

RIVERWALK TOPAZ BUILDING ASSOCIATION RULES AND REGULATIONS

INTRODUCTION

These rules and regulations are created to assist with living and working in the Riverwalk Topaz Building Association as a pleasant and comfortable environment, while ensuring harmonious relations. As neighbors, all of us have rights and obligations. The rules and regulations that we impose upon ourselves as Owners are for the mutual benefit and comfort for everyone in the Riverwalk Topaz Building Association.

Objectionable behavior is not acceptable even if it is not specifically covered in these rules and regulations. It is the responsibility of Owners to see that these rules and regulations are made available to and adhered to by their employees, guests, and/or lessees.

To be effective, rules and regulations must be enforceable. Accordingly, violations by Owners, their tenants, employees, families, guests, invitees, and persons over whom they exercise control will be acted on as follows:

“A firm, informative and friendly warning will be given by your neighbors or property manager for a minor infraction. However, if damage to property has occurred, said damage must be immediately paid for by the responsible owner. If an owner’s tenant, employee, family, guest, invitee, or person over whom the owner exercises control causes the damage, the owner shall still be jointly and severally liable for payment of the damaged property.”

The purpose of these rules and regulations and enforcement thereof are not created to hinder relationships between owners and/or tenants. In all case, as stated above, it is the intent to first resolve problems amicably. However, in the extreme cases when a mutual resolution is not obtained, the following actions may be taken:

- **1st infraction** – Owner (and tenant, if feasible) will receive verbal & written warning
- **2nd infraction** – Owner will be assessed a \$50 fine payable with next association dues. Owner (and tenant, if feasible) will be notified in writing that the fine was assessed.
- **3rd and subsequent infraction(s)** – Owner will be assessed a \$100 fine payable with next association dues. Owner (and tenant, if feasible) will be notified in writing that the fine was assessed.

The Executive Board retains the right to increase subsequent fines based upon the number of infractions. In addition, the Executive Board retains the right, as described in the Declaration, to place a lien against an owner’s property should an owner fail to pay their assessments, including the failure to pay assessed amounts for infractions. The Executive Board retains the right to adjust the infraction scale with reasonable cause.

DEFINITIONS

The following rules and regulations, except as otherwise expressly stated, apply to all owners and their families, tenants, employees, agents, invitees, and guests with respect to the use of the condominium units, commercial space, common areas, and any other portion of the Riverwalk at Edwards property. For purposes of these rules and regulations, “tenant” shall mean persons under a valid lease for a commercial or residential unit with a current right to occupy such unit; “guest” shall mean all persons other than owners and tenants, including their employees, with a current right to occupy a unit. Owners and guests

who do not have a current right to occupy a unit may not use the facilities within the property. Terms not specifically defined in these rules and regulations shall have the meaning attached to such terms in the Declaration for the Riverwalk Topaz Building Association.

ANTENNAS & SATELLITE DISHES

No radio or television installation requiring additional wiring or antennas, including but not limited to satellite dishes and antenna, shall be made without the prior written consent of the Executive Board. Any antenna or other wiring erected on the roof, exterior walls, balconies, patios, or decks of the building, or in any common area of the building without the prior written consent of the Executive Board is subject to removal without notice or compensation. If such removal is necessary, the owner responsible for the installation of said wiring or antenna shall reimburse the Riverwalk Topaz Building Association for the reasonable costs of removal of said wiring or antennas. If installation or removal causes or has caused any damage to the roof, or any roof leak damage to units below, the owner shall reimburse the Riverwalk Topaz Building Association for repairs of damage(s) caused. If the owner does not reimburse the Riverwalk Topaz Building Association for the removal or repair cost(s) referred to above within sixty (60) days of notice of costs, the Riverwalk Topaz Building Association may place a lien on the Owner's Unit until full payment is made.

COMMON RESIDENTIAL AREA USES

Except in areas that may be designated for such purposes by the Riverwalk Topaz Building Association or managing agent, the personal property of all owners and/or tenants shall be stored within their units. Without prior written approval by the Executive Board, all activities and uses of walkways, hallways, patios or balconies shall be prohibited except specifically the following activities and uses:

- Furniture specifically designed for outdoor use may be permitted with prior written approval of the Executive Board.
- Flower Boxes and Flower Pots shall be permitted with the prior written approval of the Executive Board. For those units located above another unit, owner and/or tenant shall exhibit care so as not to cause water, dirt, or other materials from dripping, falling, and blowing upon the balcony or patio of another unit or into another unit or on to any common area. Flower boxes/pots shall be maintained at all times. All plants, flower boxes/pots must have an appropriate saucer or drainage pan to keep water from staining floors. Dead plants shall be removed immediately from flower boxes/pots.

The following is prohibited:

- No Exterior Storage – All exterior storage of personal property, whether by residential or commercial unit owners, shall be specifically prohibited (unless specifically permitted by the Bylaws, Declaration, or these Rules and Regulations). This includes any furniture or other items in atriums or on patios that is not specifically allowed.
- Smoking within the atrium area is strictly prohibited.
- No owner shall store sporting equipment of any kind, furniture, inventory, or other materials or personal property on any walkway balcony, deck, breezeway, common area, or in any other part of the property without the prior written approval of the Building's Executive Board.

- No awnings or other projections shall be attached to the outside walls of any building without the prior written consent of the Executive Board. Balconies, terraces, exterior stairways and windows shall be used only for the purposes intended, and shall not be used for hanging garments or other objects, or for cleaning of rugs or other household items. No laundry or wash shall be dried or hung outside of any unit or common area. This includes, but is not limited to, any & all laundry, towels, blankets, and sleeping bags hung or draped over balcony railings.

ATRIUM AREA, HALLWAYS

Unit owners, their tenants, employees, families, guests, invitees, patrons and persons must walk quietly in the atrium area and hallways and other common areas so as not to disturb other owners or tenants. No running, yelling, screaming, loud talking or pets barking or making other noise is allowed in the atrium or hallways. The atrium and hallways are not a playground.

ATRIUM, COMMON AREA AND EXTERIOR DECORATIONS

The Association acknowledges that each owner or tenant possesses different tastes and opinion on what is harmonious or attractive within the common areas. The only approved items allowed to be in the atrium and hallways are:

- A small doormat which is in good taste.
- Holiday decoration which should be in sync with the holiday/season. Holiday décor cannot be put up more than one month in advance of the holiday and must be removed within two weeks of the date of the holiday.

Items must be kept within a reasonable location and must not infringe upon a neighbor or hinder the walkway in any fashion. Per ADA regulations, a three foot path must be available for wheelchair access.

No items may be affixed to a common area wall or hallway wall. If an item(s) has altered a common area or caused any damage to a common area, the owner shall be responsible for returning the common area to its original condition upon removal of such item at the owner's expense.

Exterior décor of commercial units must follow all applicable rules of the Edwards Riverwalk Master Association.

GRILLS

- Only gas grills (propane) are allowed (no charcoal). Small to moderate size grills only.
- A fire extinguisher must be readily available.
- Grills must be far enough away from the wall to avoid heat damage. Owners will be responsible for any damages.
- A Fire Mat must be placed under the grill.
- Owners must place their grill immediately outside their unit and not infringe on the common space outside other units.
- The grill is to be kept clean and covered (with a nice cover) when not in use.
- Grill owners must be respectful of their neighbors and not hold parties or gatherings outside around the grill.
- "No grilling" hours coincide with the Topaz Building's noise ordinance policy of 10 pm to 9 am.
- The Association reserves the right to revoke gas grill privileges.

GUESTS, TENANTS, AND OCCUPANTS OTHER THAN OWNERS

It is the responsibility of the owner to be sure that anyone occupying the owner's unit is made aware of all "Rules & Regulations" of the Riverwalk Topaz Building Association & the Riverwalk Master Association.

Should occupancy of any unit be permitted by any owner, to any long-term guest or tenant, the Riverwalk Topaz Building Association & Management Company must be made aware of such occupancy including name, phone numbers, & address, to protect the security of the property. Obligatory compliance with the Riverwalk Topaz Building Association Rules & Regulations as well as those of the Riverwalk Master Association shall be specifically referred to, and made a part of, any lease of any unit. Owners shall be responsible for the conduct of their children & pets and the children & pets of their guests and tenants. Owners shall ensure that such children's behavior is neither offensive to any occupant of the property nor damaging to any unit or portion of the common area.

HAZARDOUS MATERIAL

The storage of flammable material that may unreasonably jeopardize the safety and welfare of any person or property is **not permitted on or in the property at any time**. No flammable, combustible, explosive, or otherwise dangerous fluid, chemical, or substance shall be kept in any unit or on any part of the property except such as are required for normal household use. Appropriately sized propane tanks for gas grills shall be specifically permitted. **No fireworks of any kind shall be ignited on the property from any unit or from any common area.**

HEATING MINIMUMS

The owner of each unit in the project shall heat such unit so as to maintain a **minimum temperature in the unit of no less than 55 degrees Fahrenheit from October 1st to May 30th** of the year in order to minimize any damage which could result from the freezing of pipes, both individual and common, which pass near or through individual units within the building. **This minimum heating requirement must be met even when the unit is vacant.**

KEYS

Any owner or tenant may provide, at their discretion, a key to the Fire Department in case of emergencies. All owners and tenants should be aware that a key provided to the Fire Department is kept within a Knox Box on site and is only available to members of the Fire Department. However, should an owner or tenant choose not to provide a key to the Fire Department, the Fire Department retains their right in case of an emergency to enter your unit with force, if necessary, at the cost of the owner or tenant.

Any owner or tenant may also provide, at their discretion, a key to the Management Company in case of emergencies. Should an owner or tenant choose not to provide a key to the Management Company, the owner or tenant should be made aware that the Management Company retains their right in case of an emergency to enter your unit at the cost of the owner or tenant.

NUISANCES

No unit owner shall make or permit any disturbing noises in the building by himself, his family, employees, agents, visitors or lessees, nor do or permit anything by such persons that will interfere with the rights, comforts, or convenience of other unit owners or tenants. All owners and tenants shall respect the rights of their neighbors and keep the sound levels of all radios, stereos, televisions, appliances, as well as voices & musical instruments to a minimum. No one may make undue noise before 9:00am or after 10:00pm.

No owner shall conduct, or permit to be conducted, vocal or instrumental practice nor give, nor permit to be given, vocal or instrumental instruction at any time if the same shall disturb or annoy other occupants of the building.

No noxious or offensive activity shall be carried on inside or outside of any unit, nor shall anything be done or placed on the property that is, or may become, a nuisance or cause embarrassment, disturbance, or annoyance to others.

No lights shall be emitted from any unit that are unreasonably bright or cause unreasonable glare.

PARKING

All residential owners are required to comply with the Riverwalk Master Association Rules and Regulations for parking.

PETS

All dogs or cats kept on the premises by owners must be licensed with Eagle County and must have appropriate shots required by the county.

Maximum number of dogs or cats per unit is two. Dogs or cats are not permitted to run free outside of an owner's unit at any time. When outside the unit, dogs shall be on leashes at all times, including when any individual is walking any dog(s) on any section of the Riverwalk property.

All dogs and other pets must not bark or make other noise that disturbs neighbors or other owners or tenants.

All pet owners must immediately pick up the waste created by their pets at all times during all seasons. Owners and tenants are responsible to prevent pets urinating on any landscaping, buildings, or property owned by others; and/or from damaging any landscaping, buildings, or property owned by others. Owners violating these rules will be fined at \$50 for the first fine, \$100 for the second fine, and \$150 for each offense thereafter.

REFUSE

No trash, ashes, or other refuse or debris may be thrown or dumped on the property. The burning of refuse anywhere on the property is prohibited. No incinerators or other devices for the burning of refuse indoors or outdoors shall be constructed, installed, or used by any person except as approved in writing by the Executive Board. The owner of any unit subject to these rules and regulations shall keep the owners unit and the property free of trash, refuse, or debris of any kind, whether the owner's unit is vacant or occupied.

Disposal of garbage and trash by employees, owners, or renters of Riverwalk units shall be only by the use of garbage disposal units. Refuse shall be placed in sealed trash bags supplied by each owner or tenant and placed in the appropriate individual association's common trash dumpster(s) for pick-up by the trash truck. All trash must be placed in the trash dumpster(s), never alongside or on the ground. No trash bags may be stored outside units for any length of time or a fine will be levied against the owner or renter of the unit. No trash shall be dragged through common areas or thrown over balconies into any dumpsters; if this occurs there will be a charge to the owner for any clean up and/or repairs required. Violations will be subject to fines as described in the Introduction above.

RESIDENTIAL OCCUPANCY

Full time occupancy of each two (2) bedroom unit shall be limited to a maximum of four (4) adult persons. Such occupancy of each one (1) bedroom unit shall be limited to a maximum of two (2) adult persons. Limited overnight use of one (1) week or less shall be limited to six (6) persons in two (2) bedroom units and four (4) persons in one (1) bedroom units.

WINDOW COVERINGS

All window coverings visible from outside the owner's unit shall be specifically designed to be a window covering (e.g. no tapestries, sheets, etc.). No window including sliding glass doors shall be tinted without the prior written approval of the Executive Board.

ZONING COMPLIANCE

All residential condominium units shall be used for residential purposes only and shall not be used for any business, manufacturing, or commercial purposes whatsoever. However, a residential owner or tenant may use a portion of their unit as a home office, provided it does not violate the Nuisance section of the Riverwalk Topaz Building Association Rules and Regulations. Approval may be withdrawn or terminated by the Riverwalk Topaz Building Association at any time, with cause.

ADOPTED 12/5/16