

BELLA TERRA CONDOMINIUM ASSOCIATION

Maintenance Policy

Bella Terra Condominium Association (the “Association”) is governed by the Condominium Declaration for Bella Terra Condominium recorded as Document No. 2005-1443202 in the Maricopa County Recorder’s Office, including any subsequent amendments thereto (hereinafter, the “Declaration”).

This Maintenance Policy is being adopted by the Board of Directors to clarify the maintenance responsibilities for the Association and the Owners – consistent with the language in the Declaration and the Arizona Condominium Act. This Maintenance Policy may be amended at any time by the Board of Directors.

I. Owner Responsibility for Maintenance

See Exhibit A

II. Association Responsibility for Maintenance

See Exhibit B

III. General Policies

- Pursuant to Section 5.3 of the Declaration, “each Owner shall be liable to the Association for any damage to the Common Elements or the Improvements, landscaping or equipment thereon which results from the negligence or willful misconduct of the Owner or of the Owner's Lessees, Occupants or Invitees. The cost to the Association of any such maintenance, repair or replacement shall be assessed against the Owner.”

- Pursuant to Section 5.4 of the Declaration, “if an Owners fails to maintain in good condition and repair the Unit or any Limited Common Element which he/she is obligated to maintain under this Declaration, and the required maintenance, repair or replacement is not performed within fifteen (15) days after written notice has been given to the Owner by the Association, the Association shall have the right (but not the obligation) to perform the required maintenance, repair or replacement. The cost of any such maintenance, repair or replacement shall be assessed against the nonperforming Owner.”

- Maintenance, repair or replacement of any item not specifically identified in this Maintenance Policy will be decided by the Board of Directors on a case by case basis.

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

EXHIBIT A

MAINTENANCE ITEM	ASSOCIATION	OWNER
Service equipment within a Unit (e.g., dishwasher, refrigerator, laundry machine, range, microwave, Garbage disposal, water heater, etc.)		X
Fixtures within a Unit (e.g., electrical and plumbing Fixtures, tubs, toilets, sinks, etc.)		X
Interior of the Unit (including utility outlets and finished surfaces of walls, floors and ceilings)*		X
Doors and windows of a Unit (including glazing, sashes, frames, sills, thresholds, hardware, flashing and other components of the doors and windows)		X
Heating, cooling and air conditioning systems and equipment serving a Unit		X
Any chute, flue, pipe, duct, wire, conduit or other fixture (including utility pipes, lines or meters) that serve only the Unit		X
Garage door and electronic door opener for any garage allocated to a Unit		X
Interior of the balcony, patio or storage room allocated (excluding any structural portions or walls) The interior portion of the balcony / patio that the owner is responsible for maintaining just relates to cleaning, floor coverings if installed by the owner, etc. The Association would be responsible for repairing any issues with the balcony if its leaking		X
Improvements or fixtures installed by an Owner on or within a balcony, patio or storage room allocated to a Unit		X
Pest control within a Unit		X
Sewer lines and facilities that serve only the Unit		X

*Pursuant to Section 2.5.1 of the Declaration, “the boundaries of each Unit are the interior unfinished surfaces of the perimeter walls, floor, ceiling, doors and windows of the Unit. Each Unit shall include openings and outlets of all utility installations in the Unit. All lath, furring, wallboard, plasterboard, plaster, paneling, tiles, wallpaper, paint, finished flooring and any other materials constituting any part of the finished surfaces of the walls or floor are part of the Unit, and all other portions of the walls and floor are part of the Common Elements.”

EXHIBIT B

MAINTENANCE ITEM	ASSOCIATION	OWNER
Exterior of the Buildings (including roofs and any portion of the walls, floors and ceilings located outside the boundaries of the Units)	X	
Walls and structural portions of any balcony, patio or storage room allocated to a Unit. The interior portion of the balcony / patio that the owner is responsible for maintaining just cleaning, floor coverings if installed by the owner, etc. The Association would be responsible for repairing any issues with the balcony if its leaking	X	
Parking spaces and garages (exterior)	X	
Any chute, flue, pipe, duct, wire, conduit or other fixture (including utility pipes, lines or meters) that serve more than one Unit (Exterior of) it or the Common Elements	X	
Sewer lines and facilities that serve more than one Unit or the Common Elements	X	
Pest control for the exterior of the Buildings and Common Elements	X	
Improvements, landscaping, walkways, roadways and recreational facilities on the Common Elements*	X	

Pursuant to Section 1.12 of the Declaration, the “Common Elements” include all portions of the Condominium other than the Units