

### Limited Common Elements

Limited common elements include, but are not limited to: all perimeter doors and frames, including garage doors and frames, all windows, window frames and window screens, interior surfaces of perimeter walls, including drywall, ceilings and floors which define the boundaries of the unit, all vents, stoops and exterior protrusions, and any system or component thereof that serves the dwelling unit exclusively, to the extent that such is located outside the boundaries of the unit, including electrical wiring, pipes, ducts, conduits, etc., which constitute part of a utility or sewer or water delivery system. Alterations to the buildings and grounds also become limited common elements assigned to the unit. These include, but are not limited to: doorbells, attic fans, insulation, satellite dishes, garage door openers, keypads, service doors, water softeners, patios, grill pads, walkways, spigots, exterior electrical outlets and range hood exhaust vents.

#### III-1 Unit Owner Responsibilities

##### III-1.01 Application Requirements

Prior to installation or replacement of a limited common element, an application must be submitted to the Association office on the form currently in use. All information must be complete and any insurance certificates required must be submitted with the application. The unit owner must also include any related estimates, brochures, drawings and/or schematics and must sign the application. The unit owner shall be solely responsible for obtaining any building permit required by the City of Prospect Heights.

##### III-1.02 Written Permission Required

No new or replacement limited common element installation may begin until written permission from the Association office is received. A \$100.00 fine applies to violation of this rule.

##### III-1.03 Installation Requirements

The unit owner shall be solely responsible to install any new or replacement limited common element according to manufacturer instructions, Quincy Park Condominium Association specifications and current municipal building codes. Quincy Park specifications will be supplied only upon approval of the owner's application. The unit owner shall also be solely responsible for all costs related to installation, including repair of any damage to common elements.

##### III-1.04 Compliance Required

The unit owner is solely responsible for all work and costs required to bring the limited common elements into compliance with specifications. If the unit owner fails to comply, the Association will choose a contractor to correct or remove the limited common element, at its option, and at the unit owner's expense.

##### III-1.05 Operation and Failure

The unit owner shall be solely responsible for operation and related costs, throughout the useful life of the limited common elements, including cleaning, maintenance, repair, replacement, insurance, and costs to repair any damage to common elements caused by the operation or failure of any limited common element.

##### III-1.06 Removal Procedure

The unit owner shall make written request to the Association office prior to removal of a limited common element and shall not remove such until written permission is received. The unit owner shall be responsible

for all costs related to removal, including the repair of any damage to the common elements.

**III-1.07 Association Easement and Disclaimer**

Owners who undertake installation, operation, replacement and/or removal of limited common elements assume all liability and shall indemnify and hold harmless the Association, its directors, officers, agents and employees. Quincy Park Condominium Association shall have a right of easement over, under and around all building and grounds alterations and improvements, whether or not approved, and shall not be responsible for the removal, repair or replacement of any limited common element, required due to the necessary maintenance, repair or replacement of any of the common elements.

**III-1.08 Responsibilities of Subsequent Unit Owners**

Subsequent unit owners shall be solely responsible for all costs related to the operation, failure, removal and/or replacement of all limited common elements assigned to his or her unit and reserved for the exclusive use of its occupants. Association directors, officers, agents and staff make no warranty and assume no responsibility for flaws not found upon initial or closing inspection. Subsequent unit owners shall be solely responsible for the cost of corrections required to bring limited common elements into compliance with current rules, regardless of when or by whom they were installed.

**III-2 Windows, Doors and Stoops**

**III-2.01 Windows and Window Screens**

Replacement windows may be installed only upon prior application to and receipt of written approval from the Association office. Only white sliding or casement windows that fit original openings will be approved.

Unit owners should not make final payment for window installation until the windows are inspected and approved. Unit owners must have properly installed and operable screens on all unit windows, as required by municipal building codes.

**III-2.02 Entrance Door and Storm Door**

Replacement storm doors may be installed only upon prior application to and receipt of written approval from the Association office. Storm doors must be of metal construction, white in color and must be equipped with both a hydraulic closer and safety chain. Storm doors must close automatically and may not be propped open when not in use. Unit owners are required to have operable screens properly installed on screen doors, as required by municipal building codes. Removal of the storm door is not permitted.

**III-2.03 Doorbells**

Doorbells may be installed only in the entrance door frame, and only upon prior application to and receipt of written approval from the Association office. Any unit owner who undertakes such installation must do so in a workmanlike manner. Removal of the doorbell is permitted only upon prior notification to and receipt of written permission from the Association office.

**III-2.04 Stoops**

The exterior stoop is a limited common element appurtenant to and for the exclusive use of each unit. The Association will repair or replace stoops for owners, billing the unit owner's account on a time and material basis. This work is done only once annually, when scheduled concrete replacement takes place, during the summer months. Please call the office to request and schedule work.

**III-3 Satellite Dishes, Attics, Fans and Insulation**

**III-3.01 Use of Attic**

The attic meets the definition of a limited common element because it serves the unit exclusively and is assigned to and appurtenant to the unit. The attic may be used solely to enclose portions of utilities that serve the specific unit and for the temporary storage of lightweight, non-hazardous, non-perishable items. No other use is permitted.

**III-3.02 Attic Fire Walls**

No portion of the ceiling between the attic and the unit may be removed. Attic firewalls between the three units in the main portion of the building may not be altered, damaged or removed. The responsible party must immediately repair any opening found in these firewalls. If the responsible party cannot be determined, the two adjoining owners shall be equally responsible for the cost to restore damaged firewall.

**III-3.03 Attic Ventilation**

Attic ventilation and insulation prevent condensation and mildew and minimize loss of heat through roofs, a major cause of ice damming. Escaping heat melts snow on roofs and it freezes on contact with cold gutters. Ice builds up, forcing its way under roof shingles, damaging shingles and unit interior surfaces. All roof and soffit vents must be kept clear of insulation and materials that restrict air flow through the attic.

**III-3.04 Attic Insulation**

Attic insulation was installed according to original building codes and does not meet current standards. Owners are encouraged to upgrade to an R-30 value or higher, upon prior application to and receipt of written permission from the Association. Insulation must be fibrous or spun glass material and, if blown in, must include baffles to keep soffit vents unobstructed.

**III-3.05 Attic Ceiling Attachments Prohibited**

Because the Association may need to remove and replace portions of the plywood ceiling, during roof replacement, attachments to the attic ceiling are not permitted without prior application to and receipt of written approval from the Association office.

**III-3.06 Attic Fans**

Attic fans increase ventilation in the attic. These may be installed only upon prior application to and receipt of written approval from the Association office. The unit owner shall assume all costs of removal and reattachment made necessary by the eventual replacement of the common roof. Removal of an attic fan is permitted only upon prior notification to and receipt of written permission from the Association office. Such removal must be performed by an insured, reputable roof contractor, to assure proper roof repair.

**III-3.07 Satellite Dishes**

Satellite dishes no more than eighteen (18) inches in diameter may be installed on a roof only upon prior application to and receipt of written permission from the Association office. Maintenance staff must be present during installation to assure that specifications are met. The owner shall assume all costs of removal and reattachment made necessary by the eventual replacement of the common roof. Removal of the satellite dish is permitted only upon prior notification to and receipt of written permission from the Association office. Removal of the satellite dish mount is not permitted.

**III-3.08 Gable Vent Screens**

Each owner shall be responsible to securely install heavyweight screen on the back of the louvered gable vent in his or her attic, to prevent entry by rodents and wildlife. Any owner who fails to screen shall be responsible for all costs to remove wildlife from his or her own attic. Owners who fail to screen shall also bear the cost of wildlife removal from screened attics, since rodents can enter an attic without screens and chew through fire walls to enter an adjoining attic. The Association will assist owners who wish to screen, by providing screening materials, cut to size, and hardware.

**III-4 Garage Doors, Openers, Water Softeners and Spigots**

**III-4.01 Electric Garage Door Openers and Keypads**

Electric garage door openers and keypads may be installed only upon prior application to and receipt of written permission from the Association office. Keypads must be installed in the garage overhead door frame on the side not visible from the street. Safety sensors are required. The opener may not be used until the maintenance staff has inspected the installation. Removal of the garage door opener and keypad is permitted only upon prior notification to and receipt of written permission from the Association office.

**III-4.02 Operation Without Safety Sensors Prohibited**

Any existing garage door opener without functional safety sensors shall be disconnected immediately and shall not be used until functional safety sensors are restored.

**III-4.03 Quiet Operation and Use of Garage Door Openers**

To minimize disturbance to penthouse (D) unit residents, electric garage door openers must be maintained regularly and, when required, repaired promptly, to assure quiet operation. Garage door openers may not be raised and lowered repeatedly.

**III-4.04 Garage Door Panels and Trim**

The Declaration classifies garage doors and frames as limited common elements, appurtenant to and for the exclusive use of an owner. The Association will repair and replace doors; hardware and individual panels, as needed, due to normal wear and tear, but cannot assume responsibility for repairs to garage doors, trim and other building components damaged by vehicles or resident misuse. The unit owner shall be solely responsible for any cost to repair and insure against damage by motor vehicles and misuse, and the cost of such repair or replacement will be assessed to the unit owner's account. Owners are advised to report damage by unknown motor vehicles directly to the police and to include the license plate number of the vehicle, if known. Such report will assist the owner's insurance carrier in seeking reimbursement for repairs from the responsible party, through the subrogation process.

**III-4.05 Water Softeners**

Lake Michigan water is already chemically softened. Any owner who wishes to install a water softener in the common meter room may do so only upon prior application to and receipt of written approval from the Association office. Removal of a water softener is also permitted only upon prior notification to and receipt of written permission from the Association office. The Association may mandate removal of inoperable water softeners and those not regularly used. In either case, the current unit owner shall be solely responsible for all costs of removal of the appliance and any pipes added at installation, and all costs to repair any damage to the meter room caused by corrosion, failure or removal of the softener.

**III-4.06 Exterior Water Spigots**

Owners must know the location of their exterior water spigots and may make no markings on the building exterior. The Association will repair or replace spigots and keys for owners, upon request, billing the owner's account for time and materials. If an owner undertakes such repair or replacement, all work must be done in a workmanlike manner and repair of any damage to building components will be billed to the unit owner's account. Replacement spigots must match existing spigots as closely as possible. Removal of the exterior water spigot is not permitted.

**III-5 Patios, Grill Pads, Walkways, Exterior Outlets and Vents**

**III-5.01 Patios, Grill Pads and Walkways**

A patio and/or grill pad may be installed, in an approved area adjacent to a unit, upon prior application to and receipt of written permission from the Association office. No patio or grill pad may be located in close proximity to another unit's window. Under some circumstances, walkways will be permitted for penthouse (D) unit owners. Prior application and written permission is required.

**III-5.02 Failure to Comply with Specifications**

Staff will inspect patios, grill pads and/or walkways, upon completion, and will advise the owner of any corrections required to comply with specifications adopted by the Board of Directors. The owner will be

given a period of time to make the correction. If the correction is not made in a timely manner, the Association may correct or remove the alteration, at its option, using the contractor of its choice. All costs of correction and/or restoration will be assessed to the unit owner who violates this rule.

**III-5.03 Exterior Electrical Outlets**

Exterior electrical outlets may be requested by prior application to and receipt of written approval from the Association office. Because these involve an attachment or alteration to building components, the Association will install such items and bill the unit owner's account on a time and material basis. Upon receipt of approval, please call the Association office to schedule the work.

**III-5.04 Range Hood Exhaust Vents**

Range hood exhaust vents may be requested by prior application to and receipt of written approval from the Association office. Because these involve an attachment or alteration to building components, the contractor chosen by the Association will install such items and the unit owner will be billed on a time and material basis. Upon receipt of approval, please contact the Association office to schedule the work.

**III-5.05 Clothes Dryer Exhaust Vents**

The Association will repair or replace broken or missing clothes dryer exhaust vents, if needed, billing the unit owner's account on a time and material basis. Please contact the office to request and schedule the work. Owners are solely responsible for removing lint, debris and nesting materials from flexible or rigid pipes, between the vent and the clothes dryer. The Association office can provide referrals to contractors.