

# MIDLAND PARK CONDOMINIUM ASSOCIATION RULES AND REGULATIONS

*Effective as of September 10, 2003  
REVISED JULY 11, 2016*

***NOTE: The following rules and regulations listed below conform to the recently approved and recorded Amended and Restated Condominium Declaration for Midland Park and are stated here for emphasis as those being the issues of most concern to the Association***

1. Except as provided in the *Amended and Restated Condominium Declaration for Midland Park*, each individual unit shall be used for residential purposes only, and none shall be used for any commercial or business purpose. (*refer to Amended and Restated Condominium Declaration for Midland Park and Use of Units document for specific allowed uses*)
2. No owner shall obstruct, damage or commit waste to any of the common elements.
3. No owner shall change, alter or repair anything in or on any of the common elements (i.e. balconies) without the prior written consent of the Board of Directors on the recommendation of the Architectural Committee. (*refer to Amended and Restated Condominium Declaration for Midland Park*)
4. No noxious or offensive activity shall be carried on upon any part of the project nor shall anything be done or placed on or in any part of the project, which is or may become a nuisance or cause embarrassment, disturbance or annoyance to others.
5. No activity shall be conducted on any part of the project and no improvements shall be made or constructed on any part of the project, which are or might be unsafe or hazardous to any person or property.
6. The use of any type of impacting, projectile delivering device is strictly prohibited within the boundaries of the Midland Park complex. (*refer to Sec. 15.04.720, City of Aspen Municipal Code*)
7. No sound shall be emitted on any part of the project, which is unreasonably loud or annoying (*refer to Title 18, Noise Abatement, City of Aspen Municipal Code*)
8. No unsightliness shall be permitted on or in any part of the project. Nothing shall be kept or stored on or in any of the common elements (i.e. balconies, carports, etc.), nothing shall be hung or placed upon any of the common elements, and nothing shall be placed on or in windows or doors of individual spaces which would or might create an unsightly appearance. (*refer to Amended and Restated Condominium Declaration for Midland Park*)
9. No signs or advertising devices of any nature shall be created or maintained on any part of the project without the prior written consent of the Association or recommendation of the Architectural Committee
10. No radio, television or other type of antenna shall be installed or maintained on any part of the project buildings without the prior written consent of the Association on recommendation of the Architectural Committee.

**MIDLAND PARK CONDOMINIUM ASSOCIATION  
RULES AND REGULATIONS**

**Page 2**

11. No dogs shall be maintained, kept or harbored within any individual space, on or in any of the common elements, or within any area of the Midland Park Project. Visiting pets (i.e. dogs) may be allowed under the following criteria:
  - Visiting pet stays will be limited to 72 hours (3 consecutive days) within a thirty day period.
  - Property Manager must be notified prior to pets being on premises. If Property Manager is unavailable, a member of the board should be notified.
  - Adjacent Midland Park homeowners must be notified of a pet being on premises.
  - Homeowner is responsible for monitoring and cleaning up after pet.
  - All dogs must be leashed at all times while on the property.
  - Homeowners are encouraged to have a conversation with the homeowner who has the visiting pet should any of these rules not be followed.
  - The Board will follow up with enforcement of this policy on a complaint (written or email Attn: the Property Manager) basis.
  - Disregard of these rules will result in a fine of \$100.
12. Each individual unit and all improvements, fixtures and furniture and equipment therein and any common elements appurtenant to a condominium unit shall be kept and maintained by the owner of the condominium unit in a clean, safe, attractive condition and good repair.
13. No structural alterations within any individual unit or with respect to any common elements shall be made and no electrical, plumbing or similar work within any individual space (except minor repair work not affecting the overall utility systems) shall be done without the prior written consent of the Association (*refer to Architectural Review and Approval Guidelines for Midland Park, revised and adopted March 2016*)
14. No permanent structures can be erected on common elements unless reviewed and recommended by the Architectural Committee with approval of the Association Directors and applicable and appropriate building permits have been secured.
15. No playground equipment may be erected unless approved by the Architectural Committee and recommended for approval to the Board of Directors of the Association.
16. No equipment, which is obsolete or unused, may be stored on the lawns or in any limited common element (*refer to Amended and Restated Condominium Declaration for Midland Park*).
17. If any provision of the declaration or rules and regulations is violated by a tenant, licensee or guest of any owner (or anyone occupying the premises with his or her consent,) the owner shall be responsible for any such violation to the same extent as if he or she had committed the same.
18. The quiet hour on the project premises shall be considered to begin at 10 p.m.- 7:00 a.m.(*refer to Title 18, Noise Abatement, City of Aspen Municipal Code*)
19. The number of cats will be limited by attrition and ultimately, there will be allowed only one (1) cat per unit.

**MIDLAND PARK CONDOMINIUM ASSOCIATION  
RULES AND REGULATIONS  
Page 3**

20. Pursuant to a Land Lease with John S. Walker dated December 19, 2002, the Association has adopted the following Rules:
- a. Owners are prohibited from leaving furniture (such as lawn chairs or tables) in the Common Area (Leased Area as defined in the Lease) behind Buildings 600, 700 and 800 which is visible from Mascotte Road, unless the furniture is temporary and in present use by a member. If an Owner leaves furniture in the Common Area (Leased Area), such furniture is subject to removal by the Association.
  - b. No improvements which are not in place in the Leased Area as of December 19, 2002 will be permitted by the Association. Any unauthorized improvements in the Leased Area are subject to removal by the Association.
21. Homeowners' assessments are due on the 1<sup>st</sup> of the month and are considered late after the 15<sup>th</sup>. Late fees are **\$15.00** if payment is received after the 15<sup>th</sup> but during the month owed, **\$30.00** after 60 days and **\$60.00** for each month the assessment continues to be in arrears after 90 days. All payments will be applied to the oldest balance. The fee for returned checks is **\$50.00**. Interest charges may be applied, in addition to late fees.
22. Any individual who is in arrears in the payment of assessment liens on his/her/their unit is subject to an assessment lien by the Association. As of July 9, 2003, any owner who is delinquent in excess of **\$1,000.00** shall be subject to the recording of an assessment lien against each owner's unit by the Association in the records of Pitkin County, Colorado. Such owner shall be responsible for payment of a **\$30.00** fee to have such lien removed, plus a **\$11.00** fee per page for recording, in addition to all fees permissible under the declaration, including, but not limited to, the principal balance of assessment fees, late fees in the sum of **\$15.00** per month for each month assessment fees remain unpaid, interest, and attorney's fees, is necessary to collect the assessment arrearage.

*Discussed and approved at a General Homeowners Meeting on April 9, 1979 and voted approved by the Board of Directors of the Midland Park Condominium Association and signed by Rita Deutsch, former President, on 4/12/79. Amended to add the following Rules on the following dates: Rule #18 effective 9/21/88; Rule #19 effective 12/19/02; Rule #20 effective 7/1/00 and as modified 9/10/03; Rule # 21 effective 9/10/03.*

*The follow rules have been revised effective July 11, 2016: Rules #1, #3, #6, #7, #8, #11, #12, #13, #16, #17 and #18*