

# MARKET STREET LOFTS

## RULES AND REGULATIONS

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Market Street Lofts Owners Association Move In/Move Out Procedures

Market Street Lofts Owners Association Moving Form

Amendment to Rules and Regulations 1    Adopted 9/10/2009

Amendment to Rules and Regulations 2    Adopted 5/20/2011  
Effective Date 7/15/2011

NOTE: Effective May 20, 2011, the Board of Directors have initiated a new Rule PROHIBITING GUESTS AND TENANTS OF OWNERS FROM HAVING DOGS ON THE MSL PREMISES and is outlined in Amendment 2, attached to these Rules and incorporated herein.

## **MARKET STREET LOFTS**

### **RULES AND REGULATIONS**

The definitions contained in the Condominium Declarations, Conditions and Restrictions and By-Laws for the Market Street Lofts are incorporated herein as part of these Rules and Regulations.

Each Loft Owner or Tenant in the Market Street Lofts shall abide by the provisions of the condominium Declarations, Conditions and Restrictions and the Bylaws of Market Street Lofts. Loft owners are responsible for tenants and guests actions.

These Rules and Regulations have been established by the Market Street Lofts Board of Directors. The Board of Directors has the right to establish rules and regulations, which are subject to change from time to time.

Neither the Board nor the Homeowners Association are responsible for loss, theft, injury or accident to any persons or their property, while using the facilities or common areas as defined in the Definitions and Bylaws.

The Fines established for any infraction of these Rules and Regulations will be as follows:

1 <sup>st</sup> Offense	Written warning
2 <sup>nd</sup> Offense	\$150 fine
3 <sup>rd</sup> Offense	\$250 fine
4 <sup>th</sup> Offense	\$500 fine
5 <sup>th</sup> Offense	Legal Action

#### **A. Balconies/Decks**

1. No use of charcoal grill/barbeque on decks at any time. The only grills permitted would be one (1) small gas grill per balcony.

2. Balconies/decks cannot be used for storage of any material that can be seen from the exterior of building. Balconies are not to be used for storage: i.e. sports equipment, tires, etc. Presentable deck furniture, (no umbrellas) is allowed. Nothing can be attached to walls or deck floor.
3. Balconies/decks shall not be used as an animal kennel, i.e. pets kept unattended.

#### B. Bicycles

1. Bicycles may be stored in only the following areas: the bicycle racks, within individual units, in individual storage units, or in front of owner's car within its designated parking space.
2. Bicycles are stored at Owners risk and should be locked.

#### C. Common Areas/Elements

Common areas and elements are defined in the Declarations and By-Laws. These documents clearly outline which part of the property is held in common and which part is held individually. The management, repair, maintenance and improvement of all common areas are the responsibility of the Condominium Association. All repairs required or performed within the Loft units are the Loft Owners sole expense, except when specifically set out in the Declaration or by the Board as an item to be maintained at the Association's expense.

The Association reserves the right to inspect Lofts for any changes in equipment affecting the common elements including, but not limited to vents, plumbing, wiring, door checks, or any conditions not conforming to applicable laws and ordinances. Authorized representatives (the building engineer, repairmen, etc.) shall be entitled to reasonable access to the individual Loft units as may be required in connection with maintenance, repairs or replacement of or to the common elements or the limited common elements. There will 24 hours notice given to the Loft owner, except in cases of emergency.

Common areas, as defined in the Declaration and By-Laws for the use of all Residents of Market Street Lofts will have the following restrictions:

1. Smoking is prohibited in all common areas, which includes but not limited to the garage, decks/balconies, courtyard, stairways, landings, hallways, lobby, gym, and bathroom.
2. Residents shall not tamper with the fire hoses, smoke detectors, emergency lighting systems or other life-safety equipment in common areas.
3. Children or pets are not permitted to play in common areas without adult supervision.
4. Residents shall not attach any fixtures to common areas including, but not limited to, satellite dishes, wires or antennas, signage or placards of any kind. Signage can only be posted by the Board or Management Company.
5. Residents may put seasonal decorations on their door, as long as it is tasteful. Board of Directors has the right to object.
6. Residents may place a doormat at the foot of their Loft entrance door. But no other objects are to be stored in hallway, i.e.: shoes, boots, umbrellas, empty boxes, or garbage bags.
7. Any damage to the general Common Elements or Common Personal Property caused by a Loft owner, Tenant or Guest or pets of same shall be repaired at the expense of the offending Loft Owner.

#### D. Condominium/Residential Uses

1. No Loft owner, resident, tenant or guest shall make or permit noise that disturbs or annoys the occupants of any other residence, or do or permit anything to be done which will interfere with the rights, comfort or convenience of the other residents. This shall include, but not be limited to stomping, running, jumping on wooden floors, or dragging furniture across floors which is very disturbing to downstairs' neighbors, and slamming of doors which disturbs neighbors to the side.
2. Residents and their guests shall not permit parties or social gatherings to take place in, or guests to congregate in, any part of the Common Area, other than the Courtyard (BBQ and/or fireplace) Area. See Courtyard.
3. Quiet hours are generally from 10 pm to 7 am are presumed to refer to all areas of Market Street Lofts. Loft Owners, residents and their guests

should exercise due consideration of the community and their neighbors in particular when engaging in loud activities.

#### E. Courtyard

1. Loft Owners, residents and their guests must take great care while using the fireplace and/or barbeque in the Courtyard. Owners and tenants are responsible for cleaning grill after each use. Please use care in cleaning up any waste or debris created. No trash is to be left in the Courtyard area. The HOA is in no way responsible for any mishaps from the use of the grill or fireplace.
2. Only Loft Owners, residents and guests of owners/tenants present are allowed in courtyard.
3. Radios, tape decks and the like should not be operated at loud volumes.

#### F. Elevator

1. In the event of an elevator malfunction, please contact the property manager immediately. If any other person is trapped in the elevator call the 24-hour emergency number. The elevator is equipped with an emergency phone or call button. Rules regarding the elevator: Signs shall not be posted in elevator except by Property Management or Board of Directors.  
Use of elevator for delivery of furniture, major appliances, construction material and other items that require protection of elevator walls must be scheduled in advance with Property Manager. (See Moving)

#### G. Employees of the Association

1. Employees of the Association carry out day to day operations and maintenance of the building under the supervision of the Property Manager. Association needs are the first priority. Only the

Management Office or the President of the Board of Directors can give verbal instructions or work orders to any building employee.

2. No employees of Property Manager are to work in any Loft unit (except under the direction of Property Manager or Board) because the Association Insurance does not cover anyone for accident or injury.

#### H. Exercise Room/Gym

1. Hours of Gym shall be 6 am – 10 pm M-F  
7am – 12 am Sat and Sun
2. Please keep noise to a minimum
3. Standard fitness club courtesy applies, i.e. please wipe down equipment when finished, radios, tape or compact discs players or other electronic equipment (except televisions) may be used in the gym only with head or earphones, and please **do not Drop** weights on floor as it disturbs neighbors.
4. Residents and owners are the exclusive persons allowed in the gym, however, no one under 14 years of age is allowed in the gym without adult supervision.
5. No glass of any kind is allowed.
6. No trash or debris should be left in the gym.

#### I. Fire Safety

1. No use of charcoal grills is permitted on any of the balconies or decks.
2. Under no circumstances shall any person attempt to remove, dismantle, disconnect or otherwise disable smoke detectors, emergency lighting systems, fire sprinkler systems, fire extinguishers, fire hoses, or other life-safety equipment in common areas or within their Loft.
3. No person shall use any common area fire extinguisher or fire hoses except in emergency situations.
4. Residents shall not tamper with smoke detectors within their Loft. If one of these detectors malfunctions, the Loft Owner must immediately call the Management Company and arrange to have it replaced/repared at the Owners expense.

5. Loft doors should not be propped open and left unattended. This poses a threat to the fire resistance rating of the corridors and allows smoke and flames to reach the corridor or Loft unimpeded.
6. All electrical wiring in Lofts must conform to all applicable electrical codes. Electrical outlets must not be overloaded.
7. Except for reasonable quantities of ordinary household products, **no hazardous materials may be stored in a Loft, storage unit or parking space.** The following substance/materials may not be stored or used in the building at any time: flammable liquids, explosive, corrosive, biohazards, poisonous, noxious or radioactive materials or any other substance/material that may compromise the safety of the building or any of its occupants, users or their possessions. No firearms or ammunition may be stored in a Loft unless the resident has an appropriate firearms permit or is a commissioned Law Enforcement officer.
8. Any person tampering with or attempting to remove any Common Area fire safety equipment will immediately be fined \$1,000.00. Any insurance increases or fines levied against the Association by Governmental Authorities will also be billed to the offender. Additionally, if anyone is injured or property damaged as a result of such tampering, the offender may be subject to severe civil or criminal penalties.
9. Any owner, tenant or their guest causing the sound of a false alarm through violation of any rule will immediately be fined \$250.00. Any insurance increases or fines levied against the Association by Governmental Authorities will also be billed to the offender. Additionally, if anyone is injured or property damaged as a result of such incident, the offender may be subject to severe civil and criminal penalties.

#### J. Garage/Parking Space

1. Loft Owners and Parking Space Owners: Spaces must be used solely for parking licensed operational automobiles and motorcycles owned and used by Owners and tenants. An Owner of a Parking Condominium must be an Owner of a Residential Unit. Also Parking Condominium Owners are prohibited from selling, assigning, transferring, leasing, subleasing or

otherwise granting parking privileges to third parties, who are not owners or tenants of Owners, occupying a Residential Condominium Unit.

2. The Board of Directors would like to grant latitude to those who are housing grocery carriages (NOT grocery store carts) or strollers in their parking spaces. However, Owners and Tenants shall not store car parts, tires, or other accessories in their spaces.
3. Each parking space shall house one (1) motorized vehicle. The vehicle shall be parked entirely within the designated parking space.
4. Except as provided in subsection (1,2, and 3) no boats, trailers, buses, motor homes, campers, or snowmobiles may be stored or parked anywhere within the Condominium Property and no vehicles of any kind shall be maintained, repaired, repainted, serviced or rebuilt anywhere within the Condominium Property.
5. Notwithstanding the foregoing, vehicles may be temporarily parked within the Condominium Project for loading, delivery or emergency purposes, but only for the time required to accomplish such purpose,
6. In the event that the Board shall determine that a vehicle is in violation of the provisions above, written notice will be delivered to owner or conspicuously placed on vehicle and if offending vehicle is not removed within 48 hours thereafter, the Board will have the right to remove vehicle and store at the expense of the Owner, all without liability on the part of the Board.
7. The Board has determined that an exception to subsection (3) will be allowed. Parking of one (1) compact car and one (1) motorcycle will be allowed or two (2) motorcycles in one space. Discretion will be granted if the subject vehicles fit in the space, i.e. the tandem parking spaces. The Board will also accept, on a case by case basis, recreational dirt bikes to be parked within a parking space, as long as all vehicles are totally contained in the space.

#### K. Insurance Liability

1. The Association carries insurance covering the building structure and liability in the Common Areas. To obtain a copy of the Association's insurance, please contact the HOA.
2. No resident, owner, or renter shall permit, or fail to prevent any act that could result in the suspension or revocation of the Association insurance.
3. All Loft owners are responsible for providing insurance for their Lofts and contents, in accordance with the Declaration. Loft Owners are responsible for any damage to any other unit, Common Area or Limited Common Area Element that arises as a result of the use of their Loft.
4. At all times, Residents are responsible for their own personal property both in their respective Loft and in any common area. Residents are advised to obtain their own personal property insurance.

#### L. Locks and Keys

1. Upon request the Management Company may request a key for emergency situations. No owner shall alter or change a lock leading into any unit or storage unit, without providing duplicates to HOA and Management Company.

#### M. Mailboxes

1. An individual mailbox will be provided for each home in the community. Mailboxes are located at the community mail center in front of the front door of the building. Keys to the loft mailboxes will be provided by the Basalt Post Office. Owners will have to fill out paperwork at the post office and will then be issued a key to the mailbox on site.

#### N. Moving Out/In

1. Please refer to the MARKET STREET LOFTS OWNERS ASSOCIATION MOVE IN/MOVE OUT PROCEDURES form which is made a part hereof by this reference.
2. Elevator use will not be granted for a move until all current and outstanding assessments pertaining to their Loft are paid in full.
3. Entrance doors cannot be left open and unattended.

4. Moving vans and trucks cannot be parked to limit entrance to driveway or parking spaces.
5. If dollies are used, they must have rubber wheels to prevent any damage in floors and stairs. Grocery store carts are not to be used on the property at ANY TIME.

#### O. Owner Information

1. In addition to any Owner Information required in other sections of the Rules and Regulations, each Owner shall provide the Association with a current address, and daytime and evening phone number and E-Mail address. See MARKET STREET LOFT OWNERS ASSOCIATION/ MOVING FORM.
2. All Loft Owners with tenants must fill out a tenants form for the Property Managers to keep on file.

#### P. Parking Information

1. All owned vehicles parked in the garage are to be registered with the HOA .
2. All vehicles parked in the garage must have current tags and be in working order.
3. Any traffic flow markings and signs regulating traffic on the premises shall be strictly observed.
4. No vehicle shall be parked as to impede entrance or exit from the the parking garage. Vehicles shall be parked within designated parking areas only.
5. No vehicle belonging to or under the control of a Unit Owner or member of the family or guest or tenant or employee of a unit owner shall use assigned / designated parking areas other than that assigned to their unit.
6. No car, truck, motorcycle or any other motor vehicle shall be repaired anywhere on the property.
7. Failure to adhere to the above restrictions will result in the removal of the offending vehicle by an authorized towing company at the full and complete financial responsibility of the owner.

#### Q. Pets

1. Pet Owners must register their pets with management within 30 days of moving into a Loft or acquiring new pets. Any Owner that does not register a pet within 30 days will be assessed a \$200 fine.
2. Residents may house no more than 2 cats or 2 dogs or 1 cat and 1 dog.
3. No unattended pets are to left on balconies/decks.
4. No pets shall be left in any common areas.
5. No pets shall be kept for breeding or commercial purposes.
6. Any person walking their pet must remove all pet defecation from Association property. Any cost of additional cleanup will be charged to owner.
7. Pet Owners will be fully responsible for any noise disturbance, property damage or personal injury caused by their pets.
8. If a Pet Owner or his agent violates repetitively or allows pet to repetitively violate these rules, then the Loft owner (or tenant) may be fined appropriately.

#### R. Sale of Unit

1. Loft Owners must notify HOA and Management Company about a pending sale within seven (7) days of closing of pending sale. All assessments will then be settled with Title Company and Management Company at time of sale.
2. The Owner is responsible for delivering to purchaser copies of the Declaration, By-Laws and Rules and Regulations of MSL.

#### S. Security

1. Entrance doors, storage doors and locking entrance doors shall never be left unlocked or propped open. If a resident notices an entrance door or gate, unlocked, he/she should immediately close and lock the door and notify the Property Manager.
2. Loft entrances shall not be propped open.
3. No solicitation is allowed in building by any persons.
4. No Owner shall give out the door code but rather meet people that need to gain entrance at the door.

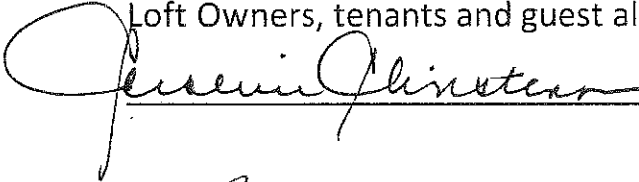
T. Storage Lockers

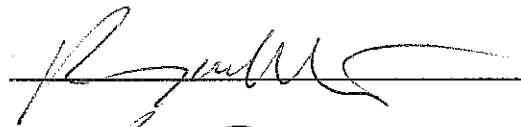
1. Storage of items outside of the storage locker is not allowed.
2. No flammable liquids may be stored in storage lockers.
3. The Association is not responsible for the damage or loss of any item kept in a storage locker.
4. After accessing storage locker, Owner shall make sure lights are turned off.

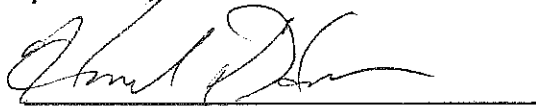
U. Windows

1. Loft Owners are prohibited from replacing windows. If a window is damaged, the Owner is to call the Management Company regarding ordering a new window and they will be advised.
2. All window coverings must be tasteful, no torn shades/blinds blankets, sheets, etc.
3. Poster, banners, advertisements, and signs shall not be displayed in Loft windows.
4. No items may be placed or stored on exterior window ledges or sills at any time.

These Rules and Regulations are intended to enhance the quality of life for all Loft Owners, tenants and guest alike.

 President/Date 9/10/2009

 Secretary/Date 9/10/09

 Treasurer/Date 9/10/09

MARKET STREET LOFTS HOMEOWNERS BOARD OF DIRECTORS/ 2009

## AMENDMENT TO RULES AND REGULATIONS / MARKET ST LOFTS

These amendments are to become a part of the Rules and Regulations adopted by the Board of Directors MSL, on 9/10/09 and upon approval become incorporated therein.

### C. Common Areas/Elements

8. The courtyard and stairwells are to be treated as interior common spaces of the building. Thus, there shall be no littering, spitting, discharging of any materials/ liquids either from owners, guests, tenants or pets in ANY common areas.

### E. Courtyard

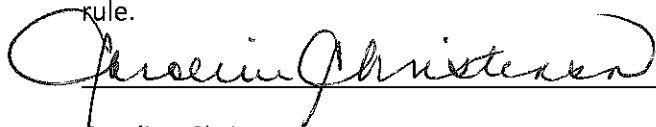
4. Owners or residents using the Grill must turn off gas after use.

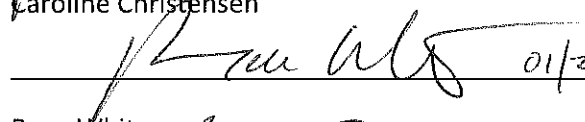
5. Use of cell phones in common areas and on courtyard must be limited and not be a nuisance to any owners.


### V. Trash Room

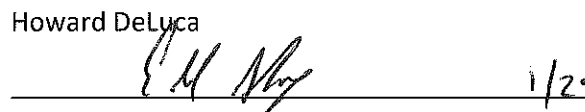
1. No trash, whatsoever, is to be left outside the locked trash door.

2. Only bagged, secured trash that is soft and compactable is allowed in the trash chutes, no electronics, furniture, flammable liquids, etc. A list is posted at each trash chute and the door to the trash room. Owner will be responsible for any damage done to the Trash System as a result of their violation of this rule.

 1/24/10  
\_\_\_\_\_  
Caroline Christensen President/Date

 01/27/10  
\_\_\_\_\_  
Ryan White Secretary/Date

 1/22/10  
\_\_\_\_\_  
Howard DeLuca Treasurer/Date

 1/29/2010  
\_\_\_\_\_  
Ed Lopez Director/Date

 1/27/2010  
\_\_\_\_\_  
Derek Skalko Director/Date

Derek Skalko

## AMENDMENT 2 TO RULES AND REGULATIONS / MARKET ST LOFTS

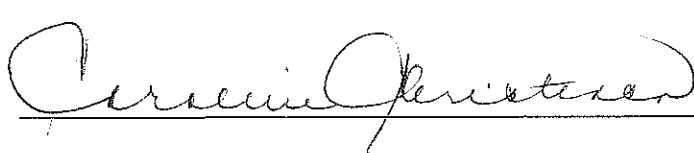
These amendments are to become a part of the Rules and Regulations adopted by the Board of Directors MSL, on 5/20/2011 and upon approval become incorporated therein.

### Q. Pets

9. It has been unanimously passed by the Board of Directors on May 20, 2011, to immediately prohibit tenants and guests of Owners from having dogs on the MSL premises. If dogs are discovered in any unit, the Owner of said unit will immediately accrue \$25.00/day fine until dog is removed.

Voting For: Caroline Christensen, Derek Skalko and Emily Von Holten

Signed: And Approved May 20, 2011:

 Caroline Christensen July 15, 2011  
President/Date

Caroline Christensen  
Market Street Lofts HOA

## MARKET STREET LOFTS RULES AND REGULATIONS

### Market Street Lofts Owners Association Move in/Move Out Procedures

The following are the Move-In/Move-Out procedures at Market Street Lofts. **These regulations will be enforced without exception.** Your Move-in/Move-out date will be confirmed upon receipt by Beach Resource Management of the Moving Fee, the Damage Deposit and the completed Moving Form. Please note that a \$500 fee will be charged if these procedures are not followed.

- 1 All moves are subject to a non-refundable \$100 moving fee. All move-ins must deposit a \$500 refundable damage deposit. **For ALL move-outs, the \$100 non-refundable moving fee and the \$500 refundable damage deposit must be made by certified funds.**
- 2 The Moving Fee, the Damage Deposit, and the Moving Form must be submitted to Beach Resource Management at least seventy-two (72) hours prior to your move date. **If you move without scheduling a time, without submitting the proper paperwork and /or without paying the requisite fees and deposits, the unit will be charged a non-refundable \$300 fee.**
- 3 The Damage Deposit will be refunded in full within two (2) weeks after your move if an inspection following your move reveals that no repairs or clean up of the common areas is required and the Move-in/Move-out Procedures have been followed. Deductions from the damage deposit will be made for (1) damages to common areas (actual cost of repairs), (2) clean up of debris (cost per hour of maintenance personnel) and/or (3) moves that occur or extend beyond the permitted hours (\$50 per hour or for any fraction thereof). Should the deposit be insufficient to pay for all repairs of cleaning, additional costs will be billed to the Unit Owner.
- 4 **All moves must be scheduled through Beach Resource Management.** Please call Hope Wallace at (970) 273-3100 to schedule a move, no exceptions.
- 5 NO Sunday moves shall be permitted
- 6 NO holiday moves shall be permitted.
- 7 The Unit Owner and/or tenant must call Beach Resource Management **seventy-two (72) hours before the move date** to schedule the move and to obtain directions for parking the moving truck and obtaining elevator access. In addition, your moving company must provide Beach Resource Management with evidence of insurance listing Market Street Lofts Owner Association and Beach Resource Management as additional insureds before a move will be permitted. Please fax the Certificate of Insurance to Beach Resource Management at 970-273-3105.
- 8 All moving personnel must enter and exit through the designated entrances only. Please note, that cars and trucks are not permitted to idle their engine when parked by the building. All engines must be turned off while at the building. **For security reasons, any doors shall not be left open without a person attending the area during the move. In addition, elevator doors shall not be, "propped open" during a move, as is this practice may cause damage to the elevator.** Any such damage will be the responsibility of the Unit Owner.
- 9 All personal possession may be taken directly to the moving truck to the elevator or visa versa. No items may be left unattended outside the elevator in the Residential Lobby or in the upper floor hallways in accordance with applicable fire regulations. Please make sure that heavy items and furniture are not dragged down hallways or through common areas of the Building causing damage.

10 Boxes, packing crates and materials, debris, large items and other moving materials must be placed in the trash compactor and/or dumpsters located in the Trash Room of the Building. All boxes must be broken down before placing them in the dumpsters. The Unit Owner and/or tenant is responsible for clean up of the Residential Elevator Vestibule and the Trash Room. No furniture, computers, equipment, skis, snowboards, plants, trees, lumber, paint, construction materials or other unusual trash or debris shall be deposited in the Trash Room or in the trash compactor. Prior arrangements must be made with a trash removal company by the Unit Owner and/or tenant for the removal of such large items or unusual trash, if applicable.

11 The Unit Owner and/or tenant should review these moving procedures with their moving company prior to the moving date to avoid mistakes by moving company personnel, which could result in additional charges to the Unit Owner or tenant. Any such charges shall not be the responsibility of the Association.

12 Please remember that you are moving into a building with your future neighbors, so share the elevator with other residents as necessary during your move.

13 All pets must be registered with Beach Resource Management (see Moving Form).

**MARKET STREET LOFTS RULES AND REGULATIONS**

**MARKET STREET LOFTS CONDOMINIUM ASSOCIATION**

**MOVING FORM**

Please return to: Beach Resource Management, LLC, 711 E Valley Rd #103, Basalt, CO 81621, 970-273-3100  
Attn: Hope Wallace or email to: [hope@beachresource.com](mailto:hope@beachresource.com)

Date \_\_\_\_\_

Unit Number \_\_\_\_\_

Parking space(s) \_\_\_\_\_

Storage space \_\_\_\_\_

Number of Vehicles \_\_\_\_\_

Make \_\_\_\_\_ Model \_\_\_\_\_ Color \_\_\_\_\_ License Plate# & State \_\_\_\_\_

Make \_\_\_\_\_ Model \_\_\_\_\_ Color \_\_\_\_\_ License Plate# & State \_\_\_\_\_

Owner Name(s) \_\_\_\_\_ Tenant Name(s) \_\_\_\_\_

Owner Name(s) \_\_\_\_\_ Tenant Name(s) \_\_\_\_\_

Owner Home Number \_\_\_\_\_ Tenant Home Number \_\_\_\_\_

Owner Work Number \_\_\_\_\_ Tenant Work Number \_\_\_\_\_

Owner Mobile Number \_\_\_\_\_ Tenant Mobile Number \_\_\_\_\_

Owner / Tenant email address \_\_\_\_\_

Current Address: \_\_\_\_\_

Pets: Number of Dog(s) \_\_\_\_\_ Cat(s) \_\_\_\_\_ Pet(s)' Name(s) \_\_\_\_\_

**I AM IN RECEIPT, READ AND UNDERSTAND THE RULES AND REGULATIONS OF MARKET STREET LOFTS**

Owner/Tenant: \_\_\_\_\_  
(Signature)

Owner/Tenant: \_\_\_\_\_  
(Signature)