

**CONSTRUCTION RULES
PALMYRA CONDIMINIMUM ASSOCIATION**

Amended and Restated April 26, 2010

The purpose of these rules is to reduce the impact of Construction on the common elements, and on other owners, tenants and guests.

1. APPLICATION OF CONSTRUCTION RULES.

A. These Construction Rules apply to all owners, contractors and subcontractors performing work in a Palmyra Unit or Limited Common Element if such work has the potential to create debris, to disturb other occupants in the Community, to require cleaning of the Common Elements, and/or to damage the Common Elements ("**Construction**").

B. These rules also govern Construction that is in progress as of the date above as far as practicable.

C. These rules replace and supersede all previous construction rules adopted by the Board of Directors.

2. OWNERS RESPONSIBLE FOR CONTRACTORS. Owners are responsible for the activities of their contractors and subcontractors.

3. MANAGER. The association's manager is:

Full Circle HOA Management
560 Mountain Village Blvd., Suite 102B
Mountain Village, CO 81435
Tel: (970) 369-1428 Fax: (970) 369-1429
Mail@FullCircleHOA.com

The Owner shall reimburse the Association's cost of its manager's time (charged at the manager's prevailing hourly rates), to respond to the Owner's or its contractor's Construction related questions and requests, including providing access to restricted areas.

4. STARTING WORK.

A. At least two (2) business days prior to starting Construction, the Owner must notify the Manager in writing with a brief description of the Construction, the names and contact information (including cell phone and email) of all contractors who will be performing Construction, when they plan to start Construction and when they plan to complete Construction. If there is a delay during the progress of the work, then owners/contractors must notify the Manager in writing when the work

starts again.

- B.** Prior to starting Construction work, all contractors must provide the Owner copies of proof of liability insurance of \$1 million and proof of workers compensation for all persons working at the building.
- C.** At least two (2) business days prior to starting Construction work, the Owner must deposit \$2,000 with the Association (to be held in the association's operating account) as security to cover damage to, and cleaning of, the Common Elements, including but not limited to garage, elevator, lobby, hallways and doors. The Manager may request that the Owner replenish this deposit within five (5) business days of request if more than \$1,000 has been applied and Construction is ongoing. After completion of Construction, the unapplied portion of the deposit will be refunded to the Owner within ten (10) business days of a written request for its return.
- D.** Owners/contractors must use the association's elevator pads (available through the manager on two (2) business day's written notice and during its regular business hours) to protect the elevator prior to starting any Construction work.
- 5. HOURS.** Construction hours are Monday through Friday 8:00 a.m. to 6:00 p.m., Saturday 9:00 a.m. to 6:00 p.m., excluding the following holidays: Christmas Eve through New Year's Day, Thanksgiving, President's Day, and except for emergencies and specific board-approved exceptions, in which case the owner/contractor must notify the Manager and the only construction allowed is the minimum amount necessary to avoid such harm.
- 6. CLEANING COMMON ELEMENTS.** All Common Elements (including garage, walkways, elevator, lobby and hallways) must be cleaned daily and cleared of all debris by 6:00 p.m.
- 7. STORAGE OF CONSTRUCTION MATERIALS.** Construction materials may not be stored in Common Elements, the parking garage, or in public areas adjacent to the building.
- 8. DISPOSAL.** Disposal of Construction materials, equipment, appliances (collectively, "**Construction Debris**"), is subject to the following:
- All Construction Debris must be removed from the building by the owner/contractor.
 - No Debris may be left in any Common Element overnight.
 - The building's trash chute and polycarts may NOT be used for Construction Debris.

- The location of any dumpster and the duration of its use are subject to prior written approval of the manager.
- To limit impact from outside dumpsters on retail occupants, Owners/contractors may not use outside dumpsters for disposal of Construction Debris except when the Gondola is closed.
- Construction dumpsters must be emptied immediately when full and may not be allowed to overflow. No food may be put in construction dumpsters.
- Owner/Contractors may use trucks to haul away Construction Debris, but they must coordinate use of trucks with the association's manager on at least 48 hours prior notice. The times and duration of truck use is subject to the manager's approval.

9. DAMAGE. The Owner is responsible for damage to, and cleaning of, Common Elements to the extent caused by the Owner's/contractor's Construction activities.

10. NOTICE. Written notice hereunder includes facsimile and email.

11. MOUNTAIN VILLAGE REGULATIONS Owners/contractors must comply with Mountain Village approved construction hours and other building department regulations.

12. ENFORCEMENT Failure to comply with these regulations will result in charges to the Owner of the Unit subject to Construction, including fines of up to \$200 per day for violations, and reimbursement of costs of collection, including legal fees. Prior to levying a fine, the association will give the Owner written notice of violation and an opportunity to be heard before the board.

The undersigned directors, being all of the directors as of the date hereof, hereby consent to the adoption of the foregoing Construction Rules.

Marc Thompson

Date: _____, 2010

Elaine Guiliani

Date: _____, 2010

Gary L. Brockett

Gary Brockett

Date: 04-27, 2010

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9. **DAMAGE.** The Owner is responsible for damage to, and cleaning of, Common Elements to the extent caused by the Owner's/contractor's Construction activities.

10. **NOTICE.** Written notice hereunder includes facsimile and email.

11. **MOUNTAIN VILLAGE REGULATIONS** Owners/contractors must comply with Mountain Village approved construction hours and other building department regulations.

12. **ENFORCEMENT** Failure to comply with these regulations will result in charges to the Owner of the Unit subject to Construction, including fines of up to \$200 per day for violations, and reimbursement of costs of collection, including legal fees. Prior to levying a fine, the association will give the Owner written notice of violation and an opportunity to be heard before the board.

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Marc Thompson

Date: _____, 2010



Elaine Guilliani

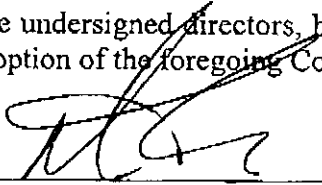
Date: April 26, 2010

Gary Brockett

Date: _____, 2010

11. ENFORCEMENT These regulations shall apply so far as practicable to any construction in progress as of the date of adoption. Failure to comply with these regulations will result in charges to the Owner of the Unit subject to Construction, including fines of up to \$200 per day for violations, and reimbursement of costs of collection, including legal fees. Prior to levying a fine, the association will give the Owner written notice of violation and an opportunity to be heard before the board.

The undersigned directors, being all of the directors as of the date hereof, hereby consent to the adoption of the foregoing Construction Rules.



Marc Thompson

Date: 4/19, 2010

Elaine Guiliani

Date: _____, 2010

Gary Brockett

Date: _____, 2010