

HIGH VIEW CONDOMINIUM ASSOCIATION DIVISION OF EXPENSES

The High View Condominium Association is an association of homeowners who, by the very fact that they have purchased a home or unit in the association, have agreed to be governed by the condominium declaration (some groups call this restrictive covenants) and the bylaws of that association. High View Condominium Association is governed by the laws of the State of Wisconsin and the City of New Richmond. In addition, it is governed by the rules set forth in the above mentioned two documents. For example, if these documents state that every unit in the association shall have a red door, then every unit is required to have a red door in order to comply. It also means that an individual unit owner cannot chose to violate these regulations on a personal whim.

Article 17 of our declaration sets forth actions that can be taken upon the violation of any regulations adopted by the board. Residents should be familiar with this clause.

It is imperative that each unit owner has a copy and be familiar with these documents and that any individual who wants to purchase a unit from a present owner be shown a copy of our condominium declaration, bylaws and any modifications, changes or additions to them. These documents should be on site when a unit is shown for sale. Copies of these documents can be found on and/or printed from our website at www.frontiernet.net/~condos/

In view of the information provided in the declaration and bylaws and as further set forth below, the board feels that the following activities are the responsibility of the association as a whole:

- Driveway snow removal (2" accumulation) and sidewalk cleaning by our lawn maintenance company
- Gutters--caulking of leaks for front gutters.
- Insurance on units (from inside paint out)
- Landscaping problems/grading around foundation
- Lawn maintenance-aeration, cutting, fertilizing, weed control, spring and fall cleanup
- Trash removal
- Trees—dead tree removal (original Derrick planting)

In addition the Board over the years has approved payment of the following maintenance expenses:

- Caulking and maintenance of driveway aprons & brick bases
- Cement/mortar-sidewalk, around brick and pillars
- Driveways—crack fill and resurface every four years—done on rotation by cul-de-sac basis
- Dryer vent cleaning—every second year
- Edging around building with board approval/excluding around trees.
- Gutters – fall cleanout
- Painting of lattice, front pillars, outside of front doors and garage trim (wood)
- Rock addition—as deemed necessary by the board
- Roof (shingles and leaks)
- Shrub trimming—front and back—twice a year (recommended by lawn maintenance)
- Snow (excessive) removal from roof
- Water leaks from pipes located under the cement floors
- Weed spraying in rocks.

The following items are deemed the responsibility of the individual unit owners:

- Association fees – payment monthly by the 1st
- Ceiling cracks or repairs (unless caused by shingle or roof exit leaks)
- Deck maintenance and repair
- Downspout extension—maintenance and replacement
- Edging around trees
- Electrical problems, including replacement of indoor and outdoor fixtures. (Outdoor fixtures are to color match those on other buildings)
- Fireplace maintenance and repair
- Flower boxes—installation, maintenance and repair (not original to any of the condo units)
- Furnace, air conditioner, hot water heater, water softener—maintenance, repair and replacement
- Garage door and garage door opener-maintenance, repair and replacement
- Gutters (rear and side if desired) installation, repair and maintenance (not original to any of the condo units)
- Lawn - watering
- Patio slab – maintenance and repair (including gap between patio and sliding doors)
- Repairs caused by owner’s negligence
- Replacement of outside and garage water faucets
- Replacement of outside light bulbs
- Rock area maintenance
- Screen doors—installation, maintenance and replacement
- Shrubs – watering, removal of or removal and replacement – with board approval
- Tree planting (additional)--board approval required
- Waiver liability issues including installation of satellite dishes, skylights, awnings—all of which require board approval. If an owner makes a modification to his home, maintenance, repair and replacement is up to the homeowner and that responsibility is passed on to any buyer. This is true even if the modification was not approved by the board.
- Weather stripping replacement
- Windows—cleaning, maintenance and repair, including replacement parts. Broken glass repair – unless damaged by lawn maintenance or through insured occurrences
- Winter problems—gutters (i.e., placement of heat tape on roof) and spread ice melt on icy sidewalks and driveway
- Work orders - submission of work orders to board – one request per order on official work order form available from block captain.

Winter issues—a handyman can be hired by owners at their own expense for work beyond the scope of the lawn/snow company.

The Board of Directors claims that the above list is not a comprehensive list of all incidences which may occur. If not, the problem will have to be considered and discussed at the time of occurrence.

The following is additional information which may help explain how the division of the above expenses was made:

An association consists of common elements (which are open to everyone), limited common elements and our individual homes. At the present time we have only one common element, that being our lawn areas (with original trees) in which we each have a 1/74th interest. Limited common elements are designed to serve a single unit, located contiguous to the unit's boundaries, and are for the exclusive use of that unit. This would be the unit's driveway, patio, deck and rock garden. No neighbor or unit owner can park his/her car in your driveway, throw a party on your patio or plant flowers in your rock garden without your consent.

Article 22(c) of the High View Condominium Declaration states....."**Each unit owner shall be obligated to maintain and keep his own unit, its windows, and doors, and the patio which is a limited common element reserved for use of his unit in good, clean order and repair....**" **NOTE: Article 22 is a section with which all unit owners should be familiar.**

Section 12 of the High View Condominium Bylaws sets forth the powers and duties of the Board of Directors. Of particular interest are the following:

Section 12(e) which pertains to the **common elements and facilities**. Again our only common elements are the lawns and trees (that were originally planted by Derrick, not the ones added by individual owners). It states the board will authorize payment for landscaping, gardening, snow removal, painting, cleaning, tuckpointing, maintenance, decorating, repair and replacement of the **common elements.....**

Section 12(f) Maintenance of Property states **the board will authorize payment for** any other materials, supplies, furniture, labor, services, maintenance, repairs, structural alterations or assessments which the Board of Directors is required to secure or pay for pursuant to the terms of this Declaration or by law or **which in its opinion shall be necessary or proper for the maintenance and operation of the property as a first class condominium building or for the enforcement of these restrictions.**

Section 12(h) Maintenance of Individual Units states the board will authorize payment for the ""Maintenance and repair of any unit if such maintenance is necessary, in the discretion of the Board of Directors, to protect the common elements and facilities, or any other portion of the building, **and an owner of any unit has failed or refused to perform said maintenance or repair** within a reasonable time after written notice of the necessity of said maintenance or repair delivered by the Board of Directors to said owner, **provided that the Board of Directors shall levy a special assessment against such owner for the cost of said maintenance or repair.**