

PARK SCOTTSDALE II
TOWNHOUSE
HOMEOWNER'S ASSOCIATION

Information
Rules & Regulations

This Handbook was compiled in
December 1998

Printings of all other Rules & Regulations
Or
Code of Conduct
prior to this date are repealed.

PARK SCOTTSDALE II
TOWNHOUSE ASSOCIATION
RULES AND REGULATIONS

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BOARD OF DIRECTORS

The Board of Directors is a legal body duly elected to represent the Association and whose authority shall be absolute and final in all matters.

The Board of Directors is composed of not less than five (5) nor more than (7) seven members elected at the annual meeting. Any owner is eligible to become a Board member provided all maintenance fees are paid and voting rights are not under suspension. Board members volunteer their time to Park Scottsdale II.

MEETINGS

The Annual meeting of the Association is set by the Board. This meeting is usually held the 2nd Thursday in January. Notification will be sent in advance as to the time and location.

Regular meetings of the Board are usually held on the 3rd Tuesday of each month. Notice of the meeting is posted at the Clubhouse. From 7:00 p.m. to 7:30 p.m., any homeowner may speak to the Board. The regular meeting will begin at 7:30 p.m. If there are no concerns addressed to the Board at 7:00 p.m., the Board will conduct their regular meeting at 7:00 p.m. It is essential that owners present during the Board's business meeting observe silence to enable the Board to efficiently conduct the meeting.

VOTING

Owners shall have voting rights at the Annual Meeting. Voting rights shall be suspended during any period in which any assessment, fee or fine is delinquent.

MANAGEMENT COMPANY

The business and financial affairs of the Association are handled by *The Koselac Co.* Please direct questions and concerns to this office. It is vitally important, especially in emergency situations, that the Management Company has on file all owners names and telephone numbers. Also, if you lease your unit, the names and telephone numbers of your tenants should be on file. In the event of an emergency, homeowners or tenants should call

PARK SCOTTSDALE II HOMEOWNERS ASSOCIATION

INFORMATION, RULES AND REGULATIONS

Park Scottsdale II is a private community of 146 units. The complex represents a democracy with the Declaration of Covenants, Conditions and Restrictions (CC&R's) and By-Laws standing as its constitution. Purchasing a townhouse and the acceptance of a deed to the property obligates owners and their tenants to abide by the CC&R's and Bylaws recorded on the property as well as subsequent Rules and Regulations adopted by the Board of Directors. The elected Board of Directors are responsible for enforcing the CC&R's, By-laws, Rules and Regulations, and operating the Association in a financially accountable manner.

The CC&R's authorize the board to develop Rules and Regulations. The following Rules and Regulations summarize and clarify the CC&R's and Bylaws. The rules and Regulations are not intended in any way to modify or waive the CC&R's and Bylaws. Copies of the CC&R's and By-Laws are available through the Management Company. Please be certain you have copies of these documents. We urge you to read both documents as they set forth in complete detail the rights, duties and obligations of each owner. If you lease or rent, be certain to supply copies of these documents to your tenants.

It is to everyone's advantage to use and care for our property in a proper manner and to respect the rights and feelings of other residents. These Rules and Regulations were compiled for the purpose of protecting our property, its value and for making Park Scottsdale II a pleasant place to live. Your cooperation is essential. We must always be considerate of our neighbors and use common sense in community dealings. The rules of good citizenship and morality shall apply at all times.

Please bear in mind, as you read these Rules and Regulations, that each and every rule is designed for a specific purpose. These purposes are intended to protect the rights of residents, protection of property and property values, safety of residents, enhancement of the appearance of the property and conformity to all federal, state and local laws.

MAINTENANCE FEES

To provide funds for the maintenance of Park Scottsdale II, all properties are subject to monthly maintenance fees. The fees are due the first of each month. Late payments are subject to late charges and non-payment is subject to the cost of collections as a result of collection fees and attorney fees. All necessary steps are taken to collect on delinquent accounts. This may include, and is not limited to: water shut-off, lawsuits, garnishment, liens filed against the property and foreclosure of the property. Any court costs are also charged to the individual and collected in the judgment.

SPECIAL ASSESSMENTS

Generally, monthly maintenance fees are for the purpose of regular maintenance. Special assessments may be charged to owners for improvements and special projects. The assessments are voted upon by majority vote of the Board of Directors. Special assessments are subject to the same collections rules as regular maintenance fees.

LATE PAYMENTS

There is a \$10.00 service charge for all payments not received by the Management Company by the 20th of the month. This charge is placed on the owner's account. Checks may be rejected if the \$10.00 service charge is not included.

LEASING AND RENTING

If you intend to lease or rent your townhouse, it is your responsibility to ensure the resident or leasing agent has copies of and fully understands the CC&R's and Park Scottsdale II Rules & Regulations. There is a \$25 annual "renters privilege fee", due January 1, to all owners who rent their units.

During the period a unit is occupied by a tenant, the tenant is the area resident with exclusive rights to use the facilities. The owner shall be held financially responsible for any violation of the rules or damage to the property done by tenants or guests.

In addition, all owners must notify the Management Company whenever the owner leases or rents the townhouse. A copy of the lease agreement, along with the name, mailing address and telephone number of the tenants, as well as the owners, must be on file with the Management Company.

SECURITY

Residents are ultimately responsible for their own security. It is recommended that residents carry their own insurance covering the contents of their unit. Use care and awareness when in common areas at all times of the day or night. The Board of Directors may choose to have additional security on the property, if necessary.

FINING POLICY

Any and all violations of the CC&R's and Rules and Regulations are subject to the following fining policy. All fines assessed are against monthly maintenance fees of the owner of record.

ENFORCEMENT RULE: In addition to any enforcement procedures permitted under the terms of the CC&R's the By-Laws, and pursuant to Arizona revised Statutes section 33-1242 911), the Board of Directors shall have the power to assess penalties against owner(s) of a lot for violations of the CC&R's, By-laws, or the Rules and Regulations committed by the Owner(s), and Owner(s) shall be liable for any violation committed by a Tenant or other occupant of the lot of the Owner(s). These penalties shall be established based on the nature of the offense, the attitudes of the offending Owner(s) and the number of violations, and may range from \$10.00 to \$500.00. The Owner(s) in question shall be given an opportunity to be heard by the Board or its enforcement committee prior to assessing any penalty, and written notice of said hearing shall be given at least ten (10) days in advance of the hearing by regular mail or by hand deliver at the last known address of the Owner(s). Any penalties assessed against the owner(s) may be enforced in the same manner provided for delinquent assessments.

The Board encourages owners receiving warning or fines to appear before the Board at any regular scheduled meeting to work out any special circumstances that may be required in order for owner(s) to be in full compliance of the CC&R's and Rules and Regulations. It should be noted here that fines are in addition to any costs to repair damage as a result of violations.

COMMON AREAS

Common areas can be defined as any part of the property that is beyond front doors and patios.

- a. Any damage to the common areas by owners, their guests, tenants or family members is the full financial responsibility of the owner. The Association will hold the owner liable for all costs of repair or replacement including legal fees or costs incurred in collection.

- b. Please help keep all areas neat and clean by picking up any debris in common areas.
- c. When in common areas, people should be considerate of others by controlling noise, music, pets and obeying all rules.
- d. To protect our shrubbery and trees, please stay out of these areas and ensure pets and people are kept out of these areas as well.
- e. Anyone Riding bicycles, skating, skateboarding or using toys on sidewalks is to give right of way to pedestrians. Owners are responsible for behavior and adherence to all rules.
- f. Nothing should be left in any common area.
- g. Climbing onto or over any fence, gate or wall in the complex is prohibited.
- h. Firearms, BB guns, pellet guns, bows and arrows, sling shots or any similar device is prohibited in common areas.
- i. Plastic pools and toys requiring water are prohibited in the common areas.
- j. Playing in the parking areas is prohibited.
- k. There is a designated play area. Other grass areas are for the enjoyment of all and are not for football, baseball or other athletic-type games.
- l. Residents may not erect any structure on the grass; or other common areas without first obtaining the written permission of the Board of Directors.
- m. Use of the grass areas is restricted when they are wet.
- n. Open fires are prohibited in common areas.

PATIOS

- a. BBQ's are restricted to patio areas.
- b. BBQ's are prohibited outside of front doors, inside the pool area or clubhouse.

- c. Clothing, bath towels, laundry, rugs, swimming suits, etc. are not to be hung on patio fence.
- d. Residents must keep items stored on patios concealed from view of neighboring townhouses. Residents are advised to keep these items below the level of the top of the patio.
- e. Clotheslines are to be confined to the patio area only and should be concealed from view of neighboring townhouses and streets.
- f. Accumulation of material or storage on patios that create a fire or health hazard is not permitted.

TRASH & GARBAGE

- a. All garbage is to be placed in dumpsters. Under no circumstances will residents leave garbage, trees, tree limbs, boxes, etc. outside of dumpsters. Garbage is not to be placed outside of front doors for any reason. We recommend that garbage be put in plastic and tied before placing in dumpsters.
- b. Large useable household items such as furniture, appliances, carpets, clothes, etc. even small items call Goodwill, Salvation Army or some charity of your choice, most will be glad to arrange to pick up your donations.
- c. No construction materials or concrete are to be put in dumpsters. The dumpsters become too heavy for normal pick-up.
- d. No one is allowed to play in, upon or about the trash dumpsters for obvious safety reasons.

USE RESTRICTIONS

Residents may not use clubhouse or common areas for repeated, organized, religious, commercial or retail purposes. This includes performance of services, storage or dispensing of products or reception of clients.

NUISANCES

- a. At all times be considerate of your neighbors. Keep noise levels down. Disturbing the peace will be considered disturbing the peace at any time of the day or night (24 hours a day). This is in accordance with Scottsdale City Ordinances. Keep in mind that the following items have great potential for causing disturbances:

Vehicles, stereos, TV's, radios, musical instruments, parties, people at play and pets.

- b. Resident may not use the common area for any purpose which may endanger the health or unreasonably disturb any townhouse unit.

ANIMALS

- a. Pets are not to run loose in common areas. When outside, pets are to be on a leash, in hand and under the control of the owner. A strict policy must be enforced regarding pets due to health and safety considerations for all living in Park Scottsdale II. Any pet found unattended within the common area will be impounded.
- b. According to Maricopa County Dog Ordinance G 1909 and City of Scottsdale Ordinance: It is the pet owner's responsibility to immediately clean up after his/her pet.
- c. Patio areas are to be kept clean of animal waste as this can spread disease to other pets and humans.
- d. Only dogs, cats or other household pets may be kept so long as they are not bred or maintained for commercial purposes. No other animals or livestock may be kept.

ARCHITECTURAL CONTROL

- a. Improvements, alteration, repairs, excavation or other work that in any way alters the exterior appearance of any unit, such as patio covers, fences and gates or the common exterior wall must have prior written approval of the Board.
- b. Only items specifically designed for window treatments may be used as window coverings. Blankets, sheets, foil, plastic sheeting and tablecloths are prohibited.
- c. All plant growth on patios is not to encroach upon any other unit or common area. All planting on patios are to be regularly maintained and trimmed by the owner at owner's expense. Vines are not to grow on the outside patio wall or building. After being warned, owners failing to trim and maintain plant growth will be billed by the Association for the removal or trimming of plant growth.
- d. Nothing shall be placed, stored, hung or erected outside front doors of any unit. This includes bikes, toys, boxes, BBQ grills or anything else determined by the Board.

- e. No storage is permitted outside patio wall between storage shed.
- f. Holiday decorations are permitted as long as they are conservative and in good taste. Decorations or fasteners for same are not to be attached to the vinyl. The Board has the right to disapprove of any decorations. Damages to decorations or display are the responsibility of the owner/occupant. DECORATIONS MUST BE REMOVED WITHIN 15 DAYS AFTER THE HOLIDAY.

VEHICLES AND PARKING AREAS

- a. Speed limit is 10 miles per hour, unless otherwise posted. Pedestrians and bicycles have right of way at all times in parking areas.
- b. Residents parking area is between patio walls of individual units. Use of another's space is prohibited, except with prior approval of the owner of that space. Owners have the right to have unauthorized vehicles towed at the vehicle owner's expense.
- c. Abandoned vehicles are subject to towing at owner's expense. Vehicles are considered abandoned if 1) license plates are expired, 2) appear neglected, inoperable, immobilized or not moved in a reasonable time period, 3) determined by the Board to be abandoned.
- d. Licensed, well muffled, smokeless, operating motorcycles, passenger vehicles and trucks not exceeding $\frac{1}{2}$ ton are the only vehicles allowed on the property.
- e. RV's, boats, campers, trailers are allowed for loading and unloading purposes only.
- f. No vehicle, regardless of size, is to be repaired, serviced, constructed or restored in the parking or common areas. Emergency service work is permitted as long as it does not occur on a regular basis.
- g. No excessively loud vehicles or motorcycles are permitted. Loud vehicle radio and stereo noise is prohibited.
- h. No vehicle is to be lived in, even temporarily.
- i. Use of any vehicle is strictly prohibited on grass areas or sidewalks. This causes landscape damage and broken sprinkler heads and sidewalks.

- j. There is to be no parking in fire lanes at anytime. No double parking. This is according to City of Scottsdale Fire Ordinances. Scottsdale Police will issue tickets to violators and/or vehicles in violation will be towed at owner's expense.
- k. Owners will be responsible for the costs of cleaning and repairs for any damage to the streets or common areas caused by their automobiles or their tenants/guests automobile.
- l. All vehicles can be towed, at the owner's expense, if a ticket is placed on your vehicle or a letter is sent to you.
- m. No storage of vehicles is allowed; i.e. expired license, inoperable vehicle, etc.

CLUBHOUSE RULES

A \$100.00 security deposit is required of all residents reserving the clubhouse. A \$25.00 non-refundable fee is charged for renting the clubhouse. The \$100.00 fee is refundable upon compliance of the following:

- a. The clubhouse MAY NOT be used for organized religious, commercial or profit making enterprises.
- b. The party must stay within the confines of the clubhouse at all times. Renting the clubhouse does not include renting the pool.
- c. Only the owner of a unit can rent the clubhouse. The owner of a rental unit must make the arrangements for their tenant to use the clubhouse.
- d. The owner must stay with the party at all times.
- e. The owner must ensure that guests do not disturb other residents with loud music or noise.
- f. The maximum number of people at a party is 100.
- g. The owner must ensure that visitors are directed to the public streets for parking.
- h. The party must be completed and all guests gone by 11:00 p.m.
- i. The clubhouse must be cleaned and ready for inspection by 11:00 a.m. the following morning.

- j. The owner must accept responsibility for locking all doors and window and turning off the lights and air conditioning or heat after the party.
- k. The owner will return the clubhouse key to the designated Board member by 11:00 a.m. the following morning.

Deliberate abuse of the clubhouse rules could result in loss of future clubhouse privileges.

THE COST OF CLEAN UP AND DAMAGES SHALL BE DEDUCTED FROM THE SECURITY DEPOSIT AND THE HOMEOWNER SHALL BE RESPONSIBLE FOR ANY COSTS ABOVE THE DEPOSIT AMOUNT.

POOL RULES

NO LIFEGUARD ON DUTY. SWIM AT YOUR OWN RISK. OWNERS AND MANAGEMENT ARE NOT RESPONSIBLE FOR ACCIDENTS OR INJURIES.

- a. Pool closes at 10:00 p.m. Violators will be asked to leave the pool area.
- b. For insurance reasons, for the safety of our residents, and in accordance with Scottsdale City ordinances, the pool entrance gates must be locked after entering or exiting the pool.
- c. Residents are prohibited from being in the pool equipment areas.
- d. Four (4) guests are permitted per townhouse unit at any one time. Pool parties are prohibited.
- e. Guests are to be accompanied by an adult resident at all times.
- f. Children under twelve (12) must be accompanied by an adult 18 yrs. or older at all times.
- g. NO GLASS!!! Drinks and food in non-breakable containers please. No alcoholic beverages allowed in the pool area.
- h. ABSOLUTELY NO ANIMALS ARE PERMITTED INSIDE THE POOL AREA OR TIED TO THE POOL FENCE OR GATE OUTSIDE THE POOL AREA.
- i. Proper swimwear is to be worn at all times. Wearing cut-offs, diapers and underpants are prohibited in the pool.

- j. Stereos and radios are to be kept at a low volume. Please respect fellow residents and keep down the volume. Your taste in music may not be the same as others.
- k. All portable equipment, radios, stereos and TVs should be battery operated.
- l. Please use the trash containers provided and help police the area for trash. Pool furniture is to be kept in the pool area and not in the pool. The pool furniture is not to be climbed on or used as a ladder to climb over the fence.
- m. Diving, running and horseplay is prohibited in the pool area. Bicycles, roller blades, skateboards, etc. are prohibited in the pool area.
- n. Residents are responsible for the actions of their guests.
- o. Proof of residency may be required. Please cooperate with anyone asking for this proof. SHOW YOUR POOL KEY.
- p. Any resident found vandalizing the pool area will be assessed the charges for repair and fined.
- q. Only toys made specifically for pools are allowed.
- r. Climbing the pool fence is prohibited.
- s. BBQ's are prohibited inside the pool area. This causes grease spots on the decking that cannot be removed.
- t. Use of oils or soaps causes extensive damage to the water clarity and filter. Please do not use them.
- u. No abusive language.
- v. No obscene behavior or activities in pool area.
- w. Replacement key for the pool is \$35.

INTERPRETATION OF THESE RULES: THE FINAL DECISION AS TO THE INTERPRETATION OF THESE RULES IS THAT OF THE BOARD OF DIRECTORS OF PARK SCOTTSDALE II. THIS IS PRIVATE PROPERTY. ANY PERSON OR PERSONS NOT ABIDING BY THE ABOVE RULES ARE TRESPASSING. IF THESE RULES ARE NOT OBSERVED, THE ASSOCIATION WILL HAVE NO ALTERNATIVE BUT TO CHARGE A FINE.