

Facilities Maintenance Service Level Agreement – Plats 1-5 and 16 Condos

I. Background:

Condo CC&Rs – Facilities District 1 and District 3 Interpretations

The Condo CC&R provides the definition and basis of required maintenance for Condos located in District 1 – Plats 1-5 - Manors 1-482 and District 3 – Plat 16 Manors 655-699. Additionally, the Condo CC&Rs provide that the District Council approves changes in the service levels for maintenance of the exteriors of the condos including Limited Common Areas and Common Areas.

Provisions Related to Facility Maintenance of the Condos:

Article II. 6. “Any area designated on the Plat as a balcony, patio, carport, storage area, parking space or recreation room appurtenant to a Unit is a “Limited Common Area” ...are reserved for the exclusive use of the Owners of such Unit but may not be added to, modified or altered without the approval of the Architectural Control Committee. (Plats 4 and 5 any improvements placed thereon by the Declarant at the time of the initial construction.) Except for normal housekeeping and landscaping maintenance of fenced Limited Common Areas, the Limited Common Areas shall be repaired and maintained by the Council in the same manner as Common Areas”

Article IV (g) Except as hereinafter specifically set forth in this paragraph, the Managing Agent shall paint, maintain and repair the Common Areas and such furnishings, equipment and plantings for the Common Areas as the Council shall determine are necessary and proper.”

The Owner of each Unit shall paint, maintain, repair and/or replace, as required, the roof, doors and windows appurtenant to said Owner’s Unit even though such items constitute a part of the Common Area, and in addition the Owner of each Unit shall paint, maintain, repair and/or replace, as required, the carpets, fixtures, interior surfaces of the Unit or anything constituting a part of the Unit. The Council may elect to maintain and repair stoves within a Unit.

For Plat 16 only, The Managing Agent shall paint maintain and repair, the Common Areas (but not including the doors, windows, carpets, fixtures, interior surfaces of the Units or constituting a part of the units nor any sewer, water, utility lines or services and related equipment or their property serving a single unit, whether located with a unit or within the Common Area, all of which the Owner of each unit shall paint, maintain and repair) and such furnishings, equipment and planting for the Common Areas as the Council shall determine necessary and proper. The Council may elect to maintain and repair stoves within a Unit. “....

Article VII provides process required for modifications of the exteriors of condos are subject to a permit filed with and approved by the Architectural Control Committee and all procedural requirements set forth in the Architectural Control Committee Rules and Procedures.

Article IX Damage or Destruction

1. In the event of damage or destruction to any common or limited common area, the Council shall cause such common and limited common area to be repaired and reconstructed substantially as previously existed. All insurance proceeds shall be applied to such reconstruction.

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ACC Rules and Procedures Definition of Limited Common Area:

Common Areas: Are all the surrounding area in a condominium plat that is outside the condominium house and designated limited common area of that condominium. No alterations and/or additions may extend into a common area.

Limited Common Areas: Include areas designed on a plat plan as balcony, patio, carport, storage area, parking space or walkways. Any permanent construction in the limited common area will require a variance. (See Article 7, page 17 of 25 of the CC&R's)

Note: The Facilities Office maintains a listing of manors and the floor plan model for most every manor in the District.

See Appendix A for examples of plat plan and model floor plan

II. Development of Service Levels as Funded by the HOA fee allocated for Facilities Costs

Facilities' Service Level Agreements (SLA) are approved by the District Council with consultation of Administration and Facilities staff when considering budget details annually. Need for a mid-year service level change occurs through Administration presenting needed change to the District Council so it can be processed through the District Council meeting.

III. Plats 1 – 5 and 16 Facility Maintenance Service Levels – as paid through the Direct Service fee

LWCA Facilities maintains the exterior wall structural integrity of condos covered by the CC&R – Condo Plats 1-5 and 16. These activities are funded through allocated funds from the budgeted Direct Service fee and approved expenditures.

LWCA Facilities Responsibilities Condos Plats 1-5:

- Maintenance and repair of all common area and limited common area structures and improvements including walkways, driveways etc. covered by the Condo CC&Rs.
- Stucco exterior of the condo will be repaired and painted every 8 years.
- Front door & trim will be painted using chosen colors as chosen by the ACC (Samples are available from Facilities.) If the owner selects a door color other than the selected approved color, the owner must purchase the door paint and provide it to facilities prior to the starting the manor paint job.
- Window trim is included in the 8-year paint schedule.
- Garage doors being painted one of the two approved colors will be included in the 8-year paint schedule. If there is a variance color that had been previously approved, the owner is totally responsible for the garage door and its painting
- Service delivery plumbing including household water and sewer lines from the point of City of Mesa service to the entry point to the home. Any irrigation system using household water within the limited common area of the manor is the responsibility of the manor owner.
(Revised 1/15/20)

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- Restoration of damage or destruction to the Limited Common Area and the Common Area.
- Exterior pest control including ants, spiders, bees, roaches and termites in exterior walls, limited common area and bordering common area.
- Repair and painting of all damage to Condos caused by landscape water hitting on the stucco, windows, fascia and/or trim, working with Landscape to redirect the water to prevent future damage.
- Work with the Landscape Department to resolve and repair drainage issues that cause structural damage to condos and/or structures with the Limited Common Area and Common area of Plats 1-5.
- Driveway maintenance is only performed if tree roots have caused extensive damage (trip hazards.) Superficial cracks less than 1/8 of an inch are not a safety concern.

LWCA Facilities Responsibilities Condos Plats 16:

- Maintenance and repair of all common area and limited common area structures and improvements including walkways, driveways etc. covered by the Condo CC&Rs.
 - Stucco exterior of the condo will be repaired and painted every 8 years.
 - Front door & trim will be painted using chosen colors as chosen by the ACC (Samples are available from Facilities.) If the owner selects a door color other than the selected approved color, the owner must purchase the door paint and provide it to facilities prior to the starting the manor paint job.
 - Window trim is included in the 8-year paint schedule.
 - Garage doors being painted one of the two approved colors will be included in the 8-year paint schedule. If there is a variance color that had been previously approved, the owner is totally responsible for the garage door and its painting
 - Service delivery plumbing including household water and sewer lines from the point of City of Mesa service to the entry point to the home. Any irrigation system using household water within the limited common area of the manor is the responsibility of the manor owner. Restoration of damage or destruction to the Limited Common Area and the Common Area.
 - Exterior pest control including ants, spiders, bees, roaches and termites in exterior walls, limited common area and bordering common area.
 - Repair and painting of all damage to Condos caused by landscape water hitting on the stucco, windows, fascia and/or trim, working with Landscape to redirect the water to prevent future damage.
 - Work with the Landscape Department to resolve and repair drainage issues that cause structural damage to condos and/or structures with the Limited Common Area and Common area of Plat 16.
 - Driveway maintenance is only performed if tree roots have caused extensive damage (trip hazards.) Superficial cracks less than 1/8 of an inch are not a safety concern.
 - Maintenance and replacement of roof systems including fascia, eaves/soffits and rain gutter systems. (See Glossary for pitched and flat roof diagrams)
 - Service delivery plumbing including household water and sewer lines from the point of City of Mesa service to the entry point to the home. Any irrigation system using household water within the limited common area of the manor is the responsibility of the manor owner.
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Condo Owner Responsibilities – All Plats unless noted:

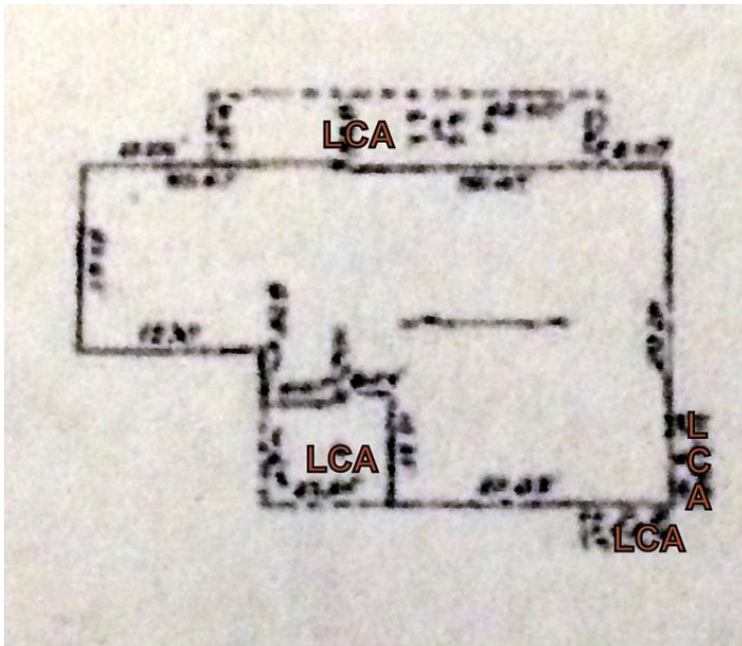
- Plats 1-5 only – Maintenance and replacement of roof systems including fascia, eaves/soffits and rain gutter systems. (See Glossary for pitched and flat roof diagrams)
- Interior maintenance and repair of the condo
- Repair and replacement of exterior doors, window and garage doors.
- Interior pest control ongoing service and/or vermin (rats or mice) extermination.

Approved by District 1 Council: 10/9/2019; Revised 1/15/2020

Approved by District 3 Council: 2/11/20

Appendix A: Glossary:

Plat Plan: Attached to the CC&Rs-Condo designating manor and attached limited common area. (see Limited Common Area definition below)



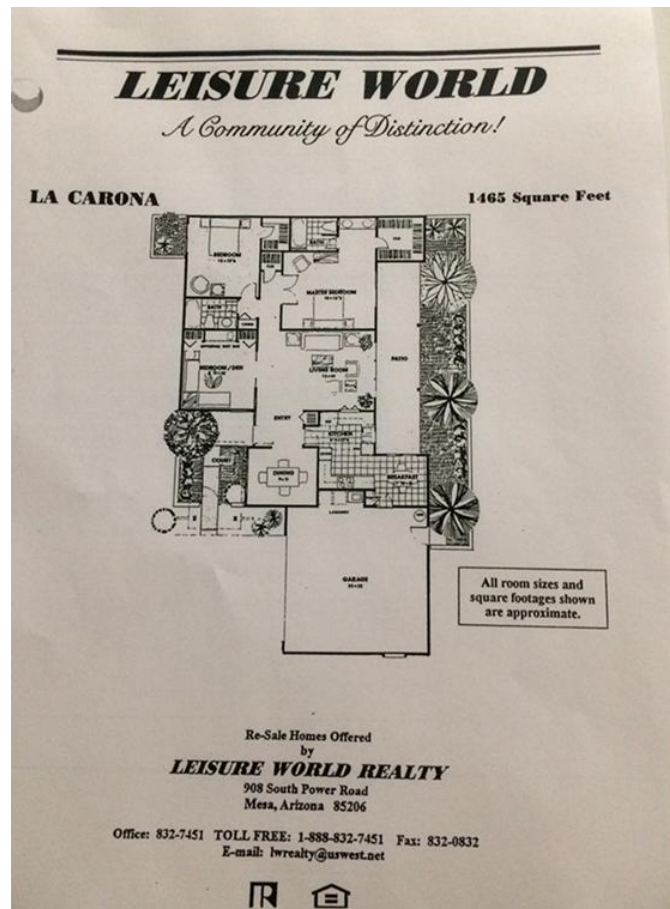
Plat plan for Plat 5 -Manor 435. LCA indicates limited common area

Maricopa County Recorder – Aerial photo:

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Manor Floor Plan (Model): On file with the Facilities office showing the detail of patio, covered patio and exterior manor walls. (May not reflect current conditions.)



Manor Floor Plan – La Carona

As built: Plan reflecting all work actually completed. These records have not been retained.

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Common Area: all the surrounding area in a condominium plat that is outside the condominium house and designated limited common area of that condominium.

Limited Common Area: “Any area designated on the Plat as a balcony, patio, carport, storage area, parking space or recreation room appurtenant to a Unit... reserved for the exclusive use of the Owners of such Unit but may not be added to, modified or altered without the approval of the Architectural Control Committee. ...repaired and maintained by the Council in the same manner as Common Areas.

Roof diagrams pitched and flat as found within District 1:

