steps, and walkways  A  Declaration Sections 2.7, 7.2  Section 8.1  Curbs, steps, and walkways  A  Declaration Sections 2.7, 7.2  Section 8.1	Private roads, streets and	A	Declaration	A	
Common area parkingADeclaration Sections 2.7, 7.2ADeclaration Section 8.1Carport9ADeclaration Sections 2.7.2, 7.2ADeclaration Section 8.1Lighting for private roads, streets and drives, sidewalks, curbs, steps, and walkwaysADeclaration Sections 2.7, 7.2ADeclaration Section 8.1Entry facilitiesADeclaration Sections 2.7, 7.2ADeclaration Section 8.1Sanitary sewer & storm sewer linesADeclaration Sections 2.7, 7.2ADeclaration 	drives, sidewalks, curbs,		<b>Sections 2.7, 7.2</b>		Section 8.1
Common area parking  A Declaration Sections 2.7, 7.2  Carport <sup>9</sup> A Declaration Sections 2.7.2, 7.2  Lighting for private roads, streets and drives, sidewalks, curbs, steps, and walkways  Entry facilities  A Declaration Sections 2.7, 7.2  Sections 2.7, 7.2  Sections 2.7, 7.2  Section 8.1  A Declaration Sections 2.7, 7.2  Section 8.1  Sections 2.7, 7.2  Section 8.1  Outbuildings  A Declaration A Declaration Sections 2.7, 7.2  Section 8.1  Outbuildings  A Declaration	steps, and walkways				
Sections 2.7, 7.2  Carport9  A  Declaration Sections 2.7, 2.7  A  Declaration Sections 2.7, 2.7  Section 8.1  Lighting for private roads, streets and drives, sidewalks, curbs, steps, and walkways  Entry facilities  A  Declaration Sections 2.7, 7.2  Sections 2.7, 7.2  Section 8.1  A  Declaration Sections 2.7, 7.2  Section 8.1  Sanitary sewer & storm sewer lines  Outbuildings  A  Declaration A  Declaration Sections 2.7, 7.2  Section 8.1  A  Declaration A  Declaration Section 8.1  A  Declaration A  Declaration Section 8.1	(including snow removal)				
Carport9 A Declaration Sections 2.7, 7.2 Lighting for private roads, streets and drives, sidewalks, curbs, steps, and walkways  Entry facilities A Declaration Sections 2.7, 7.2 Section 8.1  A Declaration Sections 2.7, 7.2 Section 8.1  Sections 2.7, 7.2 Section 8.1  A Declaration Sections 2.7, 7.2 Section 8.1  Sanitary sewer & storm sewer lines A Declaration Sections 2.7, 7.2 Section 8.1  Outbuildings A Declaration A Declaration Section 8.1	Common area parking	A	Declaration	A	Declaration
Carport9  A Declaration Sections 2.7.2, 7.2  Lighting for private roads, streets and drives, sidewalks, curbs, steps, and walkways  Entry facilities  A Declaration Sections 2.7, 7.2  Entry facilities  A Declaration Sections 2.7, 7.2  Section 8.1  Sanitary sewer & storm sewer lines  A Declaration A Declaration Sections 2.7, 7.2  Section 8.1  Outbuildings  A Declaration A Declaration A Declaration Section 8.1			<b>Sections 2.7, 7.2</b>		Section 8.1
Lighting for private roads, streets and drives, sidewalks, curbs, steps, and walkways  Entry facilities  A Declaration Sections 2.7, 7.2  Section 8.1  A Declaration A Declaration Sections 2.7, 7.2  Sanitary sewer & storm sewer lines  A Declaration A Declaration Sections 2.7, 7.2  Section 8.1  Outbuildings  A Declaration A Declaration A Declaration A Declaration Section 8.1	Carport <sup>9</sup>	A		A	Declaration
Lighting for private roads, streets and drives, sidewalks, curbs, steps, and walkways  Entry facilities  A Declaration Sections 2.7, 7.2  Entry facilities  A Declaration Sections 2.7, 7.2  Sanitary sewer & storm sewer lines  Outbuildings  A Declaration A Declaration Sections 2.7, 7.2  Declaration A Declaration Section 8.1  A Declaration A Declaration A Declaration A Declaration A Declaration	1		Sections 2.7.2, 7.2		Section 8.1
streets and drives, sidewalks, curbs, steps, and walkways  Entry facilities  A Declaration Sections 2.7, 7.2  Sanitary sewer & storm sewer lines  Outbuildings  A Declaration A Declaration Sections 2.7, 7.2  A Declaration A Declaration Section 8.1  A Declaration A Declaration A Declaration A Declaration Section 8.1	Lighting for private roads.	A		A	Declaration
Curbs, steps, and walkways     A     Declaration Sections 2.7, 7.2     A     Declaration Declaration Section 8.1       Sanitary sewer & storm sewer lines     A     Declaration Sections 2.7, 7.2     A     Declaration Section 8.1       Outbuildings     A     Declaration Declaration A     A     Declaration Declaration A					
Entry facilities  A Declaration Sections 2.7, 7.2  Sanitary sewer & storm sewer lines  Outbuildings  A Declaration A Declaration A Declaration Sections 2.7, 7.2  A Declaration A Declaration A Declaration A Declaration					
Sections 2.7, 7.2 Section 8.1  Sanitary sewer & storm A Declaration A Declaration Sewer lines Sections 2.7, 7.2 Section 8.1  Outbuildings A Declaration A Declaration		A	Declaration	A	Declaration
Sanitary sewer & storm sewer linesADeclaration Sections 2.7, 7.2ADeclaration Section 8.1OutbuildingsADeclarationADeclaration					
sewer linesSections 2.7, 7.2Section 8.1OutbuildingsADeclarationADeclaration	Sanitary sewer & storm	A		A	
Outbuildings A Declaration A Declaration				12	
		A		A	
	<i>g</i> .		Sections 2.7, 7.2		Section 8.1
Pool facilities A Declaration A Declaration	Pool facilities	A		A	
Sections 2.7, 7.2 Section 8.1					
Clubhouse A Declaration A Declaration	Clubhouse	A	,	A	
Sections 2.7, 7.2 Section 8.1		1.			
Mail kiosks A Declaration A Declaration	Mail kiosks	A	,	A	
Sections 2.7, 7.2 Section 8.1					
Monuments and signage for / A Declaration A Declaration	Monuments and signage for /	Α		Α	
within the community  Sections 2.7, 7.2  Section 8.1		11		11	

<sup>&</sup>lt;sup>1</sup> Owner's Failure to Maintain: Generally, an Owner is responsible to the Association or to other Owners for damage caused by said Owner's failure to maintain his/her Unit or Utilities therein. (Section 7.1).

<sup>&</sup>lt;sup>2</sup> <u>Association's Failure to Maintain:</u> If property owned or maintained by an Owner must be maintained or repaired because the Association failed to satisfy its maintenance obligation, such as the Association's failure to properly maintain the Common Elements, the Association is responsible for the cost of the maintenance or repair. Generally, the Association satisfies its maintenance obligation when it acts with reasonable care in light of the apparent risk. *Trailside Townhome Ass'n, Inc. v. Acierno*, 880 P.2d 1197 (Colo. 1994). If the Association acts with reasonable care when maintaining the Common Elements and other areas it must maintain (e.g. roofs), yet the Owner must repair damaged items originating from the Common Elements or other areas (such as replacing carpet due to a leaking roof), the Owner is still responsible for the cost of repair. However, if the Association does not act with reasonable care, the Association might be responsible for the cost of repair.

<sup>&</sup>lt;sup>3</sup> <u>Deductibles:</u> Typically, there is some provision that dictates how deductibles are handled, which we do not see here. We would recommend putting a policy in place to help determine how to handle deductibles. Section 9.3,

<sup>&</sup>quot;Insurance Proceeds Insufficient to Repair," partially addresses this matter in the event of a covered loss, in that a deductible may be part of the "insufficiency," at which point the deductible becomes a common expense, absent owner negligence. I would recommend having a specific policy in place delineating this more fully.

<sup>&</sup>lt;sup>4</sup> The Association must obtain insurance to cover the Units, except for improvements or betterments beyond the original construction. (Section 8.1). Thus, if a Unit is damaged, the Association's insurance and the Owner's insurance might both provide coverage, depending on whether there were improvements or betterments beyond the original construction. The language of Section 8 says to me that the Association covers almost all of the Unit.

<sup>&</sup>lt;sup>5</sup> It should be noted that our office has not reviewed the Association's insurance policies and the content contained herein is merely a depiction of what the Declaration provides pertaining to insurance and has no reflection as to what may actually be insured.

<sup>&</sup>lt;sup>6</sup> Please keep in mind that any structural components located within a Unit are also the Association's responsibility pursuant to Section 1.1.

<sup>&</sup>lt;sup>7</sup> Typically, we see patio and balcony responsibility split, with the Association taking on maintenance and repair responsibility, and the Owner being responsible for keeping it in broom-swept condition. Here, the only affirmative duty is for the Association to the balconies or patios is to "keep in good repair". It is possible to read the Declaration in two ways: one stating that the Association has to keep the balconies and patios in both good repair AND in good, clean, and sanitary condition; or two, that the responsibility to keep the balconies and patios in clean condition is not specified, and therefore can be assigned to the Owners. I think we can get away with putting the "good, clean, and sanitary condition" responsibility on the Owners for now, but this will require an amendment to clarify.

<sup>&</sup>lt;sup>8</sup> Insurance of utilities located within a Unit is unclear, as the Owner, in Section 7.1, is deemed to not own the utilities, except as a tenant in common.

<sup>&</sup>lt;sup>9</sup> See Endnote 7. The same issue is at hand here.