

**Park River West Condominium Association, Inc.**  
**General Written Consent To Alter Certain Limited Common Elements**

Adopted 23 June 2018 As Supplemented 11 August 2018, March 31, 2022, March 18,  
2024, and amended in final form April 22, 2024

The following policies and procedures ("Policy") pertaining to the alteration and repair of Limited Common Elements have been adopted by the Park River West Condominium Association, Inc. ("Association") pursuant to C.R.S. 38-33.3-209.5 at a meeting of the Board of Directors.

**I. General**

A. Statutes Superior To All. The provisions of the Declaration and Bylaws of the Association are incorporated in this Policy by reference and govern for all purposes when not in conflict with the Colorado Common Interest Ownership Act ("CCIOA"), as it exists or may be amended, and the Colorado Revised Nonprofit Corporation Act, as it exists or may be amended. This Policy is subordinate to and shall only supplement the Declaration and Bylaws where they are otherwise silent. The provisions of this Policy shall be independent and severable. The declaration of invalidity of any one or more of the Policy provisions by court order or decree shall in no way affect the validity or enforceability of any other provision, which other provisions shall remain in full force and effect.

B. Authority to Give Consent. Park River West Declaration Section 3 contains a list of limited common elements, which is also supplemented by the Condominium Map and other parts of the Declaration. Section 3 requires that..." No limited common element may be changed in size, appearance or otherwise without prior written consent of the Board of Directors." Coupled with this provision is that of Section 11 placing the responsibility for maintenance and repair of limited common elements upon the Unit Owner.

**II. Written Consent To Owners.**

Unit owners in the natural course of occupancy repair and decorate the limited common elements. The Board has determined that it is onerous and unreasonable to request permission in advance of some changes to limited common elements. Thus, this document is blanket consent for the following repairs and changes. Unit owners may rely on this consent in lieu of individual permission:

1. Interior Remodels and Repairs. Unit Owners may change the interior appearance of walls, drywall, sheetrock, floor coverings (including carpet, tile and wood), electrical and plumbing fixtures. Excepted from this consent is the removal or alteration of any structural element, bearing wall, floor, subfloor, or common wall between Units.

2. Mechanical Systems. Unit Owners may repair, replace, and alter the electrical system, gas service, water heater, drains and plumbing, furnace, and gas fireplace. Duct work

associated with heating and cooling may also be repaired or replaced by the Owner. Fireplaces may not be converted to wood burning. Blanket consent to installation of air conditioning is granted, together with permission to install a pad and exterior compressor on the General Common Area adjacent to the Unit. The materials used shall be of the same or better quality as now exists, and the work shall be performed by a qualified person duly licensed by the Town of Estes Park, if so required by local ordinance.

3. Windows and Doors. The interior appearance of windows and doors may be altered. The exterior appearance of doors and windows are excepted from this consent. Window glass when broken shall be immediately repaired and replaced with like kind glass: but no frosted or tinted glass shall be used if the exterior appearance of the Unit will be altered. Plexiglass or other similar translucent material is not "like kind" and is not permitted. Garage doors are covered by this consent and shall be replaced or repaired when buckled. Replacement and repair of doors and windows, including any frames and sills, shall be of the same or better quality as now exists; shall not alter the exterior appearance of the Unit; and, shall be performed by a qualified person duly licensed by the Town of Estes Park, if so required by local ordinance.

4. Storm Doors. Storm doors may be installed so long as the frame color matches the existing building or Unit trim color, with antique hardware matching the front door and a full frame window. Brass door hardware is not allowed per Declarations section 11(C) and section 11(D). After the installation, it is necessary to schedule the Association painting contractor to touch-up around the door. Owners are not allowed to paint the exterior of the building, so as to ensure matching paint and quality. This is to ensure a homogenous exterior appearance. Anderson storm doors have been found to meet these requirements.

5. Radon Mitigation. The interior and exterior common limited elements may be altered by Unit Owners electing to install radon mitigation systems. Alterations to the siding and roofing shall require a water tight seal and ensure the structural integrity of the Unit. Painting of exterior radon vents shall be done by the Association. The radon remediation work shall be performed by a qualified person duly licensed by the Town of Estes Park.

6. Decks and Patios. Consent is granted to install a gate on decks and patios so long as (a) the gate shall be architecturally consistent with the existing deck or patio; (b) the materials used shall be of the same or better quality as now exists; and (c) the work shall be performed by a qualified person duly licensed by the Town of Estes Park, if so required by local ordinance. III. Conditional Consent And Approvals.

7. Security Systems and Cameras. It is the policy of PRW to address the legitimate security desires and privacy concerns of Unit owners, while ensuring the uniform, unadorned, and homogeneous aesthetics of the community. In order to balance these

interests, the Board has adopted this blanket consent governing the installation of security cameras on the exterior of the Units.

Consent is granted to install an exterior security system monitoring the exterior of a Unit so long as the following conditions are met:

- (a) Up to three cameras per Unit. Permitted cameras are limited to those located in the immediate vicinity of a Unit entrance, garage door and deck. Ring type cameras in the doorbell and any cameras located inside the Unit do not count toward the total.
- (b) A camera may only surveil limited common elements associated with the Unit. That is, the decks, patios, drive bib, and entry doors belonging to that Unit.
- (c) A camera may only be located in the door bell, on the porch, on soffits and facia (not the faux rock façade) above the garage, and on the soffits and siding abutting the decks and patios. No camera shall be located on the second story of a Unit (except the Twin Sisters Units) or the third story of a Unit.
- (d) The camera(s) and the system(s) shall be wireless or wired to the Unit with a water tight seal to ensure the structural integrity of the Unit;
- (e) A camera may not interfere with or be wired into gutters and drains, but may be wired through garage doors and its framing, patio door framing, and window framing so long as the seal is water tight, the wire is unobtrusive, the wire is inserted in structural joints and framing, and no excess or coiled wire remains after the installation.
- (f) No solar panel, extension cord, or other exterior power source feeding the security system may be attached to the Unit;
- (g) A camera may not include a light fixture, security light or spot light. The exterior security system and its components must comply with the Town of Estes Park Dark Sky Ordinance, and any other applicable law.

Excepted from this consent are:

- (a) the installation of a motion detector or sensor anywhere except on the front porch of the Unit, and
- (b) removal or alteration of any structural element, roofing, siding, soffit, facia, or common wall of a Unit or any adjoining Unit.

By installation of a security system/camera(s) the owner acknowledges: (a) All maintenance of the structure and appearance of the exterior camera/security system is the responsibility of the owner; (b) Any damage to the Unit caused by drilling or attaching a camera, sensor, or other portion of a security system is at the risk and cost of the Unit owner; (c) That neither the Association nor its contractors/agents shall be responsible for

any damage to the security system/camera occasioned by painting, maintenance, repairs or alterations to the exterior of the Unit.

Units with existing non-conforming systems are granted until August 1, 2024 to make necessary alterations. If an owner wishes to install a camera or security device other than as addressed in the consent, please ask the Board in advance of purchase and installation.

### **III. Consent Subject to Design Submission**

The following items are permitted subject to design submission by the Unit Owner, written acknowledgment of responsibility by the Unit Owner, and approval by the Board:

1. Awnings. Awnings are approved for use only on decks. The approved model is "The Eclipse" retractable awning, available from Peterson Canvas and Awning, 1422 Webster Avenue, Fort Collins CO 80524; see [www.petersoncanvas.com](http://www.petersoncanvas.com) and [www.eclipseawnings.com](http://www.eclipseawnings.com). Although the above model is approved, the design proposal must still be submitted to the Board, including style and color. The color should match the body or trim of the Unit. A solid color is preferred but a suitable stripe that matches both colors can be considered. If approved, it must be agreed that any damage to the building resulting in repair caused by the awning, including but not limited to improper installation and use, will be the responsibility of the owners. The potential for wind damage must be considered, along with the need for durability in our mountain environment; experience so far suggests that manual operation is preferable. All maintenance of structure and appearance of the awning is the responsibility of the owner.

2. Window Coverings. A blanket variance is granted to all Units to allow window coverings of light earth-tone colors and woven wood blinds, in addition to white and off-white colors, but subject to Board approval. Prior to installation a sample or photo of the requested window covering diverging from the "White or Off White" standard must be submitted to and approved by the Board. Approval of the Board may be rendered by electronic agreement of the members and without a formal meeting. Installations of earth-tone and woven wood blinds completed before adoption of this variance shall be assessed and approved or disapproved by the Board without Unit owner submission but with due regard for the terms of this variance, and the Unit owner given notice of the Board action.

### **IV. Ratification of Prior Acts**

This general consent shall act as permission to all alterations and repairs previously performed in accordance with the standards set out in this document; and the same are ratified by the Association.

Park River West Condominium Association, Inc.

By: \_\_\_\_\_  
Stewart Squires, President

Attest: *Carol Primdahl*  
Carol Primdahl, Secretary

This General Written Consent Policy was adopted by the Board of Directors at the annual meeting of the Board held on the 22<sup>nd</sup> day of April, 2024, and is effective the 22<sup>nd</sup> day of April, 2024, and is attested to by the Secretary of the Park River West Condominium Association, Inc.