

La Buena Vida Two Townhouses Corp.

MAINTENANCE CHECKLIST – 2022

See Amended and Restated Declaration of Covenants, Conditions and Restrictions Declaration”, (Recorded on March 8, 2001 at Instrument No. 2001-0181949, Maricopa County Recorder).

The Association owns portions of “Common Area” in the Association and is considered a Planned Community under Arizona law.

	TYPE OF ELEMENT	WHO MAINTAINS?	WHO PAYS?
All maintenance and repair of the individual townhouse units shall be the sole obligation and expense of the individual lot owners (except to the extent the exterior maintenance and repair is provided by the Association). Declaration, Article V, Section 1 & Article VIII	Part of Townhouse/Lot	Owner	Owner**
Maintenance, upkeep and repairs of the individual patios (and the landscaping inside the patios) and any additions or other improvements made by the owner to the exterior of any portion of the lot. Including but not limited to all cable, tv and internet wires installed on the unit and must be maintained and kept in a presentable fashion. Declaration, Article V, Section 1	Part of Townhouse/Lot	Owner	Owner
Windows of the Townhouse units and exterior door and window features (including screens, window frames and window casings and door frames and door casings) and other hardware, including doors to any storage units. Declaration, Article VIII & Article V, Section 1.	Part of Townhouse/Lot	Owner	Owner
Upkeep and maintenance of the interior of the townhouse and upkeep and maintenance of all other areas, features, or parts of his townhouse and property not otherwise maintained by the Association. Declaration, Article IX	Part of Townhouse/Lot	Owner	Owner
All fixtures and equipment installed within a townhouse unit, commencing at a point where the utility lines, pipes, wires, conduits or systems enter the exterior walls of a townhouse unit, shall be maintained and kept in repair by the owner thereof (including the interior wiring or other interior fixtures of the storage sheds). Declaration, Article IX	Part of Townhouse/Lot	Owner	Owner
All homeowner modifications since original construction is the responsibility of the owner and any new owner thereafter. Article V, Section 1.	Part of Townhouse/Lot	Owner	Owner
Electrical breaker boxes are the responsibility of the homeowner regardless of their mounting location. Declaration, Article IX	Part of Townhouse/Lot	Owner	Owner
Termite Control. Declaration, Article IX	Service	Owner	Owner

Maintenance and repair of heating and air conditioners that are part of the individual townhouse. Declaration, Article IX	Part of Townhouse/Lot	Owner	Owner
Maintain and manage all property up to the exterior building lines and patio enclosures, including but not limited to the landscaping, parking areas, streets and recreational facilities, roofs, common elements and exteriors of buildings located upon the above-described property. Declaration, Article V, Section 1 & Article VIII.	Part of Exterior Townhouse/Lot or Common Area	Association	Association**
Maintenance of exterior portions of the townhouse unit and storage shed, including roofs, siding and paint. Declaration, Article V, Section 1 & Article VIII	Part of Exterior Townhouse/Lot	Association	Association
Maintenance of exterior portions of the carport assigned to and part of the individual townhouse/Lot and exterior patio gates that are not part of the townhouse/Lot. Declaration, Article V, Section 1 & Article VIII.	Part of Exterior Townhouse/Lot	Association	Association***
Maintenance, repair, painting and replacement of Common Areas and Common elements, which include all recreational facilities, community facilities, if any, swimming pools, pumps, trees, pavements, streets, pipes, wires, conduits and other public utility lines Declaration, Article I, Section 3; Article V, Section 1; Plat Map	Common Area	Association	Association***
Maintenance and repair of mailboxes	Part of Exterior Townhouse/Lot	Homeowner	Homeowner
Walls that are on the dividing line between townhouses (ordinary wear and tear) Declaration, Article VI, Section (a).	Party Wall	Adjoining Owners	Adjoining Owners (50/50)
Party walls damaged due to act of an Owner (or Owner's family, guests, invitees, or agents). Declaration, Article VI, Section (b) - general laws apply	Party/Common Wall	Offending Party	Offending Party

*Article 1 Section 4 definition states "lot" "unit" and "townhouse" shall be synonymous

In the event that the need for maintenance or repair is caused through the willful or negligent act of the owner, his family, guests or invitees, the cost of such maintenance or repairs shall be added to and become a part of the assessment to which such lot is subject. **Declaration Article VIII.

***In the event any common element, townhouse, carport or storage facility is damaged or destroyed by an owner or any of his guests, tenants, licensees, agents or members of his family, such owner does hereby irrevocably authorized the Association to repair said damaged element, townhouse, carport or storage facility, and the Association shall so repair said damaged element, townhouse, carport or storage facility in a good workmanlike manner in conformance with the original plans and specifications of the townhouses. The owner shall then repay the Association in the amount actually expended for such repairs within ten (10) days after completion of the work, shall be delinquent and shall become a lien upon said owner's lot and townhouse shall continue to be such lien until fully paid. Said charges shall bear interest from the date of delinquency at the rate of twelve percent (12%) per annum. **Declaration, Article X**

Note: We understand plumbing issues are specifically at issue with this Association. Owners are responsible for any repairs or plumbing issues, including but not limited to sewer lines, that arise from the point the pipe or plumbing issues are

within the exterior walls of the unit *See* Article IX of Declaration. If the sewer pipe or plumbing issue is outside of the unit then the Association is likely responsible for the maintenance and repair of the plumbing since the Association is responsible for the property up to the exterior building lines. *See* Article V, Section 1 of Declaration. However, if the need for maintenance or repair of the plumbing or sewer line that the Association is responsible for is caused by the willful or negligent act of an owner, his family, guests, or invitees, then the Association should assess the cost of such repairs back to the owner.