

Water Street Brownstones Condominiums: Rules and Regulations

Mission: To maintain a regulatory environment at the Water Street Brownstones Condominiums that promotes the quality of life and the enjoyment of the residents in their homes, while protecting the integrity of the condominium community and building its value.

Premise

“ The management and administration of the Property shall be governed and managed by the Water Street Brownstones Homeowners Association who will conduct its activities to promote the purposes for which it was organized.....” Article 1, Bylaws of Association.

“Each Owner’s use of the facilities in Water Street Brownstones is subject to these and to any new rules that may be established by the Board of Directors of Water Street Brownstones Homeowners Association from time to time.” Declaration of Condominium, Initial Rules and Regulations.

The Rules and Regulations are intended to provide guidelines and protections to the Owners, and are not intended to place impossible restrictions on them. They apply equally to the Owner’s guests, family, visitors, lessees and other invitees. All owners should carefully review this document, and provide any lessee or other occupant with a copy of the then current Rules and Regulations.

The Board reserves the right to amend, alter, grant waivers or cancel any of these Rules and Regulations and to make such other Rules and Regulations from time to time as it deems necessary for the safety, care and cleanliness of Water Street Brownstones, and for securing the comfort and convenience of all Owners.

The Board will provide reasonable notice of any changes in these Rules and Regulations prior to their effective date.

General

1. Water Street Brownstones (WSB) is a superior-quality community of private, owner-occupied, single family residences. However, an owner may engage within the boundaries of the Owner’s unit in a Home Occupation including office and studio uses, excluding music studios, and such other uses which by custom are considered accessory to a dwelling; provided however, that no sign advertising such occupation or use shall be displayed. Other than Home Occupations, no business activity, trade or occupation of any kind shall be conducted, maintained or permitted on any part of a Condominium unit.

2. Complaints and suggested improvements regarding the services of the buildings and grounds shall be made in writing to the management company.
3. Meetings of the Board of Directors shall be open at all times to Association members, and notice of meetings shall be posted on the news board located on the first floor of each Condominium building. Grievances or suggestions for improving services or comfort of the membership may also be presented at the Board Meetings. Notice of such presentation shall be registered in advance with the Board President to be placed on the agenda.
4. Initial distribution and redistribution of all building keys and garage door openers is strictly controlled by WSB management which has primary authority in all such instances. Unit owners must never give exterior keys or garage door openers to any person who is not a member of the owner's immediate family, an authorized lessee, or a guest of an owner not in residence. However, service personnel may be given a key by a resident but that must be approved in advance by the Board.
5. No occupant will open an exterior door electronically for anyone not personally known to them. If management is unable to accept deliveries, an occupant will do so in the lobbies.
6. Condominium units shall be secured when not occupied.

Rules Pertaining to Use of Residential Unit

1. The following uses are prohibited (applies to unit and balcony):
 - A. Any use other than normal and customary living activities which creates a nuisance or disturbance for others. Each owner should particularly minimize noise intrusion in any form including that from music, machinery, and appliances from 10 p.m. to 9 a.m.
 - B. Any use that damages or interferes with the operation of the structural or mechanical elements.
 - C. Outdoor cooking grills other than gas or electric. However, charcoal grills are permitted on first floor balconies/patios where the safety risk from falling embers and debris is not present.
 - D. Any use of a the balconies which allow litter or other debris/material to fall below.

2. No owner shall use or permit to be brought into the Units or any portion of the Common Elements any flammable fluids, explosives or articles reasonably considered hazardous to person or property without, in each case, obtaining the prior written consent of the Board.

3. Each Owner shall comply with all applicable laws, ordinances and regulations and shall defend, indemnify and hold the Association and the other Owners harmless from all fines, penalties and costs for any violation thereof.

4. Window treatments must be in harmony with the design and aesthetics of the Condominium and the surrounding area, and must be properly installed. No materials may be used for window treatments that are not specifically designed for that purpose.

Rules Pertaining to the Exterior of the Buildings

1. Except for the interior of individual units, all alterations and repairs of the buildings are the responsibility of the Association. No painting, alterations, appendages (either temporary or permanent) or work of any kind is permitted on the exterior of the building walls or ceilings of unit balconies without first obtaining the approval of the Board of Directors.

2. No radio or television antenna, satellite dish or wiring for any purpose may be installed on the exterior of the building or on the balcony (limited common element) without prior approval of the Board.

Rules Pertaining to Common Elements

1. Except for welcome mats, no articles shall be placed on or in any of the Common Elements, except for those articles of property which are the common property of all the owners without first obtaining the approval of the Board of Directors. Requests for exceptions to this rule shall first be submitted to the Housekeeping Committee, which will make its recommendation to the Board.

2. For Sale, For Lease or other signs shall not be placed on the Common or Limited Common Elements, including balconies and windows.

3. The lawns are an integral part of the WSB and shall not be used in a manner that may do damage to the lawn, shrubs, or trees. Excessive noise in the courtyard and grounds surrounding the building is not permitted.

4. Common sidewalks, driveways, entrances, and elevators shall not be obstructed or used by any owner or occupant for any purpose other than ingress and egress from the units.
5. Children shall not be permitted to loiter or play on the stairways, hallways, entryways or elevators, nor in any storage, parking or maintenance areas.
6. No smoking is permitted in the interior Common Elements, including the garages and the elevators.
7. No hall, lobby or elevator shall be decorated or furnished in any manner without the prior approval of the Board of Directors.
8. An owner may identify his/her unit with a name plate of a type and size approved by the Board and mounted in a place and manner approved by the Board.
9. Any damage to the Common Elements or common personal property caused by the owners or a member of his/her family, or a guest or lessee shall be repaired at the expense of that Unit owner. This should be worked out with the help of management.
10. Garbage shall not be thrown down the trash chutes unless contained in a securely closed container or bag. No bulky objects that could clog the chute may be placed in it, but must be hand carried to the trash room in the garage.
11. All garbage and recyclable materials shall be handled pursuant to the posted guidelines in the trash room on each floor.
12. Management shall be notified of extraordinary usage of elevators so that protective padding may be installed before usage.
13. Bicycles shall be parked in the garage. Ingress and egress for bicycles shall be through the garage doors, except for the first floor residents who may handle ingress and egress through their outside doors. Bicycles shall not be transported on elevators or carried on stairwells. This rule is intended as a housekeeping measure, and to prevent damage to common elements.

Rules Pertaining to the Garage Areas

1. The parking stalls are not intended as storage areas and shall not be used for such purposes. However, the space between the vehicle and the wall may be used for such reasonable purposes as the owner wishes, provided that it is maintained in a clean and orderly manner.

2. Approval of the Board of Directors is required before any construction or decorating is done in the garages. Requests made to the Board for construction of storage cabinets in the unit owner's designated parking space shall contain the following certification:

- a. That the cabinet will conform generally in placement, size and materials to the cabinets originally installed by the General Contractor. Cabinets that do not conform will be subject to removal at the unit owner's expense.
- b. That the cabinet will be constructed pursuant to all applicable building codes with a permit for its construction filed with the City of Des Moines.

3. It is the responsibility of each owner or lessee to maintain their parking space(s) in a clean condition.

Rules Pertaining to the Occupancy of Pets

General: Domestic dogs and cats, fish and small birds may be brought into or kept in or about the unit. Any commercial or breeding purpose is prohibited. No more than in the aggregate two dogs and/or cats may be kept in any unit. The following rules apply:

1. The pet owner shall register the pet with the Board in order to keep a pet on premises. For new pets, registration shall be made prior to the pet being brought into the unit. For purposes of this rule registration shall mean the presentation to the Secretary of the Board of Directors of a current rabies certification for the pet.
2. A registration certificate to keep pets at the WSB may be granted only to an owner in residence or a guest of an owner, and will be subject to the following conditions:
 - a. Pet owners are required to clean up after their pets when walking them on the grounds or areas adjacent to WSB.
 - b. A pet owner is responsible for all activities of any pet. Any damage to WSB property or to any person remains the responsibility of the pet owner who shall indemnify and hold harmless the Association, its Board of Directors, and its members from any and all damages caused by such owner's pet.
3. Any pet which frequently or for a sustained period causes noise or any other disturbance offensive to other occupants will not be allowed to remain on the premises.
4. No pet shall be left unattended in a condominium unit for a consecutive period exceeding 24 hours.

6. Any violation of these Rules shall be grounds for the Board of Directors to require the owner of the offending to immediately remove it from the premises. Violations of these rules shall also subject the offending owner or lessee/occupant to a Regulatory Expense Charge in an amount not to exceed \$200 for each violation.

Rules Pertaining to Leasing and Guest Occupancy

1. On application to and approval by the Board of Directors an entire unit may be made available to non-owners under written lease for a term of not less than 12 continuous months.
2. A notice of intention to lease, and a copy of the proposed lease identifying the lessee(s) will be presented to the Board at least 45 days in advance of tenant occupancy. The Board will approve or disapprove the lease in writing within 15 days. The unit owner will be bound by the Board's decision. Each subsequent lease or sub-lease shall be presented to the Board 45 days prior to its effective date for Board approval. The Association reserves the right to charge an administration fee for the processing of lease agreements.
3. Guests who are members of the owner's immediate family may be accommodated in a unit not occupied by the owner for a period of not more than 90 days during any consecutive 12 month period, which period may be extended by the Board under approved circumstances.
4. Adult non-family guests of an owner not in residence may occupy the owner's unit for a period of not more than 30 days in any consecutive 12 month period.
5. For purposes of these Rules, an adult lessee or guest in a non-owner occupied unit is defined as a person at least 25 years old who is personally known to the unit owner to be of good and reliable character and known also to be willing and able to accept all the responsibilities for high standards of behavior during the occupancy period. This definition does not apply to a casual, short-term guest of an owner in residence.
6. The presence of lessees or guests will not relieve the owner of primary responsibilities under WSB Bylaws and other regulatory documents.
7. On grounds deemed sufficient by the Board, e.g. vandalism, any occupancy by lessees or guests as described above may be terminated.

Rules Pertaining to Moving In/Out and Workmen's Hours

1. Moving In/Out is allowed only Monday through Saturday from 8 am to 8 p.m.

2. Workmen in the buildings for remodeling or repair work are allowed only on Monday through Saturday from 8 a.m. to 5 p.m.

3. Exceptions to #1 and #2 may be allowed by the Board or its management agent upon request.

4. There will be a Move In and Move Out fee assessed to the unit owner in the amount of \$300 paid to the Management Company two weeks prior to any move by the unit owner, or his or her lessee. The fee will be returned to the owner in whole or in part depending upon damage if any to the Common Elements resulting from the move. If there is damage that exceeds \$300 the unit owner shall be responsible for payment of all damages.

Dispute Resolution

If any differences arise between the Owners under the Declaration of Water Street Brownstones, its Articles of Incorporation, its Bylaws, its Rules and Regulations or with respect to other matters of residential use including but not limited to party walls, easements, conditions, covenants or common elements, the differences shall be determined and settled by the majority vote of the Board. The decision of the Board shall be final as to the content and interpretation of the Declaration or any other instrument related to the Association, and as to the mode of carrying the provisions into effect. The Board shall be entitled to the advice of professionals in resolving disputes, and shall be entitled to assess costs of such advice against the disputing Owners.

Enforcement

The Board of Directors is authorized to enforce all Rules and Regulations and all governing instruments applicable to the Water Street Brownstones Condominiums. Nothing in the Rules and Regulations shall prevent the Board of Directors from taking any reasonable action to further its responsibilities to the residents and the property.

October 14, 2005