



4100 West Condominiums

Homeowners Association

Resident Handbook

4100 West Condominium Association
Heritage Property Management
P.O Box 1221
Union Lake, MI 48387
(248)978-4051
WWW.HeritagePropertyMgt.com
Info@HeritagePropertyMgt.com

This handbook answers some of the most commonly asked questions about the Association. It should be read by Owners and Residents. Most of the information concerning maintenance and rules comes directly from the Master Deed or the Condominium By-Laws. The information has been consolidated into a format that is easier to read. It is not intended to replace the Master Deed or Condominium By-Laws. If you have questions that are not addressed here, read the Condominium By-Laws or call the Association. Any changes to the rules, regulations or general information will be mailed out as an addendum to this document.

DEFINITIONS

The terms and their precise definitions used through this document can be found in the Master Deed, Condominium By-Laws or the Articles of Incorporation. For the sake of convenience these terms are summarized more concisely as follows:

"Co-owner" - A person or persons who Owns one or more units in the complex. At times, the term "owner" is used as a synonym for Co-owner.

"Association" - Not for Profit Corporation of which all Co-owners are members, charged with running the affairs of the condominium complex.

"Board" - The Co-owners elected by the Association that make up the Board of Directors of 4100 West Condominium Association.

"Officers" - Individuals appointed by the Board to perform the duties of President, Vice-President, Treasurer, and Secretary.

"General Common Area(s) or General Common Element(s)" - Areas that all Co-owners own in common with no owner having preferential rights of use. The Association is required to maintain, repair or replace these areas and is specifically defined in the Master Deed and Condominium By-Laws.

"Limited Common Area(s) or Limited Common Element(s)" - Areas that all Co-owners own in common, but over which a Co-owner has either the exclusive or preferential right or use, usually because the element is attached or immediately adjacent to that Co-owner's unit. These are also defined in the Master Deed and By-laws, which also indicate whether the Association or the Co-owner is responsible for maintenance, repair or replacement.

MANAGEMENT

The Association is managed by Heritage Property Management, Inc. a professional property management company (hereto referred to as "Heritage"). They have been employed by the Association to implement the rules, regulations and to handle the day to day operating and financial functions of the Association

BOARD OF DIRECTORS

The Board of Directors consists of up to 5 members- Board members are elected for 2 years. The term of office is rotating to ensure that experienced members are on the Board at all times.

OFFICERS OF THE ASSOCIATION

The Board is responsible for appointing officers. The officers of the Association include a President, Vice-president, Treasurer, and Secretary. A description of the duties of each office may vary from Board to Board. The duties of officers serving on the current Board can be obtained by contacting the Association.

CONFLICTING PROVISIONS

The Association is governed by a set of documents. They are in order of priority, the Master Deed, Condominium By-Laws, Articles of Incorporation and the Rules and Regulations. In the case of any conflict between documents, the order in which they are listed above will prevail.

SERVICES PROVIDED BY THE ASSOCIATION

Insurance - The Association carries insurance on the buildings including liability insurance on the common areas. There are some items and some liability risk that Co-owners must assume. A condominium homeowner's policy (H06) is available to cover liability and interior finishes and upgrades. Co-owners are strongly urged to discuss this with their insurance agents, as the Association policy will almost certainly not fully replace your condominium unit in its entirety. See the Master Deed and Association By-laws for a detailed description of what is needed to insure. NOTE: Co-owners are responsible for personal property insurance.

Trash Pickup - Trash is picked up twice weekly, presently on TUESDAYS and FRIDAYS, at 6 dumpsters located throughout the complex. Recycling is picked-up every other week (Smaller dumpster near shed). The cost is included in the monthly condo fees. The Association contracts this service and gets preferred volume pricing. All items must fit inside the dumpster otherwise large items must be called in to Rizzo Environmental Services for pick-up at an additional charge to Co-owner.

Water and Sewer - The water and sewer usage for the entire development, both inside units and in the common areas is paid for from the monthly condo fees. This is the most-expensive item in our budget. Co-owners are asked to help the Board control these costs by minimizing water use, fixing leaky fixtures, washing full loads of dishes and clothes, etc. This helps keep all our monthly fees as low as possible.

Snow Removal - Snow is plowed following a 2" snowfall or upon the Association's discretion. All roads, parking areas driveways, unit sidewalks and porches are cleared of snow. A de-icing agent is spread on these areas at the contractors discretion. The Association cannot promise that the contractor will be able to keep any area ice free at

all times. With this in mind, the Board asks Co-owners to de-ice their porch and front walks and to exercise caution when driving or walking in snowy or icy conditions.

Lawn Maintenance - Grass cutting and all lawn and sprinkler system maintenance in all general common areas

General Maintenance -The responsibilities for maintenance to the common elements are noted in (among other places) the Master Deed, Article V. Generally, the Association's responsibility includes but is not limited to:

- Land, roads, driveways
- Supporting columns, foundations and roofs
- Unit perimeter walls (other than the interior surface)
- Patio Fences, exterior Water Spigots, Exterior Light fixtures, Sump Pumps
- Exterior painting (Except Windows)
- Concrete front porches, patios and sidewalks
- Common area lighting i.e. street lights, sign lights, pole lights.

MAINTENANCE RESPONSABILITIES OF THE CO-OWNER

- Windows - all windows and doorwalls.
- Weeding of all beds 5' out from the wall of the units and in patio and limited common areas.
- Screens - window and door screens including sliding door screens.,
- Floor coverings - carpet, wood, vinyl, tile etc.
- Appliances - all appliances including furnace and air conditioner.
- Utility Systems - generally from the point a pipe or wire branches from a common meter or pipe to one entering only the Co-owners unit
- Electrical - interior lights bulbs and light fixtures. Phone jacks, plugs, switches and breakers/circuits.
- Plumbing Fixtures - including sinks, toilets, bathtubs, showers, hotwater heater, laundry tubs and laundry tub lift pumps. Any leaks in these fixtures or at the connection to the limited common pipe network necessary to restore functional flow.
- Decks - maintenance, repair and replacement is Co-owner responsibility, there are some exceptions, please check with Board or Management Company..
- Entry Doors (Replacement, Painting and Maintaining) Storm/Screen Doors
- Basements - all basement modifications including removal of all wall treatments and floor coverings in basement to allow repair to common basement walls, floors and drains. Co-owners should discuss with their private insurance carrier coverage to all attachments and items stored in basement.
- Drywall - all nail pops and cracks.

MAINTENANCE REQUESTS

Any resident that observes a general or limited common area that requires maintenance should bring it to the Associations attention by contacting Heritage at 248-978-4051 or on the website www.HeritagePropertyMgt.com.

MODIFICATION OF THE INTERIOR OF UNITS

Owners are allowed to make modifications to the interior of a unit as long as it complies with the local building codes and does not affect the structural integrity of the building. If in doubt, please contact Heritage for more information.

EXTERIOR MODIFICATIONS

In order to maintain the appearance and integral structure of the buildings no resident may alter the buildings or add to the exterior of their unit without approval from the Board. Modifications made without the approval of the Board may be ordered removed at the Co-owners expense. In order to enforce compliance with such an order, the Board can place a lien against the Co-owners unit until the alteration is restored to its original condition and the cost of restoration is paid in full.

Any request for a permanent modification or structural change must be in writing. Modifications must not begin until written approval is received from the Board of Directors. Any resident denied a modification request may request a hearing by the Board.

Note: The Co-owner assumes all responsibility for any modification made to the exterior of the unit. This may include obtaining a Deed Modification at the Co-owner's expense.

The following is a list of some of the requests for modifications that require Board approval:

- DECK MODIFICATIONS AND STAINING
- OUTSIDE ELECTRICAL OUTLETS
- OUTSIDE WATER FAUCETS
- PLANTING SHRUBS
- FLOWER BED EDGING/LANSCAPE BLOCKS
- MULCH/ROCKS LANDSCAPING
- ADDING OR REMOVING FENCING
- REPLACEMENT WINDOWS AND SLIDING DOORS
- STORM DOORS & ENTRY DOORS (style and color)
- SIGNS OF ANY TYPE
- ATTACHING ANYTHING TO FENCES OR EXTERIOR WALLS

The above list is not all inclusive. If you are planning any changes that are visible from the exterior of your unit, be safe, not sorry and seek Association approval BEFORE making any changes. If there is a modification that you want to make and it is not on the list, please call Heritage and they will direct you on how to proceed.

RULES AND REGULATIONS

RESIDENT USE OF THE GENERAL COMMON AREAS

The general common areas are for the exclusive use of the Co-owners, residents and their guests. Any activities that jeopardize resident safety or damage to the complex are a violation of the Condominium By-Laws.

RESIDENT USE OF THE LIMITED COMMON AREAS

Limited common areas such as entrance ways and sidewalks are for the exclusive use of residents of a building. Entrance ways and sidewalks should be considered similar to a driveway or porch of a single family house. Please treat these areas as such. Activities that jeopardize resident safety or infringe on the rights of other residents are a violation of the Condominium By-laws.

ACTIVITIES

No immoral, improper, unlawful or offensive activity shall be carried on in any dwelling or upon the Common Elements, Limited or General, nor shall anything be done which may be or become an annoyance or a nuisance to the Co-owners of the Condominium.

Activities which are deemed offensive and are expressly prohibited includes but are not limited to, the following; Any activity involving the use of firearms, air rifles, pellet guns, B-B guns bows and arrows or other similar dangerous weapons, aerial fireworks, projectiles or devices.

Children at play should be supervised at all times. Behavior should be respectable of Association and Co-owner's persons and property.

LEASING OF A UNIT

The Second Amendment of the by-laws restricts rentals to 10% of all units, which is 6 units. Until that time in which there are less than 6 units no unit can be sold to an

investor for the purpose of rental/leasing. Also no co-owner can rent their unit without approval from the Board of Directors of 4100 West and this can only be granted in a hardship type case. And will be a case by case basis.

Co-owners must adhere to the following rules when leasing a unit:

Room or Partial unit Leasing: Room renting or Partial Leasing of a unit (Basement, Upstairs, Etc.) is **NOT ALLOWED**, as per By-laws.

A Rental Registration Form must be filed with Waterford Township to comply with the Rental Certification Ordinance and a copy supplied to Heritage. Refer to Waterford Township Code of Ordinance, Sec. 4-243.

A Copy of the Lease Agreement is required to be submitted to Heritage before leasing a unit. It will be reviewed in order to ensure its in conformance with all governing documents of the Association.

Association Documents must be provided to the occupants including the Master Deed, Condominium By-Laws, Articles of Incorporation and these Rules and Regulations. Receipt of these must be stipulated on the lease and initialed by all people listed on the lease.

All Occupants Residing in the Unit must be listed on the lease.

Actions of the Occupants are the responsibility of the Co-owner of the unit. If the occupants violate any rules or regulations of the Association, all violations and fines will be assessed to the Co-owner.

The Lease Term must be for a 12 month minimum. Partial unit rent or lease is prohibited.

Occupants Vehicles must be parked in the Carport or designated parking area at all times. See Vehicles section on Page 8.

PETS

These rules are in conformance with the Waterford Township Code of Ordinances. Specific sections are referenced where applicable. Violation of Township Ordinance is a civil infraction punishable by fine and/or imprisonment.

No more than two (2) pets of a commonly domesticated nature shall be maintained by any Co-owner.

Pit bull terriers are not allowed and are in violation of Waterford Township ordinance 3-079.

All animals must be leashed at all times (cannot run loose) and attended by a responsible person while on the Common Elements: Limited or General.

While walking your dog, you must have in your possession the appropriate method for cleaning up after your pet (preferably plastic bags).

Residents must immediately clean up after their pets in all areas of the complex (General or Limited) and dispose of the waste properly. All pet waste is to be bagged before placing in a dumpster, no loose waste. Pet waste is not allowed to be left on lawns or decks and is in violation of Waterford Township ordinance 3-002.

Please respect your neighbors property and keep your pets off their front porch and walkway areas. NO dogs may be left out on a tie-out or cable/leash of any type or allowed to run loose.

Excessive dog barking is a nuisance noise violation (see the NOISE section) and subject to the rule regulating noise.

NOISE

Noise problems occur because of the close proximity of the units. Be aware that certain sounds travel easily through walls. Noise complaints are not confined to the interior of units. Excessive noise occurring on the general or limited common grounds is a violation of the local ordinance and/or Association rules.

Noise falls into one of three categories; excessive, nuisance or routine.

Excessive - Noise caused by loud parties, fighting or extremely loud stereos comes under this category. It does not matter what time this type of noise occurs. Noise this loud can easily be heard from outside the unit. This is one of the parameters that the police will use to determine if the noise is disturbing the peace. In situations such as this, the Board recommends that you call the local police department.

Nuisance - Barking dogs, loud sound systems televisions, children playing, residents shouting, etc. It does not matter what time this type of noise occurs. This type of noise is a violation of the Association Rules and Regulations. If you are unable to resolve the problem or it becomes repetitive, contact the management company.

Routine - Power tools, appliances including vacuums, washing machines, dishwashers, etc. These are a part of everyday life, but if your neighbors activities create a problem for you, please speak to them personally about it.

AESTHETICS

In general, no activity shall be carried on nor condition maintained by a Co-owner, either in his/her dwelling or upon the Common Elements, which is detrimental to the appearance of the Condominium.

No items may be left on fences to dry, such as mats, rugs, towels or clothing.

Please be considerate of your neighbors when putting out decoations and windchimes.

Patio areas should not be a storage area for miscellaneous items, such as automotive tires, indoor furniture, etc.

Co-owners are asked to help 4100 West look its best at all times by picking up any litter that may be on the grounds of their unit.

All bikes and toys must be stored, in the basement or rear patio/ deck when not in use. Leaving these items on the front porch, front walk, on the side of a unit or under the deck is not allowed.

Potted plants and/or flowers are allowed. However, all vegetable plants must be potted and are restricted to patios/decks only.

All pots must contain live, healthy plants and the pots must be in good condition. Empty or damaged pots are not allowed. All pots must be stored in the basement during the off-season.

All vines/shrubbery must be confined to the deck. Vines or branches hanging below the deck surface are not allowed.

Christmas decorations in good taste are allowed and encouraged. All holiday decorations must be removed by January 31. Other holiday decorations should be removed within a week after the holiday.

Black wrought-iron railing is the approved railing for front porches.

Any further modifications must be in writing. Modifications must not begin until written approval is received from the Board of Directors. Exterior modification forms are available from the Association.

Any resident denied a modification request may request a hearing by the Board. Note: The Co-owner assumes all responsibility for any modification made to the exterior of the unit. This may include obtaining a Deed Modification at the Co-owner's expense.

TRASH

Garbage should not be left outside the unit, there are 6 dumpsters located throughout the complex.

All waste must be properly contained within a garbage bag, no loose garbage or dog feces in the dumpsters

Recycleables (Glass, Plastic, Metal) must be bagged in a clear bag and cardboard must be broken down flat and placed in the smaller dumpster near the shed in the back of the complex

VEHICLES

All Co-owners automobiles shall be parked overnight in assigned carports except where a Co-owner maintains two or more cars, in which other cars will be parked in the general parking area around Co-owners unit.

Vehicles without current license plates are not permitted. They must be removed offsite or they will be towed at the owner's expense.

Washing and Waxing of vehicles is not allowed at 4100 West.

Parking on the streets is not allowed, Waterford Township Fire Department has deemed many sections of 4100 West as Fire Lanes.

No parking on ANY grass at ANY time. Parking on lawns within 4100 West is in violation of the By-laws. Any damage to the lawn and/or irrigation system will be charged back to the unit owner.

No house trailers, commercial vehicles, boat trailers, boats, camping vehicles, camping trailers, motorcycles, all-terrain vehicles, snowmobiles, cargo vans, or vehicles other than automobiles may be parked or stored upon the premises of the Condominium, except that motor homes and travel trailers may be maintained for occasional periods, not to exceed 24 consecutive hours, for the sole purpose of loading and unloading.

Commercial vehicles and trucks shall not be parked on or about the complex (except as above provided) unless while making deliveries, pickups or providing services in the normal course of business.

The Association may limit or prohibit parking on any or all of the Condominium roads and may institute whatever enforcement means it deems appropriate. Vehicles in violation of the above rules will be towed by Metro Towing (without warning/notice).

TRAFFIC CONTROL

Please observe the 15 MPH speed limit while driving within the complex. There are many children and elderly out during the day and dog-walkers and exercisers day and night.

Extra caution should be used during snowy or icy conditions especially when snow banks get exceedingly high.

DECKS

Deck staining is the Co-owners' responsibility (with the exception of the upper balconies). Approved stains can be provided by the management company.

Deck railing, spindles and flooring must be kept in good repair at all times.

The deck stain should be kept at an appropriate coverage to maintain an attractive appearance.

When staining, care must be taken to ensure the vinyl siding remains free of all stain. Any stain on the vinyl siding must be removed by the Co-owner.

Please help improve 4100 West's aesthetics by maintaining the area under the deck and keeping it free of all clutter. This area is not to be used for storage.

Composite decking is allowed. Interested Co-owners must submit a modification request to the Board for approval. Any requests that include structural changes to the deck require formal drawings that conform to township codes and must also be approved by the Board before any work can begin.

SIGNS

No signs or other advertising devices of any kind shall be displayed which are visible from the exterior of a unit or on the common elements, without written permission from the Association. FOR SALES signs may be displayed only in a window of the unit.

DOORS

All doors are the Co-Owner's responsibility. New doors may be installed with a top ¼ window. Styles can vary, doors should be 6 panel design and painted one of four colors approved by the board and attached to this booklet. Storm/Screen doors are the responsibility of the Co-Owner and should be full glass/Screen matching the darker exterior color of the siding.

SATELLITE DISHES

Written permission from the Board is required before a resident can install a satellite dish. A Co-owner may install (1~ satellite dish type antenna not to exceed eighteen (18) inches in diameter in the rear or side of the unit only in a location that does not impair the safety or appearance of the Condominium or any element thereof. If you have any questions about installation restrictions contact Heritage Property Management.

ENFORCEMENT OF THE RULES AND REGULATIONS

Unless otherwise stated, violations of the Master Deed, Condominium By-Laws or the rules and regulations listed in this document will be handled in the following manner:

1. Assessment of Fines

The violation by any Co-owner, occupant or guest of any of the provisions of the Association Documents including any duly adopted rules and regulations shall be grounds for assessment by the Association, acting through its duly constituted Board of Directors, of monetary fines against the involved Co-owner. Such Co-owner shall be deemed responsible for such violations whether they occur as a result of his personal actions, of the actions of his family, guests, tenants or any other person admitted through such Co-owner to the condominium premises.

2. Procedures

Upon any such violation being alleged by the Board, the following procedures will be followed:

- a) Notice. Notice of the violation, a copy of the condominium document provision violated, together with a description of the alleged offense will be mailed to the offending Co-owner.
- b) Opportunity to Defend. The offending Co-owner shall have an opportunity to appear before the Board at the next regularly scheduled board meeting and offer evidence in defense of the alleged violation.
- c) Default. Failure to respond to the notice of violation constitutes a default.
- d) Hearing and Decision. Upon appearance by the Co-owner before the Board and presentation of evidence of defense, the Board shall, by majority vote of a quorum of the Board, decide whether a violation has occurred. The Board's decision is final.

IF A FINE IS TO BE LEVIED, IT WILL BE DONE IN THE FOLLOWING MANNER:

3. Amounts

Upon violation of any of the provisions of the Condominium Documents and after default of the offending Co-owner or upon the decision of the Board as recited above, the following fines shall be levied:

- a) First Violation - No fine shall be levied
- b) Second Violation - A fine of Twenty-Five Dollars (\$25.00)
- c) Third Violation - A fine of Fifty Dollars (\$50.00)
- d) Fourth Violation and Subsequent Violations - A fine of One Hundred Dollars (\$100.00) per violation

4. Collection

The fines shall be collected in the same manner as the condominium monthly assessments.

GENERAL INFORMATION

MEETINGS

The annual meeting is usually held the last full week of May at the Pontiac Country Club.

CONTACT NUMBERS

- Maintenance and Repairs: Heritage Property Management; 248-978-4051
- Rizzo Environmental Services: 888-US-RIZZO (888-877-4996)
- Eradico Services: 248-477-4853 (Bugs and Rodents)
- Metro Towing: 248-623-1010
- Waterford Police and Fire: Emergencies 911 or 248-674-0351
- Allans Emergency Drain Service: 248-481-0028

Although this Handbook is not considered a replacement for your Master Deed and By-Laws, we hope that it will clarify some of the more commonly asked questions regarding condominium living. From time to time, you may receive written changes or additions to the Rules and Regulations from the Association. We encourage you to store this Handbook and any additions in a safe place and transfer them to future owners of your unit along with the Master Deed and By-laws.