

**Andare Condominium Association
MAINTENANCE GUIDE*
November 2017**

***NOTE: This Maintenance Guide (“Guide”) from the Association’s Board of Directors is intended for reference only. This Guide does not establish legal obligations and is not a legal document. The Declaration is the legal contract between the Association and the Owners. Also, note that this Guide only refers to the obligations set forth in the Declaration. There can be other legal reasons that would form a basis for the Association or the Owner to be held responsible for repair, maintenance, replacement and/or reimbursement for the cost of same (e.g., by common law such as negligence, or because of insurance).**

| What is It? | Classification | Who Maintains it? | CC&R Section for Reference |
|--|------------------------|---|--|
| <p>Building</p> <p><i>Including:</i></p> <ul style="list-style-type: none"> • Structural parts of the Building • Bearing walls • Columns • Vertical supports • Foundations • Slabs • All waste, water and gas pipes (not within the boundaries of a Unit) • Fire sprinkler system • Tubing for delivery of insecticide • Ducts • Flues • Chimneys • Conduits • Wires • Other utility and installation lines except the lines, outlets, and traps thereof located within the Unit | <p>Common Elements</p> | <p>Association</p> <p>The Association shall maintain, repair and make necessary improvements at Association's expense.</p> | <p>Article 2, Sections 2.5.7 and 2.6</p> <p>Article 5, Section 5.1</p> |

Andare Condominium Association
MAINTENANCE GUIDE*
November 2017

| What is It? | Classification | Who Maintains it? | CC&R Section for Reference |
|---|-----------------|---|---|
| Roof | Common Elements | <p style="text-align: center;">Association</p> <p>The Association shall maintain, repair and make necessary improvements at Association's expense.</p> | <p>Article 2, Section 2.5.7</p> <p>Article 4, Section 4.4.1</p> <p>Article 5, Section 5.1</p> |
| Floors , including the spaces within the floors, including without limitation ductwork. | Common Elements | <p style="text-align: center;">Association</p> <p>The Association shall maintain, repair and make necessary improvements at Association's expense.</p> | <p>Article 2, Sections 2.5.7 and 2.6</p> <p>Article 5, Section 5.1</p> |
| <ul style="list-style-type: none"> • Swimming pool and pool equipment • Recreation buildings • Outdoor cooking facilities, including barbeque and grills located in the pool area | Common Elements | <p style="text-align: center;">Association</p> <p>The Association shall maintain, repair and make necessary improvements at Association's expense.</p> | <p>Article 2, Section 2.6</p> <p>Article 5, Section 5.1</p> |
| Utility meters | Common Elements | <p style="text-align: center;">Association</p> <p>The Association shall maintain, repair and make necessary improvements at Association's expense.</p> | <p>Article 2, Section 2.6</p> <p>Article 5, Section 5.1</p> |

**Andare Condominium Association
MAINTENANCE GUIDE*
November 2017**

| What is It? | Classification | Who Maintains it? | CC&R Section for Reference |
|--|------------------------|--|--|
| <p>Landscaping, including lattice work attached to the outside of Buildings, and trellises.</p> | <p>Common Elements</p> | <p style="text-align: center;">Association</p> <p>The Association shall maintain, repair and make necessary improvements at Association's expense.</p> <p>The Association shall be responsible for all costs to water any landscaping on the Common Elements.</p> | <p>Article 2, Section 2.6</p> <p>Article 5, Section 5.1</p> |
| <p>Exterior lighting</p> | <p>Common Elements</p> | <p style="text-align: center;">Association</p> <p>The Association shall maintain, repair and make necessary improvements at Association's expense.</p> <p>Electricity for such lighting will be the responsibility of the benefited Unit Owner</p> | <p>Article 2, Sections 2.6 and 2.8</p> <p>Article 5, Section 5.1</p> |
| <ul style="list-style-type: none"> • Fences • Walkways | <p>Common Elements</p> | <p style="text-align: center;">Association</p> <p>The Association shall maintain, repair and make necessary improvements at Association's expense.</p> | <p>Article 2, Section 2.6</p> <p>Article 5, Section 5.1</p> |

Andare Condominium Association
MAINTENANCE GUIDE*
November 2017

| What is It? | Classification | Who Maintains it? | CC&R Section for Reference |
|--|------------------------|---|--|
| <p>The space between the top surface of the drywall of the ceiling on a lower floor and the top of the unfinished floor of the story above.</p> | <p>Common Elements</p> | <p style="text-align: center;">Association</p> <p>The Association shall maintain, repair and make necessary improvements at Association's expense.</p> | <p>Article 2, Section 2.6 Article 5, Section 5.1</p> |
| <ul style="list-style-type: none"> • Private Streets • Private drives • Parking Spaces • Driveways | <p>Common Elements</p> | <p style="text-align: center;">Association</p> <p>The Association shall maintain, repair and make necessary improvements at Association's expense.</p> | <p>Article 2, Section 2.6 Article 3, Section 3.12 Article 5, Section 5.1</p> |
| <p>Sewer Lines up to the point where they enter a Unit</p> | <p>Common Elements</p> | <p style="text-align: center;">Association</p> <p>The Association shall maintain, repair and make necessary improvements at Association's expense.</p> | <p>Art 3, Section 3.12 Article 5, Section 5.1</p> |
| <p>Mailbox Note: Association currently has cluster mailboxes where mail is delivered in a centralized box instead of being delivered door-to-door.</p> | <p>Common Elements</p> | <p style="text-align: center;">Association</p> <p>The Association shall maintain, repair and make necessary improvements at Association's expense.</p> | <p>2.8.1 Article 5, Section 5.1</p> |

Andare Condominium Association
MAINTENANCE GUIDE*
November 2017

| What is It? | Classification | Who Maintains it? | CC&R Section for Reference |
|--|----------------|---|---|
| <p>Unit Boundaries of a Unit: From the top of the unfinished floors to the top of the drywall comprising the ceilings, and horizontally from the perimeter walls, defined by the side of the drywalls <u>facing away from the interior of the Unit.</u></p> <p><i>Including:</i></p> <ul style="list-style-type: none"> • Furring • Drywall • Plaster • Paneling • Tiles • Wallpaper • Paint • Carpet, finished flooring • Range • Garbage disposals • Dishwasher • Microwave • Water heaters • Waste, water, and gas pipes within the boundaries of a Unit • Any other appliances that are within the boundaries of a Unit • Any other materials that are part of the finished surfaces of the walls, floor and ceiling | Unit | <p>Owner</p> <p>Owners shall maintain, repair, and replace at their own expense.</p> | <p>Article 2, Sections 2.5, and 2.6</p> <p>Article 5, Section 5.2</p> |

**Andare Condominium Association
MAINTENANCE GUIDE*
November 2017**

| What is It? | Classification | Who Maintains it? | CC&R Section for Reference |
|---|----------------|---|---|
| Stairway area and stairs in the Unit. | Unit | <p style="text-align: center;">Owner</p> <p style="text-align: center;">Owners shall maintain, repair, and replace at their own expense.</p> <p style="text-align: center;">Association</p> <p style="text-align: center;">Any portion of the staircase that is part of the structural part of the Building, bearing walls, columns or vertical supports are Common Elements.</p> | <p style="text-align: center;">Article 2, Section 2.5.3,</p> <p style="text-align: center;">Article 2, Section 2.6</p> <p style="text-align: center;">Article 5, Sections 5.1 and 5.2</p> |
| Garage , including garage door | Unit | <p style="text-align: center;">Owner</p> <p style="text-align: center;">Owners shall maintain, repair, and replace at their own expense.</p> | <p style="text-align: center;">Article 2, Section 2.5.4</p> <p style="text-align: center;">Article 4, Section 4.14</p> <p style="text-align: center;">Article 5, Section 5.2</p> |
| Windows and doors , including front doors, balcony/patio doors of a Unit | Unit | <p style="text-align: center;">Owner</p> <p style="text-align: center;">Owners shall maintain, repair, and replace at their own expense.</p> | <p style="text-align: center;">Article 2, Section 2.5.3</p> <p style="text-align: center;">Article 5, Section 5.2</p> |

**Andare Condominium Association
MAINTENANCE GUIDE^{*}
November 2017**

| What is It? | Classification | Who Maintains it? | CC&R Section for Reference |
|---|--|---|---|
| <p>Air conditioning and heating units</p> | | <p style="text-align: center;">Owner</p> <p>Owners shall maintain, repair, and replace at their own expense.</p> | <p>Article 2, Section 2.5.7, 2.6, and 2.8</p> <p>Article 5, Section 5.2</p> |
| <p>Utilities servicing one Unit, wherever located,</p> <ul style="list-style-type: none"> • Sewer lines, taps, line, facilities and sewer clean-outs • Water box • Power meter • Utility connections, including water faucets located on the patio | | <p style="text-align: center;">Owner</p> <p>To the extent that the lines are not maintained by the utility company, the Owner shall maintain at their own expense.</p> | <p>Article 5, Section 5.2</p> |
| <p>Common Elements designed to exclusively serve or benefit one Unit and are located outside a Unit. <i>Including:</i></p> <ul style="list-style-type: none"> • Entryways • Doorsteps • Patios • Decks • Stoops • Porches | <p style="text-align: center;">Limited Common Elements</p> | <p style="text-align: center;">Association</p> <p>The Association shall maintain, repair and make necessary improvements at Association's expense.</p> | <p>Article 2, Section 2.8.1</p> <p>Article 5, Section 5.1</p> |

**Andare Condominium Association
 MAINTENANCE GUIDE^{*}
 November 2017**

| What is It? | Classification | Who Maintains it? | CC&R Section for Reference |
|---|--|---|--|
| <p>Common Elements located outside of the boundaries of a Unit but serve only the Unit.</p> <p><i>Including:</i></p> <ul style="list-style-type: none"> • Chutes • Flues • Pipes • Ducts • Wires • Conduits • Fixtures • Gas, cable television, water and electric pipes, lines or meters | <p>Limited Common Elements</p> | <p>Association</p> <p>The Association shall maintain, repair and make necessary improvements at Association's expense.</p> | <p>Article 2, Section 2.8.1</p> <p>Article 5, Section 5.1</p> |
| <p>Catch all</p> <p>Anything that is not part of the definition of a Unit</p> | <p>Common Elements</p> | <p>Association</p> <p>The Association shall maintain, repair and make necessary improvements at Association's expense.</p> | <p>Article 2, Sections 2.5 and 2.6</p> <p>Article 5, Section 5.1</p> |

**Andare Condominium Association
 MAINTENANCE GUIDE*
 November 2017**

| What is It? | Classification | Who Maintains it? | CC&R Section for Reference |
|--|----------------|-------------------|---|
| <p>Pass Through: Arizona law requires that if the Declaration does not provide otherwise, a condominium is obligated to “pass through” common expenses benefitting fewer than all unit exclusively against the unit(s) benefitted. See A.R.S. § 33-1255(C)(2).</p> <p>Pursuant the Declaration, Common Expenses shall be assessed equally against each Unit except if any Common Expense is caused by the negligence, omission or misconduct of any Unit Owner.</p> <p>Based on the foregoing, the Association shall “pass through” Common Expenses benefitting fewer than all units exclusively against the unit(s) benefitted <u>only if</u> the expense was caused by the negligence or action/inaction of an Owner. For example, Common Expense benefitting fewer than all Units that was incurred due to <u>regular</u> wear and tear <u>would not</u> be charged to the benefitted Unit(s) but would instead be a Common Expense paid by the Association.</p> | | | <p>Article 7, Section 7.2.1</p> <p>Article 5, Section 5.3</p> |