

# MOUNTAIN ROSE ESTATES CONDOMINIUM OWNERS' ASSOCIATION

## HOUSE RULES (Revised July 2023)

The Executive Board has adopted the following House Rules for Mountain Rose Estates. These are not new rules, but rather a clarification and explanation of points covered in the Declarations and Bylaws of our Association.

All unit owners, tenants and guests are required to abide by the rules.

### **I. GENERAL**

- A. Each unit will be used as a residence for a single family and for only two (2) unrelated persons living as a family unit and for no other purpose.
  
- B. No unlawful noxious nuisance or offensive activity shall be carried on within any unit or elsewhere on the property.
  
- C. Unit owners have the right to lease their entire unit subject to the provisions of the Declarations and Bylaws of the Association. Unit owners who lease their unit are responsible for their tenant's compliance with these House Rules and must provide a copy of the lease/rental agreement to the Association within thirty (30) days of execution. Include with the lease/rental agreement an acknowledgement signed by the tenant showing receipt of the House Rules.
  
- D. The managing agent or any other person authorized by the Executive Board will have the right to enter each unit in case of emergency whether or not the unit owner is present. If a managing agent does not keep keys to the units, unit owners are responsible for notifying management of emergency contact numbers.

E. Nothing will be altered, constructed in, or removed from the common areas except upon written consent of the Executive Board. No drilling or mining operation of any kind will be permitted upon or in any unit or common area.

F. Trees, shrubs, etc. that are grown in common areas and are broken by children, dog chains, or otherwise carelessly damaged is the financial responsibility of the unit owner whose family, pets or guests are involved.

G. The Association will not accept nor pay any invoices submitted to them unless the activity has been directed to be performed by the Executive **Board or was performed under the terms of prior written authorization** of the Executive Board.

H. Nothing shall be done in any unit, nor to the common or limited common areas, which will impair the structural integrity of the building, or which will structurally change the building. Any changes made must comply with current City of Palmer Building codes and conform to any required City of Palmer Building Permits. All changes or additions to the exterior of a building or to the limited common area must have prior approval of the Executive Board. Waiver forms may be obtained from the box outside the office door.

I. No unit owners or their tenants, without written approval from the Executive Board, shall install on the exterior of the building or penetrating through the walls, windows or roof of a building any wiring for electrical or telephone installations, television antenna, machines, or any other equipment whatsoever. Security alarms may not be

visible from the exterior of the building except for signal lights or devices approved by the Executive Board.

J. Unit owners are responsible for maintenance and safe operation of their heating system, fireplace, smoke alarms, carbon monoxide detectors, appliances, plumbing fixtures, vents, etc.

K. All drainage of hot tub contents must be into the City of Palmer sanitary sewer system. No other disposal sites are permitted to be utilized.

L. The dumping of RV waste tanks into sanitary sewer cleanouts within Mountain Rose Estates is prohibited.

M. The Association will not pay for thawing of water and/or sanitary sewer lines between residence and mains due to lack of flow

N. Fenced/enclosed Limited Common Areas: These areas become the responsibility of the unit owner for maintenance of the YARD year around per Declarations Amendment.

O. Members of the Association may request to plant or landscape the area within 18" of their foundation. If approved, this area within the 18" must be adequately maintained by the homeowner so there is no damage to the siding or foundation. Owners are NOT responsible for areas not landscaped. These areas will be maintained by the Association.

## **II. ARCHITECTURE AND LANDSCAPE COMMITTEE:**

A. Makeup: A chairperson and four unit owners shall be selected by the Committee and submitted to the Executive Board for consideration and confirmation. All unit members, except Executive Board members, are eligible for consideration and appointment. The replacement of Committee members will be made from nominations forwarded to the Executive Board by the Committee.

B. Goals: To correlate, research, evaluate and recommend to the Executive Board of Mountain Rose Estates the following:

1. The request of unit owners for a variance as required by Association Documents.
2. Any modification to the House Rules recommended by unit owners
3. Any unit owner-filed complaint about violations.
4. The improvement or change of physical status to the grounds of Mountain Rose Estates as suggested by unit owners
5. The suggestions submitted to maintain good living circumstances for all Association unit owners and residents.

C. Procedures:

1. To receive in written form requests/suggestions/complaints from unit owners and review for completeness and, if required, request additional information from the submitting unit owner. Forms are

available in the cabinet on the post in front of the condo office and can be returned through the mail slot in the garage door.

**If in an envelope, mark for the attention of the A&L Committee.**

2. To generate additional data/information the Committee feels it needs to complete the package for evaluation including research of the Documents exclusive to Mountain Rose Estates Condominium Association, Inc.

3. To determine and list pros and cons of known action options on the question with consideration given to both short and long-term effects of any action.

4. To submit any requests with recommendations to the Executive Board regarding both grounds and buildings.

5. To perform "The Annual Walk Around" inspection of Mountain Rose Estates premises and provide a report to the Executive Board regarding both grounds and buildings.

6. To adopt and/or revise policies and forms, subject to Executive Board review.

### **III. UNIT "FOR SALE BY OWNER" TITLE BASIS:**

A. Basis: Mountain Rose Estates Condominium Association, Inc. is not a Participant in changes in unit ownership, but NEW owners must be made aware of the unit responsibilities of purchase and Association requirements. A Resale Certificate is required and available through

the management company. Acknowledgement by the new purchaser through the seller is proof that this information of responsibility has occurred.

B. Procedure: The Unit owner(s) must notify the Executive Board of their intent to utilize the “For Sale by Owner” method of marketing their unit. The Association will provide “For Sale by Owner” sale principals with a letter informing them of the requirement to provide information to the purchaser. The information will be in the same form as a conventional real estate sale in which agents are involved. The cost will be charged for other equal real estate sales.

#### IV. RV STORAGE PARK:

##### A. Features

1. The RV Committee makeup will consist of a chairperson and four additional members selected in September and submitted to the Executive Board for consideration and confirmation. All Mountain Rose Estates Unit Owners, except Board members, will be eligible to serve on the committee. The chairperson will be responsible to report all activity to the Board on a monthly basis and will submit a budget to the Board each October.

**2. All unit owners in good standing (all assessments current) are eligible to request a space if available. The unit owner must be the owner of the vehicle located in the RV park. If the owner has conveyed the space to a tenant, the tenant must be the owner of the vehicle.** There are fourteen (14) large spaces (12' x 42') and

three (3) smaller spaces (8' x 15'). A monthly fee of \$25 will be charged for the larger spaces and \$15 for the smaller spaces.

3. All **fees** are on a month-to-month basis. **Fees** are not prorated and will be due for the entire month regardless of the date rented. **Spaces** for use by a tenant will be billed to the unit owner.

4. All requests to **occupy** or relinquish a space must be submitted in writing on a form available from the box outside the office door.

**5. The RV Committee Chairperson can temporarily approve a space to a unit owner who has properly completed the application with the understanding that the final approval comes from the Board's review and concurrence at the next Board Meeting. The original application will be filed in the office files for the unit approved.**

6. The RV Committee chairperson will maintain a list of unit owners desiring to **occupy** a space. The first name on the list will have an opportunity to **occupy** the space when one is available.

7. If available, a second space may be temporarily **occupied** by any unit owner, but must be relinquished if another unit owner requests a space. In the event a unit owner is **occupying** more spaces than any other unit owner, that unit owner must relinquish a space. In the event two or more unit owners have **occupied** an equal number of additional spaces, a lottery will be held to determine who must relinquish the space. A thirty (30) day notice will be given for the person to move from the space.

8. Each individual **occupant** shall maintain adequate insurance coverage for their vehicle(s) and/or equipment. Mountain Rose Estates Condominium Association, Inc. assumes no liability for loss due to physical damage or theft. The RV storage park maintains a barbed-wire-topped fence around the perimeter. Entrance is through a combination-locked gate located at the east end of Sitka Rose Drive. The RV storage park is located within the power line easement. Power line maintenance may require the use of our gate codes for entrance.

### **NOTICE**

**THIS IS A RECREATIONAL VEHICLE (RV) PARKING LOT AND NOT A SECURITY PARKING AREA. THE ASSOCIATION IS NOT RESPONSIBLE FOR PROVIDING INSURANCE COVERAGE OF ANY KIND FOR ANY VEHICLE. IT IS THE RESPONSIBILITY AND OBLIGATION OF EACH HOMEOWNER TO CARRY INSURANCE AND HAVE A CURRENT REGISTRATION (current tag on the vehicle).**

B. Methods of Payment: Each unit owner will make payment to Property Management Services, Inc. (PMSI) who will maintain a register of Individual payments. Payments may be made monthly, quarterly, semi-annually, annually, or by utilizing PMSI's automatic withdrawal from your bank account for the upcoming rental period. Late fees of ten dollars (\$10) will be charged if payment is not received when it becomes due on the 20<sup>th</sup> of each month. If an account is delinquent for 90 days, the space must be vacated and will be offered to another unit owner. No further **occupancy** will be considered to the delinquent unit owner until all back monthly charges (including late fees) are satisfied.



C. Funds Management: Monies collected from the use of the RV Park will flow into the Mountain Rose general account. It will be included on the annual budget as income and a line item for expenses. Any unused portion will remain in the General Account. In the event the RV chairperson presents a request for a Capital Improvement to the Executive Board, and it is approved, the payment for the Capital Improvement project will be paid from the General Account.

D. Improvement Expenditures: Requests from the Committee for Capital Improvements are to be submitted in writing to the Executive Board for approval and must contain the following:

1. The reason for the project
2. The total cost of the project
3. The name of the contractor
4. The contractor's acknowledgement of liability for any damage to property and a Certificate of Insurance naming Rose Estates Condominium Association, Inc. as an additional insured as their interest may appear.
5. The estimated time for completion.

V. VISUAL:

A. The Executive Board must approve all additions to porch, patio, entry and/or screen or storm door installations. **Two options for storm doors will be allowed through the waiver process. Pictures of the approved doors are at the office and a Board member will be happy to help you review them. If a non-conforming door is installed, the unit owner will be required to remove it at their own expense.**

B. NO signs, posters, displays or other advertising devices of ANY

character shall be erected or maintained on, or SHOWN or DISPLAYED FROM the units without written approval from the Executive Board, with the exception of signs of a reasonable dimension which state that the premise is for rent or for sale. Only household name signs pre-approved by the Executive Board and attached to the unit or garage shall be displayed to public view. **Security system signs may be displayed.**

- C. Unit owners are responsible for (not limited to) washing windows, repair and/or replacement of windows, doors, doorbells, and exterior light bulbs, (clear or white, 75 watts or less).
- D. No garbage, refuse or trash shall be kept on any common area. Flowerpots, **potting soil**, garden weeds/pruning, cat litter, charcoal, animal feces, etc. may not be tossed over the fence or on the lawn, or in the woods (whether Association property or not). **A \$25.00 fee will be levied for each infraction.** Christmas trees must be recycled or bagged for trash pick-up.
- E. It is the policy of the Mountain Rose Estates Executive Board to minimize the number of satellite dishes installed within our boundaries. This is an effort to minimize conflict with our existing landscaping and to avoid future increased cost of lawn care. It is recognized that individual unit owners have a right to request approval of satellite dishes located within the confines of their individual limited common area. These requests will be reviewed and acted upon in a timely manner using the existing waiver process. If no signal can be received within the limited common area, no new satellite dish locations will be approved. If a signal is available within the limited

common area the Executive Board will either approve the installation or, at the sole discretion of the Executive Board, will offer the applicant an alternate location within the common area that has a signal available. All satellite dishes located within the common area will be made available to serve all unit owners within range of that dish location. If a satellite dish is no longer providing service to individual unit owners, the applicant shall have the dish and support removed at no cost to the Association.

- F. Garbage collection services now provide refuse containers for the residents of Mountain Rose Estates. Our unit owners may use only those containers approved by their garbage service. The garbage placed in the containers must be bagged in plastic sacks. The refuse containers must be placed at curbside with the wheels facing away from the street for collection on the designated day unless arrangements are made with the garbage service to pick up at the door. The refuse containers must be removed during the same day and placed out of sight. **THEY MAY NOT BE STORED IN FRONT OF GARAGES OR IN ENTRYWAYS OR ON PATIOS.** A choice of garbage collection services is available from RAVEN VALLEY REFUSE, ALASKA WASTE, OR DENALI REFUSE.
- G. Patios, outdoor entryways and porches are limited common areas and must be maintained in neat, sanitary and odor free condition by unit owners always. Garden hoses or other stored items must not be visible over fences. Visible clotheslines, racks or items draped over fences are not permitted. Trashcans, brooms, snow shovels, etc. are not permitted to be stored on patios or in entryways at any time.

- H. Hanging baskets and flower containers are encouraged but must be removed from entries when dead or dormant. Unit owners wishing to plant in common areas near their entries, walkways, driveways, etc. must have approval from the Architecture and Landscaping Committee and the Executive Board before digging up lawn areas.
- I. The Executive Board has adopted a policy for safety/security lockboxes. Guidelines are as follows:
1. Install the lock box on the hinge side frame of the man door. If the Unit does not have a man door, install on the side frame of the garage door.
  2. Install at eye level. It needs to be high enough to not be blocked by blowing snow and low enough to be able to easily see the numbers of the pin pad.
  3. It is the Unit Owner's responsibility to notify the police department (745-4811) of the code for their lock box initially and whenever a change to the code is made.
  4. The Executive Board will put the code in the file of the Unit Owner if requested by the Unit Owner.
  5. Anyone installing a lock box should **submit a Waiver to the Executive Board.**

6. For battery operated lock boxes, it is the responsibility of the Unit Owner to change the batteries on a regular basis.
7. Installation and maintenance of lock boxes are at the Unit Owner's Expense.

## **VI. PARKING:**

- A. No vehicle parking is allowed on lawns, blocking walkways or other unit driveways, or within 15' of a fire hydrant at any time. Unit owners are responsible for notifying guests of this rule. Any vehicle left for five (5) consecutive days on common or limited common areas, not for the exclusive use of the individual unit owner, will be towed at owner's expense.
- B. No RV's, trailers, boats, canoes, snow machines or other recreational vehicles or gear may be stored on common or limited common areas **EXCLUDING** the RV Park. Such items may be parked for a maximum of **forty-eight (48) hours in the driveway of the unit owner for loading and unloading only. Parking is restricted to no more than forty-eight (48) hours in any seventy-two hour period unless expressly authorized by the Board. This is the responsibility of the owners of recreational vehicles or they will be subject to a \$50.00 fine per day.**
- C. Street Parking should not obscure other residents' view or impede city snow plowing of the streets. Palmer Traffic Code 10.04.080B states "Residential Districts: Overnight parking of vehicles on any residential street or right-of-way without a designated parking lane is restricted to no more than 12 hours in any 48-hour period."

**D. No vehicle not in an operating condition shall be parked or left on common or limited common areas.**

**VII. ANIMALS:**

A. No animals shall be kept in any unit or on common or limited common areas except dogs and cats, which may be kept provided they are not bred for commercial purposes and provided they do not cause an unreasonable nuisance or disturbance. In such cases, the pet shall be removed upon three days' written notice.

B. All City of Palmer rules concerning pets apply at Mountain Rose Estates. Dogs and cats must be on a leash at all times when outdoors and all feces removed at once for sanitary disposal. Dogs or cats running loose and feces not removed immediately are subject to a \$25 fine against the unit owner in each instance.

C. The number of pets allowed in any unit shall be limited to a maximum of TWO (2 dogs or 2 cats or 1 of each).

**D. The area south of Sitka Rose Drive along the railroad tracks is used as a Dog Park. Unit owners should walk their dogs to this area. It is still necessary to remove feces at once for sanitary disposal.**

**VIII. NOISE:**

A. Quiet hours are 10:00 pm to 7:00 am.

- B. Stereos, radios, televisions and voices should be kept at a minimum level during summer months due to open windows.
- C. Vehicles shall be maintained to keep noise at reasonable levels. This includes, but is not limited to mufflers, stereos, and radios.

**IX. ASSESSMENTS AND DELINQUENT COLLECTION PROCEDURES:**

- A. All fees, dues, charges, late charges, fines, collection costs and interest charges against a unit owner pursuant to the Documents and The Act are liens and enforceable as Common Expense Assessments. Monthly payments are DELINQUENT AFTER THE TWENTIETH DAY OF EACH MONTH (EFFECTIVE JANUARY, 2012).
- B. Any assessment not paid in full within twenty (20) days after the due date shall be termed delinquent.
- C. At the time an assessment becomes delinquent, a late charge of ten-dollar (\$10) will be added to the account and a notice of delinquency shall be mailed to the unit owner, which notice shall include the amount of the delinquent payment, the late charge and the total amount remaining unpaid.
- D. If payment, including any additional charges, is not received within thirty (30) days after the original due date, the late charge of ten dollars (\$10) provided for in the above paragraph (C) is changed to fifty dollars (\$50), added to the account, and a second notice of delinquency shall be mailed to the unit owner by registered return

receipt mail, with the cost of mailing added to the delinquent amount. If payment is not received within forty (40) days after the original due date, the fifty dollar (\$50) late charge provided for in this paragraph is changed to one hundred dollars (\$100), added to the account, and a third notice of delinquency shall be mailed to the unit owner by registered return mail with the cost of mailing added. At this time the holder of first interest in the subject unit shall be notified of the delinquency.

- E. If within ten (10) days after receiving the return receipt of the mailing of the second notice of delinquency, the account is still unpaid, this account will be referred to the attorney representing Mountain Rose Estates Condominium Association, Inc. who shall confirm the Association's lien on the property and take any and all appropriate legal action. Costs incurred shall be added to the delinquent account.
- F. At the time the account is referred to the attorney, the right of the delinquent unit owner to vote and serve on the Executive Board or any Committee shall be suspended until such delinquent assessments have been paid.
- G. Late charges and suspension of privileges may be waived by the Executive Board upon presentation of facts deemed by the Board to be good and sufficient reasons for granting a waiver.

**X. RULES FOR THE USE OF THE CONDOMINIUM OFFICE AND PERSONAL PROPERTY:**



- A. Unit owners of Mountain Rose Estates may hold activities in the condominium office with the prior approval of the Mountain Rose Executive Board. Private parties and family affairs may not be held on the condominium office premises.
  
- B. Unit owners may make arrangements to hold activities in the condominium office by calling 746-7620 and leaving a message for the Executive Board.
  
- C. All rooms must be left as found. A checklist is provided to assist the person(s) in charge of the activity. Any trash generated must be removed by the person(s) hosting the activity.
  
- D. Phone use is limited to local calls only. In the event of an emergency, the individual should record the phone number called his/her name, and will be held liable for any expense to the Association.
  
- E. Personal property owned by the Association (tables, chairs, canopies, etc.) may be borrowed by Unit Owners for use within the subdivision but must be checked out and checked back in by an Executive Board member. **Any Association property loaned to the Unit Owner must be returned within five days.** Any damage to loaned equipment will be the responsibility of the borrower.

**XI. MOUNTAIN ROSE ESTATES LENDING LIBRARY:**

- A. The Lending Library will be managed by volunteers.

B. Goals: To establish a Lending Library for the reading enjoyment of Mountain Rose unit residents without having to leave the subdivision. Plans are to eventually provide videos, music cd's and puzzles.

1. Bring a book, or several if you like.
2. There is no time limit on the length of time you may keep the book(s).
3. Nonfiction, Series, Alaskan, Autobiographies, Large Print Books and others deemed to fall into a similar category, will need to be signed out in order to keep track of them.

C. Hours: The Lending Library will be open during Board Meetings and during Women's Teas held at the condo office. Other hours are announced via email.

## **XII. MOUNTAIN ROSE ESTATES COMMUNITY EVENTS:**

A. Community Events will be managed by volunteers.

1. Communication is by phone and email and sometimes flyers delivered to each resident. Events include, but are not limited to:
  - a. Women's Luncheon
  - b. Women's Tea
  - c. Men's Breakfast
  - d. Annual Picnic
  - e. New Year's Eve gathering

- f. Flags Over Mountain Rose for Memorial Day, July 4 and September 11
- g. Lending Library notification

2. The Welcome Greeter conducts an in-person visit with each new resident with informational materials contained in a packet.

**XIII. DEFECTS OR FLAWS IN ORIGINAL CONSTRUCTION:**

- A. The Association, acting through its executive Board, does not assume responsibility for defects or flaws in the original construction of the units during its warranty period outlined in AS.34.08.640.
- B. The Builder, DG Smith Builders, LLC is the warrantor of the original construction as provided for by AS.34.08.640 and your Mountain Rose Estates Public Offering Statement.

# URGENT READ

## **MOUNTAIN ROSE ESTATES IS NOT A CARE FACILITY**

**MOUNTAIN ROSE ESTATES WAS NEVER INTENDED TO BE, NOR IS IT NOW, NOR WILL IT EVER BECOME, A CARE FACILITY**

**MOUNTAIN ROSE ESTATES IS A CONDOMINIUM ASSOCIATION THAT HAS AGE RESTRICTIONS TO PROMOTE A SLOWER, QUIETER NEIGHBORHOOD.**

**HOMEOWNERS ARE 100% RESPONSIBLE FOR THE CARE AND MAINTENANCE OF THEIR UNIT'S UTILITY SERVICES – INSIDE AND OUT**

**THESE HOMES SHOULD NOT BE PURCHASED TO HOUSE INDIVIDUALS WHO ARE UNABLE TO LIVE UNSUPERVISED**

**THESE HOMES SHOULD NOT BE PURCHASED BY OR FOR INDIVIDUALS UNABLE TO MAINTAIN THEIR HOME**

**AS A HOMEOWNER, THERE ARE HOMEOWNER RESPONSIBILITIES TO ENSURE PROPER MAINTENANCE OF A HOME, WORKING WITH THE CONDOMINIUM ASSOCIATION**

**THE CONDOMINIUM ASSOCIATION IS AN ASSOCIATION OF ALL THE HOMEOWNERS. THE HOMEOWNERS, AS AN ASSOCIATION, WORK TOGETHER ON ENSURING HOMES ARE BEING PROPERLY MAINTAINED - FOR PROPERTY VALUES, AND MOST IMPORTANTLY, THE SAFETY OF ALL MOUNTAIN ROSE ESTATES NEIGHBORS**