

## Quail Run CC&R Clarifications 2017

The following document is a summary of interpreted clarifications from questions and answers sent to the Quail Run Attorney on record, A. P. Parks, in June 2013 and supported by the 2017 Quail Run Board of Directors:

In some cases the Quail Run CC&Rs are internally inconsistent and confusing. In consultation with our attorney, the Quail Run HOA Board with this document attempts to explain and clarify the portions of the CC&Rs in question.

In most cases the questions revolve around the definition of "Common Area", "Lot", and "those areas in Lots required to be maintained by the Association". Common Area is all of the real property owned by the Association and includes such things as the clubhouse, streets, sidewalks, courts and parking lots and other associated items shown on the Plat Plan and Tax maps available from the HOA office and filed with the city. Each Lot privately owned is also shown on the Plat Plan and Tax maps and make up the rest of the property in the subdivision. Verbiage in the CC&Rs describes the sound wall and the cedar trees as Common Area which is inconsistent with the Plat Plan and Tax maps. In a number of places in the CC&Rs references are made to maps or drawings that show those areas on private Lots to be maintained by the Association. Those maps cannot be found. Verbiage describes that all front yards along with the associated irrigation system and landscaping will be maintained by the Association.

1. The sound wall and cedar trees and all property between the sound walls and the perimeter fence will be treated as Common Area and the Association will be responsible for maintenance, repair, and replacement as required (excluding the private homeowners heat pumps and air conditioners located on the property.) The Association will maintain insurance on the sound wall as will each individual townhouse homeowner whose fourth wall exterior is the sound wall.
2. The roof above the sound wall is shown as having acoustical components and will continue to be maintained and repaired by the Association. As is with the individual homeowners in the subdivision, the townhouse owners will be responsible for replacing their portion of the roof when needed. It would be expected for the townhouses, the roof replacement would be contracted for the entire townhouse complex by the Association and then the cost appropriately assessed to the individual townhouse owners. The townhouse owners are expected to maintain insurance on the roof as well as the rest of their Lot.
3. The Association will maintain insurance on all of the Common Area. In addition the Association will maintain insurance on the sound wall. All homeowners in Quail Run shall maintain insurance on their entire property as shown in the Plat Plan and Tax maps.

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4. The Association will maintain, repair, and replace as needed all vegetation and irrigation systems on the front yards of all properties in Quail Run. Also included are the spaces between the townhouse garages facing the courtyard and the area on the side of the garages of the free standing homes facing the courtyard. Where questions on boundaries occur, photographs (or survey maps where available) will be taken, marked with the boundary, and kept on file in the Association office.

a. No Owner modification of landscaping on the portion of the Lots maintained by the Association may be made without written approval of the Association (Contact the HOA office)

b. At the townhouses where there is a common irrigation control located in the garage for irrigation both of the area maintained by the Association and the Private Lot backyard and patios, the Association will only be responsible for maintenance and repair of the portion of the system in the area where the landscaping is maintained by the Association.