

The Gardens Condominium Association Maintenance Policy and Chart

The Gardens Condominium Association (“Association”) is governed by the Declaration of Horizontal Property Regime and Covenants, Conditions and Restrictions for The Gardens, A 43 Unit Condominium, recorded in the Maricopa County Recorder’s Office as Instrument No. 1980-0316682, including any subsequent amendments thereto (“Declaration”), the Plat, recorded in the Maricopa County Recorder’s Office as Instrument No. 1980-0236343, the Rules and Regulations, and the Architectural Policies and Procedures (collectively “Community Documents”).

The Board of Directors adopts this Maintenance Policy and Chart to clarify the maintenance responsibilities for the Association and the Unit Owners, pursuant to the language set forth in the Community Documents and the Condominium Act. The Board of Directors may amend this Maintenance Policy and Chart at any time.

A. General Provisions

The following provisions guide the Board of Directors in fulfilling the Association’s maintenance responsibilities under this Maintenance Policy and Chart.

- Article 4, Section 4.2 of the Declaration states, “In the event of any dispute or disagreement between any Owners relating to the Property, or any question of interpretation or application of the provisions of the Declaration, Articles or Bylaws, the determination thereof by the Board shall be final and binding on each and all Owners.”

- Article 11 of the Declaration states in part, “Each Owner shall furnish and be responsible for, at his own expense, all of the maintenance, repairs and replacements within his own Unit . . .”

- Article 11 of the Declaration further states in part, “If, due to the willful or negligent act of an Owner or a member of his family or household pet or guest or other authorized occupant or visitor of such Owner, damage shall be caused to the Common Elements or to a Unit or Units owned by others, or maintenance, repairs or replacements shall be required which would otherwise be at the common expense, then such Owner shall pay for such damage and for such maintenance, repairs and replacements as may be determined by the Board”

- The Gardens Architectural Policies and Procedures states in part, “If [an alteration is] approved, the Homeowner agrees to maintain the improvement. If, in view of the Board of Directors, the improvement is not being maintained, the Association has the right to remove or maintain the improvement with the Homeowner bearing all costs.”

- If there is any conflict and/or inconsistency between the Declaration and the Maintenance Policy and Chart, the Declaration will control.

The Gardens Condominium Association Maintenance Policy and Chart

B. Maintenance Chart

This chart shows whether the Owner or the Association is responsible for the maintenance, repair, and/or replacement of various components. A=Association; O= Unit Owner.

For all components that are marked with an asterisk (*), the Association is responsible for the maintenance, repair, and/or replacement of the component, but the Association may charge the cost for the maintenance, repair, and/or replacement of the component to the Owner(s) pursuant to A.R.S. §33-1255(c).

BUILDING EXTERIORS	HOA	Owner
Roofs*	A	
Bearing Walls*	A	
Structural components of the Buildings*	A	
Fences on or bordering any Common Elements	A	
Address numbers on Buildings	A	
Front entry area hardscape*	A	
TV antennas/satellite dishes (upon Board approval)		O
Altered front entry area hardscape (upon Board approval)		O
Rear patios		O
Storage area*	A	
Front doors and door frames*	A	
Owner altered front doors and door frames (upon Board approval)		O
Door hardware, including but not limited to peep holes, door knobs, and locks*	A	
Owner altered door hardware, including but not limited to peep holes, door knobs, and locks		O
Rear/patio doors*	A	
Owner altered rear/patio doors (upon Board approval)		O
Lighting and light fixtures on Common Elements	A	
Exterior lighting, light fixtures attached to a Unit		O
Owner enclosed garage, including walls, roof, foundation, and all components (upon Board approval)		O
Patio fan		O
Heating and air conditioning units serving one Unit		O
Screens		O
Security doors (upon Board approval)		O
Windows and window frames*	A	
Owner altered windows and window frames (upon Board approval)		O
Solar units or panels (upon Board approval)		O

The Gardens Condominium Association Maintenance Policy and Chart

Exterior security lights (upon Board approval)		O
Front entry skylight (upon Board approval)		O
Skylight in roof*	A	
Rear patio trellis and cover including beams and support columns*	A	
Altered rear patio trellis and cover (upon Board approval)		O
Exterior surface of Units including stucco and paint*	A	
Other original exterior portions of the Unit not otherwise stated above*	A	
RESIDENCE INTERIORS	HOA	Owner
Interior surfaces of perimeter walls and ceilings of Unit including but not limited to: paint, wallpaper, paneling, texture		O
Surfaces of floors, including but not limited to: tile, vinyl, hardwood, carpeting		O
Appliances including but not limited to: oven, range, refrigerator, dishwasher, clothes washer, dryer, microwave, etc.		O
Fixtures including but not limited to: ceiling fans, hand rails, cabinets, countertops, bathtubs, showers, sinks, toilets, smoke detectors etc.		O
Window treatments		O
Furnishings, including all personal property such as furniture, electronics, jewelry, and clothing		O
Household goods of Owner		O
All other improvements within the unfinished interior surfaces of the perimeter walls, floors, and ceilings of the Unit		O
Interior Unit Party Wall		O
Fireplaces and associated components		O
Interior demising walls*	A	
Any components lying between the interior surface of the perimeter walls/ceilings/floor and Unit's exterior, including but not limited to: pipes, wires, ducts, plumbing, electrical and fire sprinkler components*	A	
UTILITIES	HOA	Owner
Water meter	A	
Sewer, water and gas lines from Unit's point of connection to point of connection with City's water and sewer lines*	A	
Pipes, wires, conduits, ducts, flues, shafts, or public utility, water or sewer lines serving more than one Unit*	A	
Ancillary water utility equipment serving the entire Condominium	A	
Sewer, water, and gas lines serving only one Unit and are located within the boundaries of the Unit		O
Electrical wiring serving one Unit and are located within the boundaries of the Unit		O
Cable wiring and equipment		O
Satellite wiring and equipment		O

The Gardens Condominium Association Maintenance Policy and Chart

Circuit breakers		O
Furnaces and heating equipment serving one unit		O
Light switches		O
Hot water heater		O
Telephone outlets and wiring		O
Thermostats		O
GROUNDS	HOA	Owner
Common Element landscaping	A	
Common Element irrigation systems except those portions under approved landscaping alterations	A	
Streets and curbing	A	
Improvements on Common Elements	A	
Patio Party Walls		O
Entry pool gate	A	
Pool and pool related equipment	A	
Mechanical Rooms	A	
Original walkways and hardscaped surfaces	A	
Owner altered walkway or hardscaped surface (upon Board approval)		O
Irrigation system	A	
Owner altered rock ground cover (upon Board approval)		O
Guest parking spaces not assigned as part of a Unit	A	
Cabana	A	
Pedestrian Trails	A	
Carport canopies and structural support*	A	
Driveways	A	
Fences, walls or gates original to the Property	A	
Dumpsters	A	
Additional fences, walls, or gates (upon Board approval)		O
Maintenance and repair of any owner changes to the front common area or existing irrigation system, including the area under and adjacent to the alterations (upon Board approval)		O
OTHER	HOA	Owner
Any approved alteration		O
<i>Any damage</i> adjacent, under, or created from any Owner's improvement		O
All other portions of the Unit not otherwise addressed		O
Pest control (including termite) on Common Elements and exterior of buildings	A	
Pest control (including termite) interior of Units		O

The Gardens Condominium Association Maintenance Policy and Chart