

## **HAMPDEN HILLS AT AURORA HOMEOWNERS POLICY REGARDING HOMEOWNER ENHANCEMENTS TO THE COMMON AREA**

**WHEREAS**, the Declaration of Covenants, Conditions & Restrictions for Hampden Hills Homeowners Association, recorded in the Office of the Arapahoe County Clerk and Recorder on November 10, 1980 in Book 3315 page 716 and, those certain By-Laws for Hampden Hills at Aurora Homeowners Association, provide that the Board of Directors of Hampden Hills at Aurora Homeowners Association (the "Association") may establish such Rules and Regulations as may be necessary for the operation, use, occupancy and enjoyment of the Common Area at Hampden Hills Homeowner Association,

**WHEREAS**, the Board of Directors ("Board") of the Association desires to establish, adopt and enforce the following policy regarding planting in the common areas of the Association, to be effective as of the date hereinafter stated, and as of such date, to supersede any and all policies regarding planting in the common areas previously adopted by the Board;

**NOW THEREFORE**, effective as of this 1<sup>st</sup> day of October 2020, the Board hereby establishes, makes and adopts the following provisions as an amendment to the Rules and Regulations of the Association:

Every home in the Hampden Hills HOA has a private fenced area which is designated to the homeowner for personal enjoyment. Modifications to these areas are subject to the Association's Design Review Approval process. Oversight is required to prevent obtrusive or unsightly structures, improper modification to drainage and to protect access to the building exteriors and special exterior wall for painting in accordance with the HOA governing documents.

### **HOMEOWNER ENHANCEMENTS TO THE COMMON AREAS**

a. Homeowners who wish to plant in the common areas; which are areas of the community that are not enclosed by a homeowner maintained privacy fence, must obtain approval from the Board of Directors and, if approved, will be responsible to maintain the approved plants.

b. The easement into the common areas previously afforded to homeowners has been granted through Association policies and not within the community map or Declaration of Covenants.

c. The Association maintains the common areas through a contract with a commercial production landscape company. The landscape vendor is engaged to maintain areas of the community that are not enclosed by a homeowner maintained privacy fence.

They achieve this to the best of their ability and care.

d. Homeowners will maintain their approved plants in the common areas; however, **assume all risk of damage which may occur while the**

**commercial production landscape vendor performs their community maintenance services.**

e. Homeowners may not presume control or maintenance of the turf areas nor plant or install personal property in the turf areas.

f. Any damage or disposal of plants, yard art, or personal property in the commonly maintained areas will be the responsibility of the homeowner.

g. In the event a homeowner modifies the commonly maintained areas without Association approval, the homeowner will be in violation of the governing documents and may be subject to the enforcement process.

This resolution is adopted until such time the board rescinds this resolution or adopts a new one

Approved by the majority of the Board at a meeting on \_\_\_\_\_, 2020  
duly called for such purpose.

Signed by

\_\_\_\_\_  
President, Hampden Hills at Aurora HOA      Date

\_\_\_\_\_  
Secretary, Hampden Hills at Aurora HOA      Date