

**RULES AND REGULATIONS
OF THE
MADISON HILL CONDOMINIUMS**

TABLE OF CONTENTS FOR RULES AND REGULATIONS

I. INTRODUCTION

II. GENERAL

- A. Use of Units and Common Elements
 - 1. Primary Residence; Leasing
 - 2. Maximum Number of Unit Occupants
 - 3. Hazardous Activities or Materials
 - 4. Restrictions on Animals and Pets
 - 5. Use of Water
 - 6. Immoral, Improper, Offensive and Unlawful Acts
- B. Actions of Owners, Owners' Family Members, Friends, Invitees or Servants
 - 1. Unauthorized Repairs, Replacements, Modifications or Additions
 - 2. Procedures for Alteration of Structures
 - 3. Markings
 - 4. Exterior Antennas
 - 5. Littering
 - 6. Damages
 - 7. Loitering
 - 8. Obstructions
 - 9. Restrictions on Noise Amplifying or Conducting Floors in Upper Units
 - 10. Disturbing Noises
 - 11. Volume of Stereos or Other Musical Instruments
 - 12. Unsightliness
- C. Motor Vehicles and Bicycles
 - 1. Vehicle Regulations
 - 2. Parking of Motor Vehicles
 - 3. Horns
 - 4. Bicycles

III. ADMINISTRATIVE

- 1. Entry for Emergency
- 2. Timely Payments
- 3. Enforcement
- 4. Interpretations
- 5. Right to Amend
- 6. Hierarchy of Governing Laws, Rules and Regulations

RULES AND REGULATIONS
OF THE
MADISON HILL CONDOMINIUMS

I. INTRODUCTION

Under Article V, Section 5.04(s) of the Bylaws, the Board of Directors of the Condominium Association (hereafter "Board of Directors") may pass rules and regulations governing the Condominium Project and the operation and use of the Common Elements. These Rules and Regulations have been adopted and implemented to protect your investment and to enhance the value of the Condominiums.

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. All leases must be in compliance with the provisions of the Declaration restricting leasing, and must be for a term of not less than three months. No portion of a unit or the entire unit may be rented for hotel or transient purposes.
2. Maximum Number of Unit Occupants. No more than two persons per bedroom (including dens, but excluding basements) shall be allowed to occupy any of the units contained within the Condominium Project.
3. Hazardous Activities or Materials. No owner shall install or operate any machinery or equipment except household appliances or ordinary tools and equipment in the unit, nor shall any inflammables, fireworks or explosives be brought in or used on the Project. 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.
4. 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 and County of Denver, to enforce municipal ordinances, rules and regulations related to animal control on the common elements at the Project.

- b. General Rules, Regulations and Policies. The maintenance, keeping, boarding and/or raising of animals, livestock, poultry, fish or reptiles of any kind, regardless of number, shall be and is prohibited within any unit or upon the common elements, except that the keeping of orderly domestic pets (e.g., dogs, cats or caged birds) not to exceed one such pet or animal in total per unit, is permitted, subject to these rules and regulations; provided, however, that such pets are not kept or maintained for commercial purposes or breeding; and provided, further, that any such pet causing or creating a nuisance or unreasonable disturbance or noise may be permanently removed from the Project upon ten (10) days' written notice from the Board of Directors.
- c. Specific Rules, Regulations and Policies.
- (1) Pets shall not be permitted upon the common elements unless accompanied by an adult and unless carried or leashed.
- (ii) Any unit owner who keeps or maintains any pet upon any portion of the Project shall be deemed to have indemnified and agreed to hold the Association and each unit owner free and harmless from any loss, claim or liability of any kind or character whatever arising by reason of keeping or maintaining such pet.
- (iii) All pets shall be registered with the Board of Directors and shall otherwise be registered and inoculated as required by law.
- (iv) The Board of Directors may establish reasonable fees for registration of pets not to exceed the additional costs incurred by the Association resulting from the presence of such pets.

- (v) No pet or animal shall be leashed to any stationary object on the common elements.
 - (vi) No animal is permitted in or on any community facilities.
 - (vii) Pet owners are responsible for any property damage, injury and disturbance their pet may cause or inflict.
 - (viii) Every female dog while in heat shall be kept confined in a building or secure enclosure by its owner in such a manner that she will not be in contact with another dog (except for intentional non-commercial breeding purposes) nor create a nuisance by attracting other animals.
 - (ix) 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.
 - (x) Owners are responsible for the removal of waste of their animal from the common elements.
 - (xi) Owners who lease their property must obtain from their lessee a written agreement to abide by these rules, and submit a copy of such agreement to the Board of Directors.
- d. Enforcement. Any owner, resident or managing agent personnel, observing an infraction of any of these rules, regulations or policies shall discuss the infraction in a neighborly fashion with the pet owner in an effort to secure voluntary compliance. If the complaint is not satisfied voluntarily, an owner or resident shall write to the Project Manager and the Board of Directors relating the incident or incidents and the efforts made to secure voluntary compliance.

5. Use of Water. Water shall not be kept running for any unreasonable or unnecessary length of time in a unit.
6. Improper, Offensive and Unlawful Acts. Owners, their families and guests shall not use the premises for any 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, statutes, ordinances, regulations, orders or requirements affecting the unit. Furthermore, if any such person is engaged in any unlawful act, or breach of any of the Condominium Association's governing laws, the presiding officer of the Association or Project Manager of the Condominium Project (herein referred to as the Project Manager) is authorized to invite law enforcement officials to enforce any violation or breach of the foregoing.

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

1. Unauthorized Repairs, Replacements, Modifications, or Additions. No owner shall in any manner interfere with, repair, replace, modify, or add to any portion of the heating, lighting, or plumbing apparatus or electrical circuitry in or about the Condominium Project nor in or about the building containing the same, nor in any way modify the exterior appearance of any unit or any building without the express written approval of the Architectural Control Board, if any, or the Board of Directors, except that emergency repairs of essential services to the owner's unit may be made by a qualified or, where required by law, a licensed craftsman when under the circumstances obtaining such advance approval would be impracticable. Furthermore, each unit owner shall perform all such repairs within his own unit which, if omitted, would affect any common elements, any portion of the property belonging to other owners, or the Project as a whole.
2. Procedure for Alteration of Structures. If any 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. Any cost or savings to the Association should be noted.

- b. The Architectural Committee shall meet and consider the proposal.
 - c. The Architectural Committee shall give its recommendation to the Board of Directors in writing.
 - d. The Board of Directors shall give written disposition of the request to the owner.
 - e. Upon receipt of written approval by the Board of Directors, the owner may implement the alteration.
 - f. 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.
3. Markings. No owner will be allowed to put his name in any entry, passageway, vestibule, hall or stairway of the Project, except in the proper place on any mailbox provided for the use of the unit occupied by him.
 4. Exterior Antennas. No radio, aerial, TV antenna or like apparatus or connection shall be installed by the owner outside of his respective unit.
 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 shades, awnings, window guards or any other article be hung from or placed permanently or temporarily outside the window or outside the unit, including 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 the hallways, stairways or parking areas of the Condominium Project.
 8. Obstructions. Vestibules, halls, stairways and other areas and facilities of a similar nature must remain

unobstructed, and shall be used only for purpose of normal transit. Said areas shall not be used for storage or placement of any furniture, packages or objects of any kinds.

9. Restrictions on Noise Amplifying or Conducting Floors in Upper Units. No hardwood floors, tile or other flooring surfaces which conduct or amplify noise shall be allowed or installed by an owner within the kitchen of any upper unit (the even numbered units). This restriction shall not apply or be interpreted to restrict the type of flooring which an owner may install in the entry landing of any upper unit or the installation of carpet or sheet vinyl in kitchen areas of upper units.
10. 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, comforts 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.
11. Volume of Stereos or Other Musical Instruments. Volume of stereos and musical instruments shall be reduced after 10:00 p.m. and at all times be kept at a sound level to avoid disturbance to others.
12. Unsightliness. No unsightliness or waste shall be permitted on or in any part of the Project. Without limiting the generality of the foregoing, owners shall not keep or store anything on or in courtyards, patios or decks which is not well maintained and kept in a neat and orderly condition, specifically including firewood, barbecues, outdoor furniture and other personal property. This restriction is intended to preserve the value and appearance of the entire project as a whole. In this regard, this restriction shall be broadly construed for the benefit of all owners within the Project.

C. Motor Vehicles and Bicycles

1. Vehicle Regulations. No large recreational vehicles, large trucks over 3/4 ton, campers or anything other

than passenger cars or small trucks and vans shall be parked in the parking stalls or parking areas of the Condominium Project. Furthermore, no engine maintenance or other mechanical repairs to automobiles other than normal washing or polishing shall be permitted anywhere on the premises. No damaged or unsightly vehicles shall be parked or stored anywhere on the Condominium Project.

2. Parking of Motor Vehicles

a. Each owner's motor vehicle will be parked only in that space designated to such owner's condominium unit.

b. The Condominium Association assumes no responsibility for damage to or theft of any motor vehicle or its contents while parked on the Condominium Project.

3. Horns. Horns are to be used only when necessary for the safe operation of vehicles.

4. Bicycles. Bicycles shall be stored and parked in areas specifically designed and set aside for that purpose. In the alternative, owners may (and are encouraged to) keep bicycles within their condominium unit and not on patios or balconies.

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. Accordingly, each unit owner shall provide the Project Manager or other authorized persons with such key or keys as are necessary to gain access to his unit, and any owner altering a lock or installing a new lock on any door providing access to his unit shall provide a key or keys to such altered or new lock to the Project Manager or other authorized persons.

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 Condominium Association shall have the right to impose reasonable fines or charges for violations of these rules and regulations or of any of the other 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 or restrictions of the governing documents. In all such cases, the owner shall be responsible for all costs, including reasonable attorneys' fees. Non-enforcement of any rule or regulation, covenant or other restriction of the governing documents shall not be construed as a waiver.

4. 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 Condominium 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.

5. 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 Condominium Project and for the comfort and convenience of the occupants thereof.

6. Hierarchy of Governing Laws, Rules and Regulations

The bodies of the Condominium 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.

Adopted at Organizational Meeting of the Board of Directors of the Madison Hill Condominiums Association, Inc. on November 5, 1984.

AMENDMENT TO RULES AND REGULATIONS OF THE MADISON HILL CONDOMINIUMS

Rule II(A)(4)(b) is amended by inserting at the end of that paragraph after the word "directors" the following language: "provided, further, that no such pet shall exceed 14 pounds in weight,"

ADDENDUM TO THE RULES AND REGULATIONS MADISON HILL HOMEOWNERS ASSOCIATION

With the intent of adhering to the National Guidelines pertaining to the installation of satellite dishes, one meter or less in diameter, the Board adopts the following guidelines.

1. No satellite dish will be permitted on any "General Common Element."
2. A satellite dish may be installed on a "Limited Common Element" (patio) provided that the dish is not placed on the perimeter railing nor on the side of the building. It cannot be placed outside the perimeter of the railing and provided that the dish is no more than 18" above the top of the railing.

AMENDMENT TO RULES AND REGULATIONS OF THE
MADISON HILL CONDOMINIUMS

Rule II(B) (10) is amended by inserting at the end of the paragraph after the word “owners” the following language: “Except with prior Board approval, remodeling or any other type of work done within or outside of a unit, can only be performed during the working hours of 8:00 am – 5:00 pm Monday through Friday, in order to not disturb the adjoining units.”