

Montrachét Homeowners Association

Rules & Regulations

COMMON AREA RIGHTS & RESTRICTIONS

- Common areas include swimming pools, tennis courts, recreational facilities, streets, parking areas (refer to policy), landscaping, trees, entrance lighting, clubhouse areas, and utility easements.
- Residents and guests must comply with HOA rules while using common areas.
- Owners are responsible for guest conduct.
- The HOA may adopt rules, charge fees, and enforce penalties regarding common areas.
- Voting rights and common-area privileges may be suspended for unpaid assessments or rule violations.
- Owners may permit family members, tenants, and contract purchasers residing in the home to use common areas.
- HOA may suspend common-area privileges for unpaid assessments

COMMON AREA & RESIDENT RESPONSIBILITY

REF: ARTICLE TWO: DEFINITIONS | Section 3. Common Areas and Facilities, Subpoint d.

All installations of central services for the benefit of more than one owner such as television antennas, trash benefit, trash receptacles, pipes, wires, conduits, sewers, water lines and receptacles, pipes, wires, conduits, sewers, water lines and other public utility lines and facilities situated thereon. other public utility lines and facilities situated thereon.

REF: ARTICLE TWO: DEFINITIONS | Section 3.

Common area shall mean all thereon that part of the real estate and all improvements located owned by the Association for the common use and enjoyment of residents of Montrachet:

In accordance with the Declaration, By-Laws, and governing documents of the Montrachét Homeowners Association, whenever an Owner's proposed improvement, alteration, installation, or maintenance activity intersects with, impacts, encroaches upon, or otherwise affects any Common Area, the Owner shall bear sole responsibility for all costs, services, repairs, maintenance, restoration, and liabilities associated with such improvement or installation unless the same is expressly determined by the Association to be for the benefit of more than one Owner or for the common use and enjoyment of the residents of Montrachét.

No Owner shall construct, install, modify, alter, or maintain any improvement or addition in a manner that causes damage to any Common Area, neighboring Unit, structure, utility, drainage system, or property interest of another Owner, as such action would be inconsistent with the intended common benefit provisions contained within the governing documents.

Any damage to Common Areas, Association-maintained elements, utilities, landscaping, structures, or adjacent property resulting from or arising out of an Owner's individual improvement, installation, alteration, negligence, contractor activity, or maintenance work shall be the sole responsibility of the Owner causing or benefitting from such work, including all costs of repair, remediation, restoration, engineering, legal expense, and related corrective measures as determined by the Association.

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COMMON AREA & RESIDENT RESPONSIBILITY (continued)

Further, no alteration, addition, installation, excavation, penetration, attachment, modification, or improvement affecting any Common Area or Association-maintained element shall be commenced without prior written approval of the Board of Directors or its authorized Architectural Review authority. The Board reserves the right to impose reasonable conditions, specifications, insurance requirements, restoration obligations, and ongoing maintenance responsibilities as part of any such approval.

COMMON AREA TREES & LANDSCAPE

Pursuant to the Declaration, By-Laws, and governing documents of the Montrachét Homeowners Association, all Common Area landscaping, trees, plantings, irrigation systems, and related improvements are the property of and under the control and maintenance authority of the Montrachét Homeowners Association ("Association").

Accordingly, no resident, Owner, occupant, contractor, tenant, guest, or other individual acting on behalf of an Owner shall trim, remove, relocate, alter, damage, excavate around, disturb, modify, install, replace, interfere with, or otherwise change any Common Area tree, root system, shrubbery, landscaping element, irrigation line, sprinkler component, drainage feature, or related landscape improvement from its existing condition without the prior express written approval of the Board of Directors of the Montrachét Homeowners Association.

Any unauthorized modification, removal, relocation, damage, disturbance, or alteration to Common Area landscaping or irrigation systems shall constitute a violation of the Association's governing documents, rules, and regulations.

The Owner or resident responsible for such activity shall be solely liable for all costs associated with inspection, investigation, engineering review, restoration, replacement, repair, remediation, legal enforcement, and any other corrective measures deemed necessary by the Association to restore the affected Common Area to its prior condition or to a condition approved by the Board.

The Association further reserves the right to levy assessments, fines, reimbursement charges, or other enforcement remedies authorized under the governing documents and applicable Kansas law for any unauthorized alteration or damage to Common Area property.