

SUMMARY OF MAINTENANCE OBLIGATIONS OF THE GREENS HOA AND ITS INDIVIDUAL HOMEOWNERS OR LOT OWNERS.

This listing is not a new resolution and does not create policy, rules, or obligations. It is simply an effort to consolidate, in one place, the existing policies and rules created by the Greens Covenants. It was created through research of the existing covenants and assistance interpreting those covenants from the Association's attorney.

It is provided to help homeowners, lot owners, or those considering purchase in the Greens understand what maintenance services will or will not be provided by the Greens.

Several limitations or caveats impact ALL Association responsibilities. Before researching specific questions, please note the following:

Section 9.1 of the Covenants specifies that all maintenance performed by the Association is done at such a time and in such a manner as the Association shall determine. Requests for immediate repair or maintenance are rarely honored and then only in cases the Association determines to be an emergency. Maintenance is performed on a schedule and in a way that is designed to minimize cost to the Association while maintaining an overall community aesthetic.

Maintenance as the term is used in our Covenants does NOT INCLUDE correction of building defects in the original construction. It also does not include correction of damage to property caused by a lot owner's misuse or negligence or that results from a lot owner's repair or modification of an improvement (home) or landscaping. For this reason, lot owners are advised to have their lot and/or home carefully inspected before purchase. They are also advised to secure ACC approval before modifying any element of a building exterior, landscaping, driveway, walkway, or yard art. Even with ACC approval, these lot owner improvements are not maintained by the Association.

Maintenance of landscaping does NOT INCLUDE replacement of dead plants or yard art. Maintenance is done with the objective of maximizing the efficiency and appearance of the entire community, not compliance with specific lot owner requests or prior landscaping or plantings.

Assuming there is no building defect or damage caused by a lot owner, the following are maintenance obligations of The Greens at Kissing Camels Estates (Association), maintenance obligations of the individual lot owners and/or current practices of the Kissing Camels Property Owners Association (KCPOA):

Air conditioning and heating systems, including all exterior compressors or other auxiliary equipment – Lot owner responsibility

Antennae and satellite dishes – Lot owner responsibility

Asphalt on Hill Circle and Reserve Point – currently maintained by KCPOA

Awnings and sunscreens – Lot owner responsibility

Building inspection at time of sale. All repairs and maintenance are performed in a manner and on a schedule determined by the Association. Repairs required at time of sale - Lot owner responsibility

Concrete

Curbs, gutters, and parking pads on Reserve Point – Association responsibility

Curbs and gutters on Hill Circle – currently maintained by KCPOA

Driveways (if the concrete in the driveway is least 6 inches deep) - Association responsibility

Sidewalks, patios, and porches- Association responsibility

Construction defects, including damage to home's interior resulting from any defect in the original building construction – Lot owner responsibility. (See also "defect")

Decks, Porches and Patios

Removing stains or debris – Lot owner responsibility

Repair – Association responsibility

Snow removal – Lot owner responsibility

Defect in building, including damage to home's interior resulting from building defect or any defect in the original construction, grading or landscaping – Lot owner responsibility. (See also "construction defects")

Doors and Windows

Doors

Damage from homeowner modification such as door knocker or décor – Lot owner responsibility

Exterior surface of door – Association responsibility

Glass- Lot owner responsibility

Operation of door, including latch and hinges – Lot owner responsibility

Garage doors

Exterior surface of door – Association responsibility

Interior, including door rail, rollers, and opener operation – Lot owner responsibility

Windows

Exterior frame (metal) – Association responsibility

Glass - Lot owner responsibility

Operation of windows to include latching, closing mechanism, weather stripping & plastic drip edge – Lot owner responsibility

Driveway and Sidewalks

Removing stains or debris – Lot owner responsibility

Repair of structure (If concrete in driveway is at least 6 inches thick) – Association responsibility

Snow removal – Association responsibility

Electrical

Bulb replacement in external lights on garage front that are controlled by photocell – Association responsibility

Other exterior lights – Lot owner responsibility

Outdoor speakers – Lot owner responsibility

Fences – see rail and gate under Home Exterior

Fountains – see yard art

Golf course operations. All damage or injury resulting from errant golf balls or other golf course operations – Lot owner responsibility

Grills, either portable or built in – Lot owner responsibility

Gutters and Downspouts

Clean – Association responsibility, on schedule selected by Association

Repair – Association responsibility, on schedule selected by Association

Painting – Association responsibility, on schedule selected by Association

Home exterior

Courtyard walls – Association responsibility.

Door knockers or door décor, including any damage to the door because of knockers or décor - Unless the homeowner has a variance – Lot owner responsibility

Painting wood fascia and supports – Association responsibility

Radon abatement equipment – Lot owner responsibility

Pet enclosures/dog runs --- Unless the lot owner secured and pays for a written a variance from the Association, these are a Lot owner responsibility

Pet doors – Lot owner responsibility

Rails (other than pet enclosures) and gate painting and repair, except locks, latches and hinges which are a lot owner responsibility – Association responsibility

Stairs

External spiral staircase from deck to ground – Lot owner responsibility

Part of porch or entry – Association responsibility

Stone siding – Association responsibility

Window wells

Removing debris – Lot owner responsibility

Walls - Association responsibility

Grates, ladders, and railings - Association responsibility

Home interior

All maintenance, repair, and restoration of any component of a home's interior (except as may be covered by insurance carried by Association) – Lot owner responsibility

Homeowner improvements

Damage from homeowner improvements – Lot owner responsibility

Ground cover - Unless the lot owner secured and pays for a written variance from the Association, these are a lot owner responsibility.

Maintenance and repair of all improvements installed by individual homeowner or their contractor(s) – Unless the lot owner secured and pays for a written variance from the Association, - Lot owner responsibility.

Private plantings - Unless the lot owner secured and pays for a written a variance from the Association, these are a lot owner responsibility.

Reimbursement – because of requirement for competitive bids, the Association does not reimburse homeowners for repairs or improvements made by homeowners without prior approval – Lot owner responsibility

Insurance (Property)

Deductible – Wind and hail deductibles are substantial and may be paid by assessment of homeowners. **The Association urges homeowners to secure private loss assessment coverage** to protect themselves from any special assessment to cover wind and hail deductibles.

Home structure (including fixtures such as plumbing and lighting but not contents) - Association responsibility (Association Responsibility does not include homeowner improvements)

Landscaping

Contract for landscaping – The current contract(s) for landscape maintenance are usually on-line in the homeowners' section of the Greens Website. – Association responsibility. Many lot owners do provide additional weeding, plantings, or landscaping in the area near their home. These additions must be approved by the ACC but do make a valuable and attractive addition to the Greens for which their neighbors are grateful.

Irrigation and maintenance of irrigation system – Association responsibility

Lawn mowing, edging, fertilizing, and aerating – Association responsibility

Mulch turning, the landscape contract provides for mulch turning but not for mulch replacement – Association responsibility

Mulch replacement or supplement – done only as budget permits on schedule selected by Association – Association responsibility

Seasonal trimming and debris removal – Association responsibility

Plant or turf replacement and replenishment – as selected by Association.
This does not guarantee replacement of plants or replacement of plants with like plants. Also, typically the association does not replace plants within five years of new construction or new landscaping (these replacements may be covered by original landscape installer) - Association responsibility

Plantings inside courtyards – Lot owner responsibility. Association provides original irrigation system and water access, but lot owner is responsible for irrigation maintenance and modification thereafter.

Private plantings, and improvements made by an owner and the irrigation system needed to serve those private plantings – Lot owner responsibility.

Retaining walls – Association responsibility

Tree fertilization and pest control in a manner and on a schedule determined by the Association – Association responsibility

Undeveloped lots – Mowing to meet minimum KCPOA standards of about one foot and shorter near the street – Association responsibility

Weeding – The Association provides professional herbicide treatment but does not provide hand weeding – Association responsibility

Patios

Removing stains or debris – Lot owner responsibility

Repair – Association responsibility

Snow removal – Lot owner responsibility

Pest control

Inside home, including common pest control such as spraying for insects or arachnids – Lot owner responsibility

Outside home – Association responsibility (performed in a manner and on a schedule determined by the Association)

Plumbing including all internal plumbing and fixtures and external spigots or hose bibs and sump pumps – Lot owner responsibility

Roofs

Inspection – Association responsibility

Internal damage resulting from roof leaks – Lot owner responsibility.

Repair – Association responsibility (performed in a manner and on a schedule determined by the Association)

Snow removal from driveways and sidewalks – See driveway and sidewalks.

Trash and recycling

Trash collection – currently provided by KCPOA

Recycling – Association responsibility

Variations – May create additional Association responsibilities but only if variance is approved and annual fee is paid by lot owner.

Windows – See Doors and Windows

Yard Art and fountains, including mounting fixtures and bases – Lot owner responsibility

Approved by Greens Board of Directors
June 6, 2022