

Park River West Condominium Association, Inc.
General Written Consent To Alter Certain Limited Common Elements

Adopted 23 June 2018
As Supplemented 11 August 2018

The following policies and procedures (“Policy”) pertaining to the alteration and repair of Limited Common Elements have been adopted by the Park River West Condominium Association, Inc. (“Association”) pursuant to C.R.S. 38-33.3-209.5 at a meeting of the Board of Directors.

I. General

A. Statutes Superior To All. The provisions of the Declarations and Bylaws of the Association are incorporated in this Policy by reference and govern for all purposes when not in conflict with the Colorado Common Interest Ownership Act (“CCIOA”), as it exists or may be amended, and the Colorado Revised Nonprofit Corporation Act, as it exists or may be amended. This Policy is subordinate to and shall only supplement the Declarations and Bylaws where they are otherwise silent. The provisions of this Policy shall be independent and severable. The declaration of invalidity of any one or more of the Policy provisions by court order or decree shall in no way affect the validity or enforceability of any other provision, which other provisions shall remain in full force and effect.

B. Authority to Give Consent. Park River West Declarations Section 3 contains a list of limited common elements, which is also supplemented by the Condominium Map and other parts of the Declarations. Section 3 requires that...”No limited common element may be changed in size, appearance or otherwise without prior written consent of the Board of Directors.” Coupled with this provision is that of Section 11 placing the responsibility for maintenance and repair of limited common elements upon the Unit Owner.

II. Written Consent To Owners.

Unit owners in the natural course of occupancy repair and decorate the limited common elements. The Board has determined that it is onerous and unreasonable to request permission in advance of some changes to limited common elements. Thus, this document is blanket consent for the following repairs and changes. Unit owners may rely on this consent in lieu of individual permission:

1. Interior Remodels and Repairs. Unit Owners may change the interior appearance of walls, drywall, sheetrock, floor coverings (including carpet, tile and wood), electrical and plumbing fixtures. Excepted from this consent is the removal

or alteration of any structural element, bearing wall, floor, subfloor, or common wall between Units.

2. Mechanical Systems. Unit Owners may repair, replace, and alter the electrical system, gas service, water heater, drains and plumbing, furnace, and gas fireplace. Duct work associated with heating and cooling may also be repaired or replaced by the Owner. Fireplaces may not be converted to wood burning. Blanket consent to installation of air conditioning is granted, together with permission to install a pad and exterior compressor on the General Common Area adjacent to the Unit. The materials used shall be of the same or better quality as now exists, and the work shall be performed by a qualified person duly licensed by the Town of Estes Park, if so required by local ordinance.

3. Windows and Doors. The interior appearance of windows and doors may be altered. The exterior appearance of doors and windows are excepted from this consent. Window glass when broken shall be immediately repaired and replaced with like kind glass: but no frosted or tinted glass shall be used if the exterior appearance of the Unit will be altered. Plexiglass or other similar translucent material is not "like kind" and is not permitted. Garage doors are covered by this consent and shall be replaced or repaired when buckled. Replacement and repair of doors and windows, including any frames and sills, shall be of the same or better quality as now exists; shall not alter the exterior appearance of the Unit; and, shall be performed by a qualified person duly licensed by the Town of Estes Park, if so required by local ordinance.

4. Storm Doors. Storm doors may be installed so long as the frame color matches the existing building or Unit trim color, with antique hardware matching the front door and a full frame window. Brass door hardware is not allowed per Declarations section 11(C) and section 11(D). After the installation, it is necessary to schedule the Association painting contractor to touch-up around the door. Owners are not allowed to paint the exterior of the building, so as to ensure matching paint and quality. This is to ensure a homogenous exterior appearance. Anderson storm doors have been found to meet these requirements.

5. Radon Mitigation. The interior and exterior common limited elements may be altered by Unit Owners electing to install radon mitigation systems. Alterations to the siding and roofing shall require a water tight seal and ensure the structural integrity of the unit. Painting of exterior radon vents shall be done by the Association. The radon remediation work shall be performed by a qualified person duly licensed by the Town of Estes Park.

6. Decks and Patios. Consent is granted to install a gate on decks and patios so long as (a) the gate shall be architecturally consistent with the existing deck or patio; (b) the materials used shall be of the same or better quality as now exists; and (c) the work shall be performed by a qualified person duly licensed by the Town of Estes Park, if so required by local ordinance.

III. Conditional Consent And Approvals.

The following items are permitted subject to design submission by the Unit Owner, written acknowledgment of responsibility by the Unit Owner, and approval by the Board:

1. Awnings. Awnings are approved for use only on decks. The approved model is "The Eclipse" retractable awning, available from Peterson Canvas and Awning, 1422 Webster Avenue, Fort Collins CO 80524; see www.petersoncanvas.com and www.eclipseawnings.com. Although the above model is approved, the design proposal must still be submitted to the Board, including style and color. The color should match the body or trim of the unit. A solid color is preferred but a suitable stripe that matches both colors can be considered. If approved, it must be agreed that any damage to the building resulting in repair caused by the awning, including but not limited to improper installation and use, will be the responsibility of the owners. The potential for wind damage must be considered, along with the need for durability in our mountain environment; experience so far suggests that manual operation is preferable. All maintenance of structure and appearance of the awning is the responsibility of the owner.

IV. Ratification of Prior Acts

This general consent shall act as permission to all alterations and repairs previously performed in accordance with the standards set out in this document; and the same are ratified by the Association.

Park River West Condominium Association, Inc.

By: _____
Judy M. Domina, President

Attest: _____
Mindy Stephens, Secretary

This General Written Consent Policy was adopted by the Board of Directors at the annual meeting of the Board held on the 11th day of August, 2018, and is effective the 11th day of August, 2018, and is attested to by the Secretary of the Park River West Condominium Association, Inc.