

TABLE OF CONTENTS

I	Introduction	
II	General	
	A. Use of Units and Common Elements	3
	1. Primary Residence: Leasing.....	3
	2. Maximum Number of Unit Occupants.....	3
	3. Trash and Recycling.....	4
	4. Hazardous Activities or Materials.....	4
	5. Increased Risks, Damage.....	4
	6. Restrictions on Animals and Pets.....	4
	7. Restrictions on Feeding Wildlife.....	5
	8. Signs and Advertisements.....	6
	9. Immoral, Improper, Offensive and Unlawful Acts.....	6
	B. Actions of Owners, Owners’ Family Members, Friends, Invitees or Servants	
	1. Architectural Control Committee Review and Procedures for Alteration of Structures.....	6
	2. Unit Maintenance.....	7
	3. Patio Storage.....	7
	4. Exterior Antennas.....	8
	5. Littering.....	8
	6. Damages.....	8
	7. Loitering.....	8
	8. Disturbing Noises.....	8
	9. Volume of Stereo or Other Musical Instruments.....	8
	C. Motor Vehicles and Bicycles	
	1. Inoperative, Unused, Unregistered or Abandoned Vehicles...	8
	2. Recreational Vehicles.....	9
	3. Parking of Motor Vehicles.....	9
	4. Motor Vehicle Repairs.....	9
	5. Speed Limit.....	9
	6. Horns.....	10
	7. Bicycles.....	10

AMERICANA TOWNHOME ASSOCIATION INC.
RULES & REGULATIONS 2016

III Administrative

1. Entry for Emergency.....	10
2. Timely Payments.....	10
3. Enforcement.....	10
4. Fines and Fine Schedule.....	10
5. Reporting Violations.....	11
6. Interpretations.....	11
7. Right to Amend.....	11
8. Hierarchy of Governing Laws, Rules and Regulations.....	11

IV Recreation

1. Pool Rules.....	11
2. Mail Kiosk.....	11

AMERICANA TOWNHOME ASSOCIATION INC.
RULES & REGULATIONS 2016

I. Introduction

Whereas, Article VII. Section 1. Powers. of the Bylaws of the Americana Townhome Association, adopted by the Board of Directors thereof on March 17, 1983, provide that the Board of Directors of the Townhome Association (hereafter "Board of Directors") shall have the power to: (a) adopt, publish, amend and repeal rules and regulations governing the use of the Common Area and facilities thereon and the personal conduct of the Members and their guest thereon, and to establish penalties for the infraction thereof. These Rules and Regulations have been adopted and implemented for the operation, use, occupancy and enjoyment of the Common Area; and to protect your investment and to enhance the value of the Townhomes.

Whereas, the Board of Directors of the Association desire to establish, adopt and enforce the following Rules and Regulations of the Association, to be effective as of the date hereinafter stated, and as of such date, to supersede any and all Rules and Regulations previously adopted by the Board:

II. General

A. Use of Units and Common Elements

1. Primary Residence; Leasing. Units shall be occupied and used by their respective owners only as private dwellings and for no other purpose whatsoever. Any owner shall have the right to lease his Residence under the following conditions:
 - a. All Leases shall be in writing.
 - b. No lease shall be for less than thirty (30) days.
 - c. No portion of a unit or the entire unit may be rented for hotel or transient purposes.
 - d. The Governing Documents and Rules and Regulations shall be made part of all leases.
 - e. Leasing of a unit for business purposes is not permitted.
 - f. Any non-homeowner residing in a unit shall be subject to these Rules and Regulations including all rights and liabilities contained herein.
 - g. Fines incurred by a non-homeowner of the unit shall be chargeable directly to the unit owner and shall be added to become due and payable per regulations on enforcement and fining.
 - h. Each owner shall be responsible for distribution of these Rules and Regulations to all tenants occupying a unit.

2. Maximum Number of Unit Occupants. No more than one family unit shall be allowed to occupy any of the units contained within the Association. Please refer to Aurora City Code.

AMERICANA TOWNHOME ASSOCIATION INC.
RULES & REGULATIONS 2016

3. Trash and Recycling. Trash must be placed in the trash dumpsters throughout the project. Trash must be enclosed in a tightly sealed bag. Boxes must be broken down and placed in a dumpster. Furniture, appliances, electronics, televisions, and/or construction debris may not be placed in the Association's dumpsters. Electronics, televisions, and large items require a special disposal and/or pickup and the cost of disposal is the responsibility of the owner.
4. Hazardous, Noxious or Offensive Activities or Materials. No owner shall install or operate any machinery or equipment except household appliances in the unit, nor shall any inflammables, fireworks or explosives be brought in or used on Common Areas. No noxious or offensive activity shall be carried on upon any Lot nor shall anything be done or placed on any Lot which is or may become a nuisance or cause embarrassment, disturbance, or annoyance to others. No owner shall permit or suffer anything to be done or kept in the unit which would increase the rate of fire or other insurance thereon or on the Project as a whole.
5. Increased Risks, Damage. Nothing shall be done or kept in any Townhome Unit or in or on the Common Elements, or any part thereof, which would result in the cancellation of the insurance on the Project, or any part thereof, or increase in the rate of the insurance on the Project, or any part thereof, over what the Association, but for such activity, would pay, without the prior written approval for the Association. Nothing shall be done or kept in any unit or in or on the Common Elements, or any part thereof, which would be in violation of any statute, rule, ordinance, regulation, permit or other improved requirement of any governmental body. No damage to, or waste of the Common Elements or any part thereof shall be committed by any Owner, or by any member of the Owner's family, or by any guest, invitee or contact purchase of any Owner. This specifically refers to, but not limited to, the storage of flammable liquids in any unit of Common Area.
6. Barbecue Grills.
Please refer to the 2009 International Fire Code adopted by the City of Aurora Fire Department/Life Safety Division.
7. Restrictions on Animals and Pets.
 - a. Enforcement of Local Ordinances. The Association gives its express approval to the animal warden and other authorized personnel of the City of Aurora, Colorado to enforce municipal ordinances, rules and regulations related to animal control on the common elements.
 - b. General Rules, Regulations and Policies. No animals, livestock, poultry or bees, of any kind, shall be raised, bred, kept or boarded in or on the properties, provided, however, that the Owners of each Lot may keep small (up to 35 pounds), orderly domestic pets (e.g., dogs, cats or caged birds) not to exceed two (2) per unit, is permitted, subject to these rules and regulations; provided,

AMERICANA TOWNHOME ASSOCIATION INC.
RULES & REGULATIONS 2016

however, that such pets are not kept or maintained for commercial purposes or breeding; and provided, further, that any such pet causing or creating an unreasonable disturbance or noise to create a nuisance to any resident(s) of the Property.

c. Specific Rules, Regulations and Policies.

- (i) No more than two (2) indoor pets per unit.
- (ii) No pet shall be kept for any commercial purposes.
- (iii) Pet owners shall clean up after their pet and dispose of the same in a suitable container. (Any person walking their pet shall have on their person a device for removing and disposing of pet excrement.)
- (iv) Pets shall not be walked where excretions may damage grass, shrubs, trees, or become an annoyance or nuisance to others. Damaged shrubs, trees may be billed to the homeowner.
- (v) Pet shall not be allowed to roam unrestrained on the Common Area or on other's Lots.
- (vi) Pets shall not be chained or tethered outdoors, unattended, so as to become any annoyance or nuisance to others from barking or such other cause.
- (vii) As per the City of Aurora, all pets must be leashed at all times while outdoors.
- (viii) The owner of any animal found to be malicious, vicious, noisy or obnoxious to the other owners or tenants of the Association may be ordered to expel the animal from the project.
- (ix) All pet owners shall be responsible for maintaining their patio area in a sanitary manner to prevent odors and excrement from offending other owners or tenants.
- (x) No dog shall be permitted to bark, howl or make other loud noises for such a time as disturbs neighbors' rest or peaceful enjoyment of their unit or the common elements.

8. Restrictions on Feeding Wildlife

- a. Residents will be required to perform all necessary actions to remove attractants of wildlife. This includes, but is not limited to:
 - (i) Pet food shall not be put or stored outside for any time period other than the actual time the pet is eating.
 - (ii) All barbecue grills shall be cleaned immediately after use and covered. No outdoor bird feeders or hanging bird feeders are permitted.
 - (iii) All garbage and trash shall be placed in proper trash bags and well secured prior to placing in the dumpster for trash pickup.

Intentionally placing food or garbage, allowing the placement of food or garbage, or offering food or garbage in such a manner that it attracts all wildlife, including skunks, squirrels, foxes or raccoons and in a manner that is likely to create or creates a public nuisance is prohibited.

AMERICANA TOWNHOME ASSOCIATION INC.
RULES & REGULATIONS 2016

9. Signs and Advertisements. No advertising or signs of any character shall be erected, placed, permitted, or maintained on any Lot other than a name plate of the occupant and a street number, and except for one (1) "For Sale" or "For Rent" sign not to exceed five (5) square feet posted on the inside of a unit window.
- a. Political Signs. Political Signs may be displayed per the following: No more than one sign per political office or ballot issue. Signs may be posted no earlier than 45 days prior to the election and may remain 7 days after the election. The signs may be no larger than 36 by 48 inches.
10. Immoral, Improper, Offensive and Unlawful Acts. Owners, their families and guests shall not use the premises for any immoral, improper, offensive or unlawful acts, and each unit owner, at his own expense, shall comply with, perform and fully satisfy all city, state and federal laws, statues, ordinances, regulations, orders or requirements affecting the unit.

B. Actions of Owners, Owners' Family Members, Friends, Invitees or Servants

1. Architectural Control Committee Review and Procedure for Alteration of Structures. No structure or any attachment to an existing structure, whether a Townhome, garage or any other building, a tennis court, a swimming pool, fences, walls, canopies, awnings, roofs, exterior lighting facilities, athletic facility, or other similar improvements or attachments, shall be constructed upon the properties, no alteration of the exterior of a residence or other structure shall be made, and no change in the final grade, nor the installation of any landscaping, shall be performed unless complete plans and specifications are submitted to and approved in writing by the Architectural Control Committee or the Board of Directors of the Americana Townhome Association prior to the start of construction. If an owner desires to alter the structure in any manner, he/she shall employ the following procedure:
- a. A detailed plan of the alteration, together with specifications, shall be provided to the Architectural Committee/Board of Directors. Plans and specifications to show exterior design, height, materials, color, locations of the structure or addition to an existing structure. Any cost or savings to the Association should be noted.
- b. The Architectural Committee/Board of Directors shall meet and consider the proposal.
- c. The Board of Directors shall give written disposition of the request to the owner within a maximum of 45 days.
- d. Upon receipt of written approval by the Board of Directors, the owner may implement the alteration.
- e. The owner must maintain the alteration in consonance with the rest of the common elements. Failure to do so may require restoration of the alteration at the owner's expense. Such action would require 30 days' written notice from the Board of Directors of the Association prior to start of the restoration.

AMERICANA TOWNHOME ASSOCIATION INC.
RULES & REGULATIONS 2016

2. Unit Maintenance. In addition to all interior maintenance unit owners are responsible for the cost of maintenance and repair of the following items:
- a. All doors, windows, weather-stripping and screens are the responsibility of the unit owner to repair and replace. The unit owner should be sure that his/her personal insurance policy covers these items. Broken windows must be replaced by the unit owner within 15 days after breakage. Replacement doors and windows must be as similar as possible to the original ones.
 - b. Window Coverings – Temporary window coverings must be replaced by permanent covering within 90 days of moving in. Permanent window coverings which are in disrepair and affect the exterior appearance of the Townhomes unit are NOT PERMISSIBLE. Window coverings shall not be of reflective materials (foils), etc. which detract from the architectural theme of the Townhome unit.
 - c. Window Replacements – If original window grids are no longer intact and peeling, windows must be replaced within 30 days. Window replacements do not require grids (mullions), however black/bronze or almond trim is required.
 - d. Patios fences, windows, screens and doors shall not be left in disrepair, or in an unkempt, dirty, unsanitary or unsafe condition so as to constitute an annoyance, nuisance, eyesore and/or hazard to the Members. FRONT DOORS MUST BE PAINTED THE TRIM COLOR (blue).
 - e. Any resident desiring to install any exterior additions is required to submit a request for such installation in written form to the Board of Directors. Additions include such installations as patio covers, storm doors and storm windows.
 - f. Screen Doors/Security Doors – Owners desiring to install screen doors/Security Doors are required to submit a request along with a copy of store brochure or photograph of door style. All screen doors/security doors must be in black or bronze.
 - g. Temporary Air Conditioning Window Units/Window Fans – Temporary A/C units and/or window fan units may be placed in windows during the warmer months, from May 1st through September 30th and must be removed immediately to avoid an automatic first fine of \$50.00. No permanent A/C window/wall units permitted.
3. Patio Storage. Each Lot at all times shall be kept in a clean, slightly, and wholesome condition. No trash, litter, junk, boxes, containers, bottles, cans, implements, machinery, lumber, or other building materials shall be permitted to remain exposed upon any Lot so that the same are visible from any neighboring Lot, the Common area, or any street, except as necessary for approved construction.

AMERICANA TOWNHOME ASSOCIATION INC.
RULES & REGULATIONS 2016

4. Exterior Antennas. Per the FCC Ruling, installation of satellite dishes that are less than one meter in diameter, radio, aerial, TV antennas, or a like apparatus or connection are permitted and may be installed by the owner outside of his respective unit and must conform to the following restriction: No installations are permitted on the roof and/or siding. Owner is responsible for any damage caused by the antenna or dish installation.
5. Littering. Nothing (including cigarettes) shall be thrown or emptied by any owner, his family, friends, invitees, or servants out of the windows, doors, or anywhere in the Project, parking areas, or common elements, nor shall articles be hung from or placed permanently or temporarily outside the window or outside the unit, including fences, patios and balconies.
6. Damages. An owner shall be liable for repair or replacement costs for any damage to the common elements caused by an owner, his family, friends, invitees or servants.
7. Loitering. No one shall be allowed to loiter or play in parking areas, or trash enclosures of the Townhome Project.
8. Disturbing Noises. No owner shall make or permit any disturbing noises in any building or in his unit, by himself, family, friends, invitees or servants; nor do or permit anything to be done by such Persons on Common Elements that will interfere with the rights, comfort or convenience of the other owners. No owner shall play or suffer the playing of any musical instrument in the unit if the same shall disturb or annoy the other owners.
9. Volume of TVs, Electronics, Stereos or Other Musical Instruments. Volume of TVs, Electronics, Stereos and musical instruments shall be reduced after 10:00 pm and at all time be kept at a sound level to avoid disturbance to others. This also applies to car stereo volume while parked or driving through the Townhome Project.

C. Motor Vehicles/Parking and Bicycles

1. Inoperative, Unused, Unregistered or Abandoned Vehicles. No inoperative, unused, or abandoned vehicle shall be stored, parked, maintained or kept upon any part of the Project, including any residential street, alley or way of access within the project. "Inoperative, abandoned, unregistered or unused vehicle" shall mean any automobile, truck, motorcycle, motorbike, boat, trailer, camper, house-trailer, or similar vehicle which has not been driven under its own propulsion or has not been moved outside of the project for a period of two (2) weeks or longer. If the abandoned or inoperable vehicle is not removed within 72 hours following written warning, the vehicle shall be subject to towing, at owner's expense as provided herein or by applicable law.

AMERICANA TOWNHOME ASSOCIATION INC.
RULES & REGULATIONS 2016

2. Recreational Vehicles. No commercial or recreational vehicles, including but not limited to, trailers, mobile homes, detached camper units, utility and boat trailer, snowmobiles, race cars, watercraft or house-trailers shall be parked, kept, stored, or maintained on any Common Area, residential street, alley or way of access within the Project. Camper and recreational vehicles can be parked within the Townhome Project for loading/unloading for no more than a 72 hour period in an assigned parking spot without moving. Management must be notified if the 72 hour period is not sufficient. Vehicles in violation hereof shall be subject to ticketing and/or towing, at owner's expense, as provided herein or by applicable law.
3. Parking of Motor Vehicles. No motor vehicle shall be parked, kept or placed in any restricted, limited or No Parking area, including but not limited to, fire zones, driveway area, and sidewalk access area. All such restricted limited and/or No Parking areas shall be marked and posted, as required by law, and vehicles in violation thereof shall be ticketed, fined and/or towed.
 - a. Each Owner and all occupants of a Unit may park no more than a **total of two (2)** motor vehicles within the Americana Townhome Association at any time. One vehicle in the space specifically designated at the building for the **lettered** unit. The second vehicle is to be parked in one of the unmarked spaces in front of the building.
 - b. Visitor parking is available on a first come basis.
 - c. The Townhome Association assumes no responsibility for damage to or theft of any motor vehicle or its contents while parked on the Townhome Project.
 - d. Non-authorized vehicles parked in a **lettered** owner parking space will be tagged for tow (by a towing contractor) without warning. The individual homeowner may contact the Management Company in order to obtain Board authorization for the authorized towing company to tow vehicles parked in the homeowners designated parking space or blocking their parking space.
4. Motor Vehicle Repairs. No automotive maintenance, mechanical, body or engine work, overhauling or similar automotive repair work for commercial and/or business purposes shall be performed in any portion of the Project. Only minor automotive maintenance (i.e. tire change and jump start in order to get the vehicle in operation) upkeep of a resident's private vehicle, on a street within the Project, and in all such cases, no automotive maintenance or repair work shall be conducted or carried on within the Project so as to become an annoyance, nuisance, eyesore or hazard.
5. Speed Limit. Owners, their families, guests and residents shall abide by the posted speed limit (which shall be 10 m.p.h.) as well as such other traffic and parking regulation as may be posted in the parking areas and on the roadways of the Project.

AMERICANA TOWNHOME ASSOCIATION INC.
RULES & REGULATIONS 2016

6. Horns. Horns are to be used only when necessary for the safe operation of vehicles.
7. Bicycles. Owners may keep bicycles within their unit or store them out of sight in enclosed patios areas.

III Administrative

1. Entry for Emergency

The Project Manager or other authorized persons are authorized to enter into a unit for any emergency which might damage any unit or any building at any time.

2. Timely Payment

Unit assessments and monthly maintenance fees and any other charges shall be paid on time. Any party violating this provision shall pay all costs and expenses of collection, which may include reasonable attorney fees.

3. Enforcement

The Association shall have the right to impose reasonable fines or other charges for violations of the rules and regulations or of any of the governing documents which fine or charge may be secured by a lien. Further, the Association shall have the right to seek injunctive relief to enforce these rules or other covenants and restriction of the governing documents, in addition to the right to bring suit for damages. In all such cases, the owner shall be responsible for all costs of such lien, injunction of suit for damages, including the Association's reasonable attorney fees. Non-enforcement of any rule or regulations, covenant or other restriction shall not be construed as a waiver.

4. Fines and Fine Schedule

All fines shall be due and payable immediately upon notice of such assessment and shall be paid in the manner and at the place established by the Board for payment of monthly assessments under the declaration. If any fine is not paid within the next monthly due date, a late charge in the amount of \$20.00 may be assessed to compensate the Association for the expenses, costs and fees involved in handling such delinquency.

The owner of each unit shall be personally liable for all fine/penalty assessment. In the event said fine/penalty assessments are not paid, the association may thereafter commence an action at law, or in equity, or both, against any lot owner personally obligated to pay the same, for recovery of said assessment as forestated. The prevailing party shall be entitled to recover its reasonable attorneys' fees and associated costs and expenses incurred in connection with such legal proceedings.

FINE SCHEDULE

First Notice – Warning, no fine

Second Notice - \$50.00 fine

Third Notice - \$100.00 fine

Fourth and Subsequent Notices - \$200.00 fine

AMERICANA TOWNHOME ASSOCIATION INC.
RULES & REGULATIONS 2016

If you feel the violation was made in error, you must respond within fifteen (15) days, in writing, for a hearing to be set by the Board of Directors. The decision of the Board, after presentation of facts, data, and testimony, will be final.

5. Reporting Violations

If you see or hear a violation, please send a written notice to the Property Manager via email or through the mail. It is important to provide a description of the violation, the date and time, and the address and unit number in order to ensure that the violation letter is sent to the correct address. The first letter regarding the violation is a courtesy warning, the second, third and subsequent letters generate fines and for that reason, dates, and time allow the Association to properly inform the unit owner. Owners are responsible for the actions of their tenants.

6. Interpretations

Should any rule or regulation be susceptible to two interpretations, one of which would render the rule or regulation valid under the law and the other which would render it void, the interpretation rendering the rule or regulation valid shall apply as the interpretation intended between the owner and the Townhome Association. Should any rule or regulation be held void as a matter of law by any court or administrative agency of competent jurisdiction, only that rule or regulation shall be rendered void, and all other rules and regulations shall remain valid and enforceable.

7. Right to Amend

The Board of Directors reserves the right to amend, repeal, or add to these rules and regulations from time to time as may be deemed necessary for the safe and efficient maintenance of the Townhome Project and for the comfort and convenience of the occupants thereof.

8. Hierarchy of Governing Laws, Rules and Regulations

The bodies of the Townhome Association's governing laws, in descending order of supremacy, are: (1) the "Declaration of Covenants, Conditions, and Restrictions", (2) the "Articles of Incorporation", (3) the "Bylaws", and (4) the "Rules and Regulations". If two bodies of the governing laws are in conflict, the conflict will be resolved by applying the law which is the more supreme of the two bodies.

IV Master Amenities

1. Swimming Pool Rules

Please contact the Master Association for a complete list of Pool Rules and pool entry. Owners, residents, and their guest shall be required to adhere to the Pool Rules

Hours 7:00 am to 10:00 pm Sunday – Thursdays

7:00 am to 11:00 pm Fridays and Saturdays

2. Mail Kiosk

Please contact the Master Association for all questions related to the Americana Mail Kiosk.