

Mill Run Homeowners' Association

Member Reference Guide

October 2003



**Summary of Governing Documents
Rules and Regulations**

Welcome to Mill Run, a covenant controlled community . . .

The information contained in this Member Reference Guide highlights the rules, regulations, and covenants that govern the Mill Run Homeowners Association.

Each member (owner) should have current copies of (1) the Articles of Incorporation, (2) Bylaws, and (3) Declaration of Covenants, Conditions and Restrictions of the Mill Run Homeowners' Association. Copies may be obtained from the previous owner, real estate company at time of closing, or from the Property Management Company contracted by the Mill Run Board of Directors.

Along with the above documents, members are encouraged to keep a current list of telephone numbers in the event of emergency, injury or fire. The Mill Run Property Management group will be pleased to assist both members and lessees with this information.

Mill Run Homeowners' Association

The Mill Run Homeowners' Association, Inc., ("Association") was initially incorporated in Arapahoe County, State of Colorado, on October 23, 1979. The first phase of construction by U.S. Homes was completed in 1979 (South Rifle Way and South Rifle Court addresses). The second phase by U.S. Homes was completed in 1980 (South Richfield Way addresses). The Mill Run complex encompasses a total of 119 residences.

The Association, under the control and supervision of the Board of Directors (the "Board"), is responsible for the operation and maintenance of the common owned property of Mill Run. A property management company is contracted to oversee day-to-day operational activities and to provide accounting and clerical support. Other sub-contractors are provided for lawn maintenance/snow removal, pool maintenance, trash removal, maintenance projects, and necessary legal referral activity.

Mill Run Board of Directors - Scheduled Meetings

The governing body of the Association consists of five (5) Directors elected by the Mill Run membership. The Directors are elected for terms of 3 years (overlapping). Officers (President, Vice-President, Secretary and Treasurer) are chosen from member of the Board, and are appointed for one year terms.

The Board meets monthly. Homeowners are welcome to attend and to address the Board with concerns and suggestions. (Please contact the Property Management representative for date, time, and location.)

The Annual Meeting of the Association is held each year during the month of October. (Mill Run fiscal year begins October 1 and ends September 30). The Annual Meeting agenda includes past year reports, proposed operating budget for the new year, review of proposed community projects, and the nomination and election to fill Board vacancies. Written notice to each member will be provided in advance of the meeting. Members are encouraged to participate in the election of Directors and to cast votes on issues affecting the Mill Run Community.

If unable to attend the Annual Meeting, member(s) may assign a current Board Director to vote by proxy.

Associations' Monthly Assessments

The amount of the monthly assessment is determined by the Board and confirmed by vote of the membership. The following services/payments are funded from member assessments:

- Management Company and other Board approved contractor charges/fees.
- Common area water usage (Pool and lawn/tree areas).
- Common area sewer charges.
- Common area gas and electric usage. (Pool, Tennis Court, Parking Areas).
NOTE: Residential use of the above utilities is the responsibility of owners/lessees.
- Grounds/lawn/sprinkler maintenance and repair.
- Concrete and asphalt repair/replacement. (Includes common area residential driveways, sidewalks, and common asphalt parking areas).

- Perimeter fence and retainer wall repair/replacement.
NOTE: Residential patio concrete and patio fence maintenance is the responsibility of each owner.
- Snow removal - common area sidewalks (Minimum 2 inch depth).
- Snow plow/removal - north and south parking areas for residents without garages (Minimum 4 inch depth).
NOTE: Residential driveways are not included. Public streets within the complex are maintained by the City of Aurora.
- Tennis Court and Pool maintenance and repair. (Pool operator is contracted during season for day-to-day maintenance).
- Trash Removal - provided weekly for units with garages.
- Trash Container Removal - north and south areas for units without garages.
- Hazard Insurance - blanket insurance policy provided by the Association covers common area liability and damage caused to residential units (exterior) by storm, fire, or other hazard.
NOTE: Owners and lessees are required to have individual homeowner coverage for liability and property loss within each unit.

- **Periodic Exterior and Wood Deck Painting.**
Exterior painting of individual units is being done on a five (5) year cycle.
Approximately 40 units are completed with each phase of painting. Pre-paint repair costs are charged to owners. (The Property Management Group can provide a schedule of painting).

NOTE: Roof/gutter, exterior siding and window repair is the responsibility of owners.

A portion of the monthly assessment is set aside in a Reserve Account for the purpose of funding capital improvements, such as repainting of buildings, repaving of common property parking areas, replacing concrete driveways and sidewalks, pool and tennis court repair, fence and retainer wall repair/replacement.

If the Reserve Account balance is inadequate to fund a major community project, members may be asked to vote for a special assessment.

Monthly assessments are due no later than the 20th of each month. Payments received after the 20th will incur a late charge and may be subject to accrued interest charges and collection fees.

Director Appointed Committees

At the beginning of each fiscal year, the Directors appoint members to various committees to assist with the governing of Association activities. A Director is designated as chairperson of each committee. Other committee appointees are chosen from member volunteers.

- Architectural Review Committee. It is important that unit exteriors are maintained in a neat and attractive manner and remain uniform in appearance. No building structure or alteration (including deck, fence, wall, patio, walk or driveway) may be added or changed without submission of specific plans to our property management company, followed by written approval from the committee. Window replacement, air-conditioning installation, exterior painting/staining, surface water drainage changes, landscape changes affecting common areas, roof repair/replacement also require committee approval.
- Maintenance and Grounds Committee. This committee, in liaison with our Property Management company, is responsible for monitoring day-to-day operations performed

by our lawn/landscape maintenance and pool maintenance contractors. Periodic reports, proposals, suggestions are made to the management company and to the Board in an effort to insure contractual compliance.

Members of the committee monitor community activity, reporting and taking action to resolve covenant violations.

- Neighborhood Watch Committee. This committee was established in 2002. Periodic meetings are planned with homeowners and representatives from the Aurora Police Department to report, review, and plan action to further deter vandalism, theft, damage to property, noise, use of fire crackers, BB and pellet guns, drug usage and exchange, speeding on community streets. PLEASE CALL THE AURORA POLICE DISPATCHER 303/365-2844 TO REPORT ANY OF THE ABOVE ACTIVITY. CALL 911 TO REPORT FIRE, SERIOUS INJURY, CAR ACCIDENT, FLOOD/STORM DAMAGE. (Mill Run HOA will pay a \$100 reward for information leading to the arrest of person(s) responsible for criminal activity, damage/defacement to common property, vandalism.)

- Nominating Committee. This committee is designed to coordinate the selection and election of Mill Run members to the Board and to support committees previously listed. Interested homeowners are encouraged to participate by giving their names to the Board Secretary or the Property Management representative.
- Covenants Committee. This committee is designed to review reports of covenant violations that are reported by our Property Management representative, by members of the Board, and by Mill Run homeowners/residents. This committee evaluates the seriousness of violations, coordinates hearing dates with owners, participates in determining appropriate fines or penalties. Recommendations are then made to the Board.

Membership Responsibilities

Each owner is responsible for all maintenance and repairs on his lot and town home (exterior painting excepted). Each lot and town home shall be maintained in a neat and attractive manner. Failure of the owner to properly maintain his property may result in arbitrary repair by the Association. The

owner shall be assessed related costs. No deviation or change to lot patios, decks, fences, walks or driveways, roofs, landscape, or surface water drainage is permissible without approval of the Architectural Review Committee.

Activities Within Lots. The Association may prohibit certain activities that could endanger the health and safety of occupants or neighbors, i.e., excessive noise or unusual activity that would be a source of annoyance and concern to others in the community, and subject to law enforcement intervention.

Leasing of Lots. Each owner who leases a lot shall notify the Association by reporting this occupant information to the Mill Run Property Management group. Owners remain responsible for monthly assessments and any covenant violations attributable to their tenants, their families and/or guests.

Policing of Lots. Each lot shall be kept clean of trash, litter and empty containers at all times. Implements, machinery, grills, trash containers and building materials shall be stored inside units, garages, or fenced patio areas (not visible from the street). Failure to comply may result in violation fine(s).

Pet Control. Pet owners are expected to keep their animals under control at all times. Owners are responsible for damage to private and common property, injury to person(s), and for disturbances resulting from uncontrolled barking or unruly pet behavior. No animal shall be leashed to an outside stationary object and left unattended. Pet owners are responsible for the removal of waste from common areas. Failure to comply may result in fine(s). Aurora Animal Control (303/326-8280) may be called to pick up or rescue lost or strayed animals.

Vehicular Parking, Storage, Repairs. Personal autos, SUVs, pick-up trucks, personal vans, motorcycles and bicycles shall be parked and/or stored in compliance with Association Rules and Regulations. These types of vehicles may be parked in driveways, at street curbs, or in designated common parking areas; or, preferably, stored in residential garages when not in use. Commercial vehicles, house/camp/boat/haul trailers, boats, recreational vans, large trucks shall not be parked in the Mill Run Community except for those units capable of being stored in enclosed garages. Temporary parking for loading, unloading, delivery, emergencies shall be allowed. Inoperable, abandoned, non-registered vehicles

shall not be parked or stored in visible areas of the Community. Written notice of violation shall be given to the owner. If the vehicle is not removed or registration is not updated within 72 hours after notice, the Association may tow the vehicle at the expense of the owner. Commercial repair of vehicles is not permitted on any lot or common area.

Covenant Violations/Hearings/Fines

To maintain uniformity and guarantee a high standard of living for all Mill Run residents, it is imperative that everyone abides by the content of the Association's governing documents. When specific covenant violations occur, it is the responsibility of the Board to see that appropriate action is taken to resolve those issues and assess penalties and/or fines as required.

- A written notice will be sent to the owner, specifying the violation, date, other pertinent information.
- If the violation continues and no corrective action is taken by the owner (or his lessee), a hearing may be conducted by the Board or by the Covenants Committee. A formal notice of the hearing will include time/place of meeting and details of the violation.

- If the Board determines that the owner is in violation, a fine may be imposed in accordance with Association Rules and Regulations. Other use restriction penalties may apply in addition to or separate from the fine. Continued failure to cease and desist may result in greater penalties.
- Fine amounts will be added to monthly assessment of specified owners.
- In accordance with policy, members may seek relief for violations by other members or tenants. The Association is not restricted from seeking relief for issues affecting the health, safety, or welfare of the community, and for issues involving the preservation and condition of property within the Mill Run complex.

Miscellaneous

Trash Collection. A trash collection service will pick up trash each week for occupants with garages. Trash may be placed at curbside no earlier than 4 PM the day before collection. Trash containers must be stored inside units or garages as soon as possible after collection. Recycling may be arranged with the trash collection service, with planned removal every other week. Trash container

removal North and South parking areas is done by the trash collection service twice weekly. These bin containers are to be used by residents without garages. Funding for these services is provided by the Association.

Newsletters. Newsletters are published by the Mill Run Property Management group on a bi-monthly basis. Input is provided by the Board, various committees and from community residents. Highlights cover neighborhood interests and suggestions, progress of community maintenance projects, crime/vandalism reports, covenant violation problems, lawn watering updates. Call our Property Management group if you have comments or suggestions for newsletter items. Advertising space is available for use by residents and non-residents at a nominal charge. Our Property Management group has pertinent details.

Swimming Pool. Historically, the pool facility opens on Memorial Day and closes after Labor Day. Because of area water shortages, opening and closing dates may vary by ultimatum of the City of Aurora Water Board. Pool hours are 9:00 AM to 9:30 PM. The pool shall be used by Mill Run residents and their guests only. A key to this facility is issued to each owner of record. Keys may not be duplicated. A replacement key may be

obtained from our Property Management group by a verified owner for a designated fee. (Pool and tennis court gate locks are identically keyed.) Please challenge individuals that you suspect may not be Mill Run residents or guests. Unauthorized pool use has been a continual problem over the years. In the interest of safety and privacy, do not hesitate to notify a Board member, or in cases of disturbances, injuries, trespassing, do not hesitate to call Aurora Police dispatcher 303/365-2844.

Tennis Court. Because of prohibitive maintenance costs, only one of two courts is maintained. Playing hours are from 7:00 AM to dusk, daily. Children must be 12 years of age or older to play, unless accompanied by an adult. One key shall be issued to each member family. Lost or misplaced keys may be replaced for a fee. Court availability is on first-come basis with one-hour time limit. Players are expected to police the area after playing. Skateboards, roller blades/skates, scooters, bicycles, are not permitted on the courts. Baseball, basketball, hockey, shall not be played on the courts.

Neighbors. Be considerate of your neighbors. Get to know your neighbors. Help welcome new neighbors to Mill Run. Help support our Neighborhood Watch Program. Get involved in

our community. Make a commitment to do your part to make Mill Run a safe, clean and comfortable place to live and raise our children.