

North HOA Management
RIVERSTONE TOWNHOMES HOMEOWNERS ASSOCIATION, INC.

Maintenance Responsibilities

Last Legal Update: 2024-01-05

WARNING: Owners are responsible for the maintenance of all interior and exterior aspects of their townhome units, including the limited common areas (e.g., driveways and patios), utility lines appurtenant solely to their units, exterior building surfaces, gutters, downspouts, and roofs. This is very unusual for townhomes, but common for single-family detached homes. Unfortunately, this arrangement makes it impossible for the HOA to control exterior maintenance and ensure consistency among all townhome buildings and the various exterior parts of such buildings. Even so, all exterior painting and remodeling requires prior HOA approval, which is the only way the HOA can attempt to ensure consistency (Decl., 4.5).

		Comments
Applicable Law	<input checked="" type="checkbox"/> Association Act	D6.3(c)
	<input type="checkbox"/> Condo Act	
	<input checked="" type="checkbox"/> Nonprofit	B para 1
	<input type="checkbox"/> Other legal entity	
	<input type="checkbox"/> 55+	
Unit Types		<input type="checkbox"/> Detached <input type="checkbox"/> Twin <input checked="" type="checkbox"/> Town <input type="checkbox"/> Condo <input type="checkbox"/> Biz
Definitions	Detached Unit	<input checked="" type="checkbox"/> None <input type="checkbox"/> Entire Unit <input type="checkbox"/> Lot <input type="checkbox"/> Other
	Twin home	<input checked="" type="checkbox"/> None <input type="checkbox"/> Entire Unit <input type="checkbox"/> Lot <input type="checkbox"/> Interior <input type="checkbox"/> Other
	Townhome	<input type="checkbox"/> None <input checked="" type="checkbox"/> Entire Unit <input type="checkbox"/> Lot <input type="checkbox"/> Interior <input type="checkbox"/> Other
	Condo Unit	<input checked="" type="checkbox"/> None <input type="checkbox"/> Interior <input type="checkbox"/> Other
	Biz	<input checked="" type="checkbox"/> None <input type="checkbox"/> Entire Unit <input type="checkbox"/> Lot <input type="checkbox"/> Interior <input type="checkbox"/> Other
	Common Area	<input type="checkbox"/> None D1.1: "The Common Areas shall include those areas designated as such on the Plats, including, but not limited to, all common landscaped areas, retention basins, private roads and sidewalks, and perimeter fencing; any utility pipes, lines or systems serving more than one lot; and, in general all apparatuses and installations existing for common use and all repairs and replacements of any of the foregoing." P1, n12: "All area not shown as Private Unit or Limited Common Area, or Public Street Right-of-way is considered Common Area." P2, n10: "All area not shown as Private Unit or Limited Common Area is considered Common Area."
Limited Common Area	<input type="checkbox"/> None D1.2: "Limited Common Area shall mean those Common Areas designated on the Plat as reserved for the use of a certain Lot or Lots to the exclusion of the other Lots. <u>Limited Common Area may not be partitioned from the Lot to which it is appurtenant.</u> The following items if designated to serve a single Lot or Unit are Limited Common Areas allocated exclusively to a Lot or Unit: a private garden or planting area, shutter, awning, window boxes, doorstep, stoop, porch, balcony, patio, exterior doors, exterior windows, driveways, and walkways. Limited Common Area may also include a front, side, and/or rear yard area if designated as such on the Plat." NOTE:	
Exterior Maintenance Responsibility	Common Area	<input type="checkbox"/> None <input checked="" type="checkbox"/> HOA <input type="checkbox"/> Other D7.1: "The Association shall provide exterior lighting for and perform all maintenance upon the Common Areas, including but not limited to grass, trees, walks, private roads, entrance gates, street lighting, and walkways unless the maintenance thereof is assumed by a public body. Such areas shall be maintained in a safe condition to at least applicable Morgan City standards and in a good and workmanlike manner such areas are intended." NOTE: Limited Common Area is considered a part of the Unit to which it is appurtenant.
	Limited Common Area	<input type="checkbox"/> None <input type="checkbox"/> HOA <input checked="" type="checkbox"/> Owners <input type="checkbox"/> Other
	Attached Lots	<input type="checkbox"/> None <input type="checkbox"/> HOA <input checked="" type="checkbox"/> Owners D4.5: "Each Owner shall maintain the Owner's respective Lot and Improvements thereon in a clean and attractive condition, in good repair, and in such fashion as not to create a fire hazard. Improvements shall mean and refer to every improvement of any kind, including, without limitation, fences, walls, driveways, or other product of construction efforts on or in respect to any property within The Riverstone Townhomes, including any alteration or reconstruction thereof (the 'Improvements'). <u>Such maintenance shall include, without limitation, painting, repair, replacement, and care for roofs, gutters, downspouts, exterior building surfaces, walks, and other exterior improvements, and glass surfaces.</u> All repainting or re-staining and exterior remodeling shall be subject to prior

		review and approval by the ARC.”
	Detached Lots	<input checked="" type="checkbox"/> None <input type="checkbox"/> HOA <input type="checkbox"/> Owners
	Attached Exteriors	<input type="checkbox"/> None <input type="checkbox"/> HOA <input checked="" type="checkbox"/> Owners D4.5: see above.
	Detached Exteriors	<input checked="" type="checkbox"/> None <input type="checkbox"/> HOA <input type="checkbox"/> Owners
Interior Maintenance Responsibility	Attached Interiors	<input type="checkbox"/> None <input type="checkbox"/> HOA <input checked="" type="checkbox"/> Owners D4.5: “Each Owner shall maintain the Owner's respective Lot and Improvements thereon.”
	Detached Interiors	<input checked="" type="checkbox"/> None <input type="checkbox"/> HOA <input type="checkbox"/> Owners

D = Declaration of Protective Covenants, Conditions, and Restrictions for and respecting Riverstone Townhomes, recorded 2020-12-21 as entry no. 154599, Morgan County, Utah.

R = Recitals in D

B = Bylaws of Riverstone Townhomes Homeowners Association, Inc., recorded 2021-02-03 as entry no. 155389, Morgan County, Utah.

P1 = Riverstone Townhomes Phase 1, recorded 2020-12-21 as entry no. 154598, Morgan County, Utah.

P2 = Riverstone Townhomes Phase 2, recorded ????-??-?? as entry no. ??????, Morgan County, Utah.

P = P1 + P2.