

# Park Plaza

Association, Inc.

1331 Park Avenue S.W. Albuquerque, New Mexico 87102-2822  
Telephone (505) 242-2731 Fax (505) 242-2596 E-mail: parkplazamanager@yahoo.com



## Resident Handbook

**Procedures • Safety • Guidelines • Rules and Regulations**

**Park Plaza Association, Inc.**

Albuquerque, New Mexico

*Important Information Booklet – Keep with important papers*

# INDEX

Access to Resident’s Units.....	8
Air Conditioning.....	30-31
Alarm – See Emergency Preparedness	
Alarms – Car, Vehicle – See Car Alarms	
Alterations – See Architectural Review Committee and Contractor Rules and Regulations	
Annual Meeting.....	8
Antennas.....	9
Architectural Review Committee.....	9-10
Assessments and Association Fees.....	10-11
Association Governance.....	11-13
Association Management Office.....	13
Awnings and Shutters.....	13
Balconies.....	13-14
Barbeque Grill.....	14
Bicycles.....	14
Board of Directors – See Association Governance	
Budget.....	15
Building Security – See Security and Safety	
Bulletin Boards.....	16
Bylaws – See Governing Documents	
Cable Television.....	16
Car Alarms.....	16
Carts.....	16
Children.....	16-17
Collection Policy.....	17
Committees – See Association Governance	
Common Areas.....	17
Common Area Furnishings and Equipment.....	18
Conference/ Computer Room .....	14
Contractor Rules and Regulations.....	18-19
Courtesy Patrol.....	19
Covenants, Conditions, and Restrictions (CC&R’s) – See Governing Documents	
Directory – See resident directory	
Doors – Entry to Building.....	19-20
Doors – Units.....	20
Drains and Garbage Disposals.....	20
Elections – See Association Governance	
Elevators.....	20-21
Emergency Preparedness.....	21-26
Enforcement – See Violations, Enforcement and Fines	
Estate Sales.....	26-27
Evacuation – See Emergency Preparedness	
Exercise Room – See Fitness Center	
Financial Statements.....	27
Fines – See Violations, Enforcement, and Fines	
Fire Safety, Alarms, Sprinklers – See Emergency Preparedness	
Fitness Center.....	27-28
Floor Coverings.....	28
Food and Beverages.....	28-29

Garbage – See Refuse Removal	
Garbage Disposals – See Drains and Garbage Disposals	
Gates.....	29
Generator.....	28-29
Governing Documents.....	29
Grill – See Barbeque Grill	
Grocery Carts – See Carts	
Guests.....	29
Hallways and Stairways.....	29-30
Handicap Parking – See Parking	
Heating and Cooling.....	30-31
Homeowner Requests.....	31
Hospitality Room.....	31
Housekeeping.....	32
Insurance.....	32
Intercom System.....	32-33
Key Log Procedures.....	33
Landscape.....	33
Late Charges – See Collection Policy	
Laundry.....	33-34
Leases – See Unit Sales and Leases	
Library.....	34
Loading Zone – See Parking	
Mail Service.....	34
Maintenance and Repairs.....	35
Move in Move out Policy.....	35-36
Management.....	36
Newsletters.....	37
Newspapers.....	37
Noise.....	37
Notices/Postings – See Bulletin Boards, and Soliciting	
Office Services.....	38
Package Delivery.....	38
Parking.....	38-40
Patio Area .....	40
Pest Control.....	40
Pets.....	39-40
Political Signs and Literature.....	40
Pool- See Swimming Pool	
Power Failure – See Generator	
Records and Information.....	41
Recreational Equipment.....	41
Refuse Removal.....	41
Rentals – See Unit Sales and Leases	
Repairs – See Maintenance and Repairs	
Reserves.....	42
Resident Directory.....	42
Returned Checks.....	42
Safety – See Security and Safety, and Emergency Preparedness	
Sale of Units – See Unit Sales and Leases	
Satellite TV.....	42
Schedule of Fines.....	47-50
Security and Personal Safety.....	42-44

Shopping Carts – See Carts	
Signs.....	44
Smoking.....	44
Soliciting.....	44
Special Assessments.....	44
Speed Limit.....	44
Staff.....	45
Stairways – See Hallways and Stairways	
Storage Bins.....	45
Swimming Pool.....	45-46
Trash – See Refuse Removal	
Unit Sales and Leases.....	46-47
Utilities.....	47
Vacation Notification.....	47
Vandalism.....	47
Vending Machines.....	47
Violations, Enforcement and Fines .....	47-50
Windows/Doors.....	50

## ***Important Phone Numbers:***

<b>Association Management Office</b>	<b>505-242-2731</b>
<b>Fax Line</b>	<b>505-242-2596</b>
<b>E-mail</b>	<b>parkplazamanager@yahoo.com</b>
<b>Courtesy Patrol Cellular Telephone</b>	<b>505-681-5657</b>
<b>After Hours Maintenance Emergency</b>	<b>505-681-5657</b>
<b>Fire Non-Emergency</b>	<b>505-833-7300</b>
<b>Police Non-Emergency</b>	<b>505-242-2677</b>
<b>Fire / Police Emergency</b>	<b>911</b>

## *Welcome to Park Plaza!*

Park Plaza enjoys a long-standing reputation as one of New Mexico's finest condominium communities. Situated to the west of Albuquerque's downtown central business district, Park Plaza has been a landmark on the perimeter of the Albuquerque Country Club neighborhood for many years. The Success of Park Plaza is built on the outstanding service of its professional management and staff, as well as the guidance of its elected Board of Directors and volunteer committee members.

Park Plaza was built in 1964 and was soon known as one of Albuquerque's finest luxury apartment buildings. It was converted to condominiums in 1979, and the Park Plaza Association, Inc. was formed that same year - one of Albuquerque's first homeowner associations. The building is fifteen stories (there is not a floor designated as the thirteenth) containing 192,260 square feet, and sits on 1.942 acres. The building is constructed principally of steel, concrete, and masonry. There are 135 units, and approximately 170 people call Park Plaza home.

Park Plaza residents enjoy magnificent panoramic views of the downtown skyline and the Sandia Mountains, the Rio Grande valley to the south, the Jemez Mountain range to the north, and the west mesa volcanoes and Rio Grande Bosque to the West. The elevation of Park Plaza is 4,950 feet above sea level.

Located at the west end of downtown Albuquerque, Park Plaza is within close proximity to many cultural, shopping, dining, and entertainment sites. Downtown Albuquerque's ever-growing selection of restaurants, galleries, theaters, and shops offers a wide variety of activities to area residents.

This handbook is a guide for living communally at Park Plaza. It is a supplement to the Covenants, Conditions & Restrictions, and the By-Law documents that govern Park Plaza. This handbook is not meant to supersede either of these recorded documents. It is meant to clarify the above-mentioned two documents and their contents in order to make them easier to follow. It contains rules for all owners of condominiums at Park Plaza, whether presently living at Park Plaza or absentee. In the case of an absentee owner renting or leasing their condominium, their renter/lessee is expected to read this handbook and to cooperate fully with the intent of its contents.

### NEARBY ATTRACTIONS

All 19 of these attractions are within 3 ½ miles of Park Plaza, many within easy walking distance.

Old Town	Rio Grande Zoo	Albuquerque Aquarium
Rio Grande Botanic Garden	Tingley Beach	National Atomic Museum
LodeStar Astronomy Center	Albuquerque Little Theatre	Kimo Theatre
Popejoy Hall (UNM Campus)	Indian Pueblo Cultural Center	National Hispanic Cultural Center
Rio Grande Nature Center State Park	Albuquerque Museum of Art and History	New Mexico Museum of Natural History and Science
Explora! Science Center and Children's Museum	University Arena (The Pit) – Basketball	University Stadium – Football
Isotopes Park - Baseball		

### ASSOCIATION OFFICE

Office hours are Monday through Friday from 9:00 a.m. until 5:00 p.m. The office is closed on Saturdays and Sundays as well as Federal holidays. Should a resident experience a maintenance emergency (fire, flood, loss of heat or electricity, etc.) please call the Park Plaza office at **242-2731** and follow the instructions as provided on the voice mail system. Courtesy Patrol may be reached by dialing their cellular phone at **681-5657**.

## MANAGEMENT

Park Plaza is professionally managed by

Monarch Properties Inc.  
1720 Louisiana Blvd. NW  
Albuquerque, NM 87110  
(505) 260-4800

## RESIDENT HANDBOOK – THE PROCEDURES, GUIDELINES, RULES AND REGULATIONS

This informational handbook is a guide for living communally at Park Plaza. It has been compiled by the Park Plaza Association, Inc. (the "Association") to outline the operational procedures of the Association and to provide information about the Association's property. It is a supplement to the Covenants, Conditions and Restrictions (the CC&R's), and the By-Law documents that govern Park Plaza. This handbook does not supersede either of these recorded documents. It is meant to clarify the above-mentioned documents and their contents in order to make them easier to follow. In order to maintain a responsible and successful community, the governing documents must be observed. This handbook contains rules for all owners of condominiums at Park Plaza, whether presently living on-site or absentee. **If an absentee owner rents or leases his or her condominium, the renter/lessee is expected to read this handbook and to cooperate fully with the rules of the community contained herein. Please read this information carefully and be certain that your family, guests, and tenants understand the rules and regulations entirely. Each homeowner and resident is expected to follow these rules. Residents are liable for the behavior and actions of their guests; landlords are liable for their tenants and the guests of their tenants, so it is crucial that people know their responsibilities.** We trust that your knowledge of this information will enhance your daily enjoyment of your residence at Park Plaza. Thank you for your consideration and cooperation.

## THE PURPOSE OF THE PARK PLAZA ASSOCIATION, INC.

The purpose of your Association is to maintain, repair, replace, and/or care for the property and assets of the Park Plaza Association, Inc. for the mutual benefit of all owners. In addition, its purpose is to enhance the environmental quality and economic value of the property through architectural controls. Your cooperation is essential in order to accomplish these goals.

Owners of condominiums in Park Plaza are automatically members of the Park Plaza Association, Inc. Not only is membership automatic, it is also mandatory. As a member of a homeowners association, you have certain contractual obligations. Most, if not all, of these contractual obligations also apply to your guests. Residential responsibility and cooperation has many rewards. One is that the quality of the community is preserved, maintained, and enhanced. Residents of any homeowners association must realize that they yield certain "rights" of a traditional individual homeowner. But this is in exchange for the many benefits of being part of a homeowners association. Common sense and consideration for your neighbors are the key to the Association's success. It is important to become familiar with your Association's governing documents, including this Resident Handbook, as New Mexico state statutes require your compliance.

The rules and regulations contained in this Resident Handbook were adopted by the Board of Directors of Park Plaza Association, Inc. on July 21, 2010, and supersede all previous versions. Homeowners, residents, and guests of Park Plaza Condominiums are required to abide by these rules. If any provision or provisions of this Agreement shall be held to be invalid, illegal, unenforceable or in conflict with the law of any jurisdiction, the validity, legality and enforceability of the remaining provisions shall not in any way be affected or impaired thereby. No covenants, restrictions, conditions, obligations, rules, regulations, or provisions contained in the CC&R's and this Resident Handbook shall be deemed to have been abrogated or waived by reason of any failure to enforce the same, irrespective of the number of violations or breaches which may occur.

## **THE GOLDEN RULE**

In your use of community facilities, care for your home, and enjoyment of privileges, rights, and the ambiance afforded you by your homeowners association, PLEASE USE CARE NOT TO INTERFERE WITH YOUR NEIGHBOR'S PRIVILEGES AND RIGHTS TO ENJOY THEIR HOME BY YOUR ACTION, INACTION, OR DEED.

## **Procedures, Guidelines, Rules, and Regulations for Park Plaza Association, Inc.**

### **ACCESS TO RESIDENTS' UNITS**

**All owners/residents are required to permit entry into their residential units by Association staff members and/or outside independent contractors and/or other persons engaged by Park Plaza Association, Inc. if the purpose of the entry, is to access, inspect, repair, or replace common elements.** These common elements include: electrical lines, telephone lines, television reception cables, water pipes, water drainage pipes, air exhaust outlets, air conditioning and heating equipment, toilet facilities, water leaks from whatever source, the exterior walls, ceilings, floors, and the balconies. **Park Plaza employees must be able to enter units to conduct periodic scheduled pest control and for changing air conditioning/heater filters.** Except in the case of an emergency, an attempt will be made to contact the resident for consent to enter. **All residents must participate in the pest control program unless the resident has a medical reason why the unit should not be sprayed.** Any time maintenance staff enters a unit, that staff member is authorized to check for any water leaks or drips in the bathroom(s) and kitchen. Access must be granted for these routine maintenance issues and anything that impacts the common good of all residents. **Residents may not deny access for these purposes even when they are out of town.** This is required since a problem in your condominium may affect neighboring units or the building as a whole. It is also necessary in case an emergency situation, such as fire or flood, arises while you are away. Therefore, you must provide the Association Management office with copies of the key(s) to your unit. All keys are kept in a locked box in the office and strict control is maintained. Staff members have been instructed to check the list of authorized persons and ask for photo identification of persons not known to them before giving out keys. **A copy of any new keys must be provided to the Association Management office if locks are changed.** Efforts will be made to give owners/residents reasonable advance notice, and to make such inspections with reasonable timing according to the circumstances. A Park Plaza employee will, at all times, accompany outside contractors hired for common good activities when they enter a resident's unit unless other provisions have been made to ensure that the worker(s) entering is (are) bonded.

### **ALSO SEE KEY LOG PROCEDURES**

**AIR CONDITIONING - see HEATING AND COOLING ALARM - see EMERGENCY PREPAREDNESS**

**ALARMS - CAR, VEHICLE - see CAR ALARMS**

**ALTERATIONS - SEE CONTRACTOR RULES AND REGULATIONS, and**

**ARCHITECTURAL REVIEW COMMITTEE**

### **ANNUAL MEETING**

The Association holds its annual meeting on the first Tuesday of December, at which time Board members are elected to fill expired terms. Owners will be notified in advance of the Annual Meeting. Notice is provided to each Owner of Record, either hand delivered in the building or to the address provided to the Association by offsite owners. Owners should notify the Association of any change in the mailing address. Attendance at the Annual Meeting in person or by proxy is critical to the operation of the Association. In order to conduct official business at an Annual Meeting, a quorum of owners must be present in person or proxy. A quorum is present when fifty percent of all voting rights are present or represented.



## **ANTENNAS**

Traditional style television antennas, as well as antennas for AM/FM radio, amateur (“ham”) radio, Citizen’s Band (“CB”) radio or Digital Audio Radio Services (“DARS”) may *not* be installed on unit balconies or in any location visible from the exterior of the building. The Association provides cable television service to all units. Satellite “dish” antennas may be installed on unit balconies (see SATELLITE TV). The use of any type of electronic equipment in a unit must not interfere with radio or television reception in other units. A violation of this regulation may result in a fine amount at the discretion of the Board being applied to the homeowner’s account.

## **ARCHITECTURAL REVIEW COMMITTEE (ARC)**

The Architectural Review Committee (ARC) is responsible for advising the Board on matters involving the structural and aesthetic integrity of the building. The ARC regulates all unit alterations and remodeling to ensure that the mechanical systems of the building are not compromised (e.g. electrical, plumbing, HVAC) and to maintain structural integrity and safety by preventing actions such as the removal of load bearing walls, etcetera. It is the responsibility of the ARC to assure that the aesthetics of the building are not compromised and the intent of the CC&R’s and regulations are not violated. Many situations are unique, and the ARC must decide and rule on each situation in the best interest of the community to maintain property values.

Each decision of the ARC pertains only to the specific request at hand, and does not establish a precedent to be applied, either retroactively or prospectively, to any other similar or related request. Among the items regulated by the ARC are the following:

- Unit alterations and remodeling
- Window alterations and replacements
- Glass door alterations and replacements
- Window treatments, awnings, shades, shutters, etcetera, as visible from the exterior
- Balcony alterations of any kind
- Exterior/balcony painting
- Balcony awnings, shutters, shade devices, etcetera
- Placement of satellite dishes
- Anything that is visible from the outside of the building

The homeowner and all workers on a project must comply with the “Contractor Rules and Regulations”. Projects must be completed in a way that does not unreasonably interfere with neighboring properties. Construction must meet all zoning, building codes, and City and County law. The ARC reserves the right to a final inspection of a project once the improvement/remodeling is completed. All approvals granted will automatically expire after 12 months if construction has not commenced. Any applicant who has a request denied may appeal the denial and ask for a hearing before the Board of Directors. The decision of the Board will be final. All requests for a hearing must be in writing. In the event that out-of-pocket costs are incurred for professional services required to properly evaluate a request, the full amount of those costs will be charged to the applicant. In such cases, both the applicant and the Board will be notified of the estimated amount of the charges not less than 5 days in advance of any work or analysis being scheduled. The applicant will be required to acknowledge, in writing, that such charges are required for consideration of the request and agree to pay them. No work will commence on any project until the ARC gives written approval; The ARC has up to thirty (30) days to respond to a “Request for Design Approval”.

Work will be performed between the hours of 8:00 a.m. and 5:00 p.m., Monday through Saturday. Construction or remodeling work by outside contractors, or any work by a homeowner or resident which causes noise, is not allowed before 8:00 a.m. or after 5:00 p.m. Monday through Saturday, or at any time on Sundays or Federal holidays. Please be considerate of your neighbors. Homeowners wishing to make alterations, additions, etcetera,

to their units must submit the required forms to the ARC for consideration. These forms, as well as specifications on many common alterations, are available in the Association Management office.

ALSO SEE CONTRACTOR RULES AND REGULATIONS

### **ASSESSMENTS AND ASSOCIATION FEES**

Each owner is required to pay, on time, to the Association all regular and special assessments levied by the Association for the maintenance, repair, operation, and improvement of the Association property. Regular assessments are called monthly assessments, or monthly fees, and are due in regular monthly installments, or may be pre-paid. These fees are collected to pay the operating expenses of the Association, and to build reserves for the eventual replacement of Association property. The fees are based on the percentage ownership of each member of the Association, which is based on the square footage of each condominium owned. The larger the condominium, the higher the fee. Association fees are due and payable on the first (1st) day of every month. Homeowners are strongly encouraged to use the auto debit payment plan, whereby monthly Association fees are automatically paid from a bank account as specified by the owner. Forms for this service are available in the Association Management office. Fees can also be remitted by check or money order and made payable to the order of *Park Plaza Association, Inc.* Cash is not accepted in the Association Management office. Payments may be sent by mail to the Park Plaza Association Management Office at 1331 Park Avenue SW., Albuquerque, New Mexico 87102-2822. Payments are also accepted in person during business hours, Or you may drop your payment in the office mail slot at any time.

ALSO SEE COLLECTION POLICY and SPECIAL ASSESSMENTS

#### *What Do I Get for my Monthly Assessment Fee?*

The cost of the following items and services is included in your monthly assessment fee:

- Electricity
- Natural Gas
- Water
- Sewer Service
- Refuse Pick-up - 4 times weekly
- Cable Television
- Laundry Facility (fee)
- Pest Control Service
- Landscape Maintenance
- Gated and Covered Parking
- Controlled Access Entry System
- 24 Hour Staff
- On-Site Association Manager and Clerical Staff
- Maintenance of all Common Area Property, Systems, and Equipment
- Housekeeping Service for Common Areas
- Courtesy Patrol Service
- Community Social Events
- Copy, Fax, and Notary Service Available (fees may apply)
- Back-up Emergency Power Generator
- Insurance for the Building, all Common Area Systems and Amenities
- Association Taxes, Required Licenses, and Inspection Fees
- Monitoring of Safety Procedures, Systems, Fire Sprinklers and Alarms
- Elevator Maintenance

- Management of Association Business by a Professional Homeowners Association Management Firm, Including Accounting, Personnel, Rule Enforcement, and Overseeing Maintenance and Repairs

Also included in your assessment fee is use of the following amenities:

- Heated Swimming Pool
- Fitness Center
- 2 MAC Computers (Technology center)
- Patio Dining Area with Barbeque Grill
- Hospitality Room
- Library
- Conference Room
- Three Elevators - Two Passenger and One Service
- Assigned Storage Bins
- Covered Parking
- Bicycle Rack

The Association depends on the monthly assessment payments each month to cover expenses. Failure to promptly pay your monthly assessment creates additional burdens for your association. All members are asked to remember that their assessment, as well as other members' assessments, is the primary source of income for the Association. If an owner does not pay his or her assessment in a timely manner, the Association is legally empowered to invoke monetary penalties, to cause a lien to be filed against the owner's property, to file a lawsuit against the owner, and even to sell the owner's property in a foreclosure proceeding. Additionally, the legal expenses incurred in the collection of past due assessments are the responsibility of the delinquent member.

### **ASSOCIATION GOVERNANCE**

Living in a community governed by a homeowners association can be a happy and rewarding experience. A homeowners association helps ensure that the original planning concepts and design that went into creating the community are preserved, protected, maintained, and enhanced. The advantage of having an association is that the authority, as well as the responsibility for maintaining the association property, is retained by those with vested interests in the community's welfare - *the Owners*. Park Plaza is professionally managed. All staff members at Park Plaza are employed by the management company. The Association Manager oversees the staff, and the Management team is overseen by the five-member Board of Directors.

#### **Board of Directors (the Board)**

The membership of Park Plaza Association Inc. holds its annual meeting on the first Tuesday of December. At this meeting the membership elects homeowners to serve on the Board of Directors. These Directors serve voluntarily for staggered two-year terms. The members of the Association elect the Board of Directors as their representatives to act on their behalf. As such, homeowners do not vote on individual items, policies, or projects. This authority is given to the Board of Directors, which acts in the best interest of the homeowners, making all decisions for the Association. A homeowners association is a representative government. The Board of Directors bears the ultimate responsibility for operating your homeowners association. The Board also has the authority and responsibility to legally enforce collection of past due assessments.

The duties of the Board of Directors also include the following:

- Provide for the necessary operating personnel through solicitation of volunteers, and contracting with a professional association management company.
- Make and amend the Association's rules.
- Enforce all provisions of the governing documents, conduct due process hearings for violations of the governing documents, and impose monetary fines for non-compliance.
- Procure insurance required by statutes and the governing documents such as coverage for the common areas and liability insurance
- Faithfully fulfill the fiduciary obligations as set forth in the governing documents.. This includes maintaining detailed accounting records.
- Provide for the care, maintenance, and replacement of common areas and common area facilities or improvements.
- Perform all duties necessary for the Association's administration.
- Respect the definitions provided and the limitations of authority set forth in the governing documents.

The five member Board of Directors elects their officers from among the members of the Board. The officers of the Association are the President, Vice President, Treasurer, and Secretary. Any homeowner who wishes to run for election to the Board should request a Candidate Filing Form from the Association Management office. The Board holds monthly open meetings which Association members are encouraged to attend. If a homeowner or resident would like to discuss a matter with the Board, they may request a meeting at any time or inquire about the Board's regular meeting schedule.

Residents must recognize that Board and Committee members willingly volunteer their time to work for the Association. Residents should respect the privacy and free time of these individuals. If you have a matter that you wish to discuss with a Board or Committee member, please contact them in writing or leave a message for them. This way, the individuals can contact you at their convenience. Please do not call them at home or work, or monopolize their free time when you see them in the lobby or parking lot. **If a matter is important enough to discuss, then it is important enough to put in writing.** Emergencies should be reported to the Association Manager during office hours and to Courtesy Patrol after hours.

(SEE THE CC&R'S FOR FURTHER INFORMATION ABOUT THE BOARD OF DIRECTORS)

### **Committees**

The Board establishes committees as needed to assist them and Management with specific projects. Committees are also helpful in meeting the needs and expectations of the Association members and to conduct long-range planning that will maintain and improve the quality of the Park Plaza community. The Architectural Review Committee and the Investment/Finance Committee are both standing committees. The Architectural Review Committee (ARC) is responsible for advising the Board on matters involving the structural and aesthetic integrity of the building. The Investment Committee advises the Board on the management and investment of reserve funds on behalf of the Association. The chairs of each committee are appointed by the President of the Board, and the chairs in turn appoint other members to the committee for one-year terms. The chairs of the committees must be homeowners in the Park Plaza Association, Inc.

**Budget**

The Board of Directors establishes an annual budget, which is presented to the membership on or before the first Tuesday of November at the Annual Budget Meeting. If the budget is not amended by the membership at the Annual Meeting, the budget stands as approved by the Board of Directors.

ALSO SEE GOVERNING DOCUMENTS

**ASSOCIATION MANAGEMENT OFFICE**

The Association Management office is open Monday through Friday from 8:00 a.m. until 4:00 p.m. The office is closed on Saturdays and Sundays as well as Federal holidays. Office staff is available to provide residents with services including:

- Accepting packages, deliveries, and certified and registered mail - if the resident has given authorization.
- Handling visitors and guests.
- Controlling the keys to residents' units and making sure all keys are properly signed out.
- Assisting residents with the use of the copier and fax.
- Providing account information and balances to homeowners.
- Handling emergencies such as medical, fire, or repairs.
- Inspection of common areas periodically.
- Controlling and reporting inappropriate behavior in common areas.
- Assisting contractors, vendors, and delivery personnel with access and parking.

If you need to leave anything for the Association Manager when the office is closed, please use the office mail drop box located on the south wall of the lobby at the corner near the bulletin board. All payments should be deposited in the office mail drop box if the office is closed. Should you experience a maintenance problem (flood, loss of heat or electricity, etcetera) please call the Association Management office at 242-2731 or Courtesy Patrol after business hours. A Courtesy Patrol officer may be reached by dialing the cellular phone at 681-5657. Any building management problems or emergencies that arise outside of the Association Management office hours should be reported to the Courtesy Patrol officer who will determine whether immediate action is required.

**AWNINGS AND SHUTTERS**

Shutters on balconies are to be either beige or off-white metal slats. Awnings are to be beige or off-white canvas. Specification alternatives with suggested vendors are available in the Association Management office for residents wishing to install either component on their balcony. All shutters and awning additions are subject to prior approval and review by the Architectural Review Committee. Applications are available in the office. Awnings and shutters must be kept in good repair. Shutters should be painted on a regular basis. Torn, damaged, or faded awnings must be removed or replaced. Awnings are not allowed on areas other than balconies. Awnings may not be placed over windows.

Window coverings, curtains, drapes, shutters, blinds, etcetera, should be installed within 30 days after close of escrow. Window coverings, as viewed from outside the building, should be a neutral color. Aluminum foil, cardboard, paper, insulation material, or any other such material is not allowed to cover windows or sliding glass doors, inside or outside. This includes any type of metallic, reflective foil.

**BALCONIES**

Residents are asked to keep their balcony neat and clean at all times. Please do not throw anything, particularly cigarette and cigar butts, from the balconies. For the overall safety of the community, these areas are not to be used for storage of any type. Laundry or other items should not be hung or draped from windows or balconies. The exception is that all residents have the right to hang a United States flag from their balcony, as long as it does not hang low enough to

be visible from or obstruct the view of the unit below or an adjoining unit. If a flag pole is used, it must be secured so that it will not become loose in the wind and fall. Patio furniture and plants are acceptable items in the balcony areas. Residents are urged to select items that are unlikely to be blown off in the event of a strong wind. Wind chimes are not allowed due to noise concerns. Do not sweep or wash debris off the balcony. No one may allow anything whatsoever to fall from windows, doors, or balconies of the building. Special care should be observed when watering plants to ensure that water does not overflow and spill onto lower balconies. **Under no circumstances should anyone attempt to feed birds or other animals by placing food on the balcony or dropping it to the ground below. Bug lights, bird houses and bird feeders are not allowed (hummingbird feeders are permitted). Allowing any animals (e.g., pigeons, wasps) to build nests on balconies is prohibited. If a nest is discovered, it must be removed or reported to management immediately. No fireworks may be lit on the balconies.**

**All exterior painting on balconies that is visible from outside the building must have prior approval of the Architectural Review Committee.**

**Only electric grills may be used on balconies. Charcoal grills are not allowed.**

A homeowner who modifies the balcony, or who purchases a unit that has a modified balcony, is responsible for damage or problems that arise due to the modification. This includes modifications such as moving the windows out to enclose the balcony in the living area. **For example, if water from a balcony above leaks into a living area that was previously a balcony, any resulting damage is the responsibility of the homeowner that modified the balcony or purchased a unit with a modified balcony.**

ALSO SEE ANTENNAS, and SATELLITE TV

### **BARBEQUE GRILL**

A grill, located in the patio area near the pool, is available for resident's use. The grill is available for use year-round from the hours of 8:00 a.m. to 10:00 p.m. Residents wishing to use the grill are advised to check to be sure the propane bottle has adequate fuel before use. If the propane bottle needs to be filled, please notify the Association Management office. Since it is difficult to adequately clean the grill while it is hot, the grill may be left to cool. Residents should expect to have to clean the grill before they use it. Please replace the protective cover when the grill has cooled. **Residents taking food to and from the grill and patio area must use the service elevator. Food and drink must be covered when it is being carried into or out of common areas.** The grill is available on a first come, first served basis and may not be reserved.

### **BICYCLES**

**Bicycles should be locked to the racks provided by the Association. All bicycles kept in racks provided by the Association should be registered with the Association Management office. Bicycles should be clearly labeled with the name and unit of the owner.** Park Plaza Association is not responsible for damage, loss, or theft of bicycles or other equipment left on Park Plaza premises.

**BOARD OF DIRECTORS - see ASSOCIATION GOVERNANCE**

### **CONFERENCE/ COMPUTER ROOM**

The Conference Room, located on the first floor after the office in the south hallway, is used by the Park Plaza Association for meetings. The Conference Room may be used by residents at other times for private meetings, studying, reading, computers etcetera. Residents may reserve the Board Room for use at a specific time for meetings or study time. Please contact the Association Management office to be sure the Board Room is available.

## **Computer Use Rules**

These rules are designed with the goal in mind of making the Park Plaza Computer Facility available as a service to all residents at a reasonable cost to the Association. Accordingly, these rules provide for sharing with others, caring for the equipment, and bearing the costs of printing.

### **Sharing with Others**

1. The computers may be used at any time of the day or night.
2. Priority for use is by reservation. I.e., if you are using a computer without having reserved it and the other computer is not available, you must surrender it to anyone whose reservation is active. To reserve a computer, complete the form available at the desk located between the two units.
3. To avoid monopolizing of the equipment, reservations for use may be made to begin at the time either computer is scheduled to become available or, for an unoccupied computer, at once. A reservation can be made for only one hour at a time. Except for occupied computers, reservations may not be made for a future time.
4. When your reserved time is up, you may continue to use it until another resident requests it.

### **Caring for the Equipment**

1. Each user is responsible for the equipment while using it. Report any damaged or inoperable equipment to the Courtesy Patrol when discovering it.
2. An adult must accompany users under the age of 12. Age 12 through 17, if unaccompanied by an adult, must have prior written permission of a parent.
3. Treat the equipment gently.
4. Leave the equipment and area as you found them. If no one is waiting to use the computer, log out and turn it off.
5. No food or drink is allowed at the computer desks.

### **Bearing the Costs of Printing**

1. Because of the cost of printer ink cartridges, do not print more than twenty pages of a document. Commercial services at Office Max, Office Depot, and others are available online to print large documents.

## **BUDGET**

The expenses associated with running the Park Plaza Association, Inc. are provided for through the establishment of an annual operating budget. This operating budget allocates funds for items such as utilities, staff, insurance, supplies, maintenance, etcetera. A Reserve Fund is also maintained. The Board of Directors sets the annual budget which is presented to the membership on or before the first Tuesday in November at the Annual Budget Meeting. This Budget Meeting is an informational meeting on the specifics of the budget. **THE MEMBERS DO NOT VOTE ON THE BUDGET. IF THE BUDGET IS NOT AMENDED BY THE MEMBERSHIP AT THE ANNUAL MEETING, THE BUDGET STANDS AS APPROVED BY THE BOARD.** The amount required to fund the annual budget is divided among the condominiums based on square footage, and this determines the rate of the monthly assessments.

Homeowners' long range financial planning should include the possibility of an increase in monthly assessments.

**BUILDING SECURITY - see SECURITY AND SAFETY**

## **BULLETIN BOARDS**

The bulletin board located in the service area, known as the "Community Bulletin Board", is available to Park Plaza residents for posting notices of interest to the community. Residents may submit items to be posted on this bulletin board such as "for sale" notices, invitations, etcetera. Please submit your items to the Association Management office. All notices must be dated and will be removed after three weeks, or the day after the event. Items that are determined to be objectionable to the Park Plaza community will not be posted. Only items submitted to the Association Management office will be considered for posting on the community bulletin board.

The bulletin board located outside the Association Management office in the lobby is reserved exclusively for official Association notices and business, and items from Management. This bulletin board is used to post notices of units for Sale or lease, and to notify residents of upcoming Association meetings and other official communication. Be sure to read the items posted on the bulletin boards. Residents requiring notices to be delivered to their door due to disability should notify the Association Management office.

The notice boards in the elevators are used to post official notices from the Association and Management. Residents may not post anything in the elevators or elsewhere in the building or in any place on the property. Notices or literature of any type may not be left by residents in the lobby. All types of soliciting by those outside the building are forbidden at Park Plaza. This applies to all outside businesses and individuals. This rule includes notices placed under or on unit doors, as well as telephone calls and notices placed on vehicles. Information of interest to residents may be placed on the table in the Library. The information in the Park Plaza Resident Directory is not to be used for marketing purposes or any type of solicitation.

## **BYLAWS - see GOVERNING DOCUMENTS**

## **CABLE TELEVISION**

The Association provides basic cable television service to Park Plaza residents. The cost of this service is included in the monthly assessment fee. If a resident would like additional premium services, or other services such as internet connection, the cable company should be contacted directly. The resident will be billed directly by the cable company for any additional services

ALSO SEE SATELLITE TV

## **CAR ALARMS**

**Residents should not allow their vehicle alarms to be an annoyance or nuisance to other residents. Residents should take action to silence their alarm as soon as possible when it sounds. Residents that allow their alarms to be an annoyance or nuisance repeatedly may be fined.**

## **CARTS**

The building has a supply of grocery carts and flat bed carts available for resident use. These carts are stored in the service area on the first floor. Grocery carts and flat bed carts are not allowed on the passenger elevators. The service elevator is to be used for all carts and deliveries. Carts are to be returned to their designated space in the service area on the first floor as soon as items are unloaded. Carts are not to be kept inside units and must not be left outside, in hallways, or in the service elevator.

## **CHILDREN**

The safety of children is a major concern for Park Plaza residents. All children under the age of twelve (12) must be accompanied or supervised by an adult when in the common areas. Any young guests who are visitors to the property must also be supervised. Children should be in their homes, unless accompanied or supervised by a parent or responsible adult.



Children using the pool must be accompanied by an adult at all times. Children under the age of sixteen (16) years of age are not to utilize the exercise equipment in the Fitness Center unless accompanied by a responsible adult familiar with proper use of the equipment.

### **COLLECTION POLICY**

To avoid late fees, homeowners are strongly encouraged to use the auto debit payment plan, whereby monthly Association fees are automatically paid from a bank account as specified by the owner. Forms for this service are available in the Association Management office.

The collection policy for the Park Plaza Association, Inc. is as follows: Monthly Association fees are due on the first of each month. To avoid a late fee, homeowners must ensure that the monthly Association fee is received in the Association Management office on or before the 15<sup>th</sup> of the month by the close of business, which is 5:00 p.m. **A late fee (at the current rate of 10% of monthly unit fees) or 10% per annum (whichever is greater) will be charged to the homeowner's account for payments received after 5:00 p.m. on the 15<sup>th</sup> of the month. (Updated 7/31/2012)**

1<sup>ST</sup> DAY OF THE MONTH— Monthly Assessment due

16<sup>TH</sup> DAY OF THE FIRST MONTH Late fee added to homeowner's account and demand letter sent to homeowner.

1<sup>ST</sup> DAY OF THE SECOND MONTH = Second demand letter sent to homeowner.

16<sup>TH</sup> DAY OF THE SECOND MONTH—Notice of Intent to File Lien sent to homeowner, (certified mail and regular mail). The notice states amount due and references "second notice" and "16 days to pay or Lien will be filed." An intent-to-File-Lien fee (at the current rate) will be charged to the homeowner's account.

1<sup>ST</sup> DAY OF THE THIRD MONTH— Board of Directors decides whether to lien the property or not. If the Board decides to Lien the property, it is put into the Minutes of the Board of Directors meeting, Lien is filed, Lien fee (at the current rate) is charged to homeowner's account and Account Ledger is sent to attorney for collection process.

When homeowner's account and attorney fees are paid in full, lien is released.

Cable television service will be disconnected from any unit that has an unpaid balance for more than 30 days.

**COMMITTEES - see ASSOCIATION GOVERNANCE**

### **COMMON AREAS**

The common areas of Park Plaza consist of all areas not within the confines of a condominium unit, including, but not limited to, the following: Lobby, Entrances, Corridors, Elevators, Hallways, Offices, Hospitality Room, Kitchen, Fitness Center, Restrooms, Service Area, Storage Bin Areas, Storerooms, Maintenance Shop, Mail Room, Library, , Patio, Swimming Pool, Grounds, Gardens, and Parking Lot. The entire ground floor and top floor (16<sup>th</sup> - mechanical) are common areas.

Residents may reserve certain common areas for private events. If an area is reserved, non-invited residents and homeowners may not use the area during the private event. The Hospitality Room (including the kitchen), and Conference Room may be reserved for private use, subject to the provisions of the reservation agreement. The host/sponsor of an event or meeting assumes all responsibilities and liabilities with respect to noise, damage, behavior of guests, proper use of facilities, compliance with Park Plaza Association Rules and Regulations, and payment of any fees. The host/sponsor of an event or meeting must be present for its duration. In the instance where more than one resident is a host/sponsor of an event, at least one must be present at all times during the event.

## **COMMON AREA FURNISHINGS AND EQUIPMENT**

**No items or equipment, such as tables and chairs, etcetera, may be removed from any common area or storage area without permission from the Association Manager.**

## **CONTRACTOR RULES AND REGULATIONS**

1. Before beginning work, the Contractor must provide their license number to the Association. The Contractor also must issue a certificate of insurance evidencing liability insurance, automobile insurance, and workers compensation insurance. The liability certificate of insurance will list Park Plaza Association, Inc. as additional insured and will be mailed or faxed to the address provided. The certificate will provide notice to the named parties ten days prior to cancellation.
2. Any notification required by the Contractor to the Association will be to the Management Company.
3. Before beginning work, the Contractor will provide to the Association a primary on-site contact person's name and way to contact him or her. In addition, an after hours emergency number will be provided to be used in the event of an emergency relating to the scope of work.
4. Before beginning work, the Contractor will provide to the Association a list of subcontractors, with telephone numbers and contact names. The owner will complete and submit the *Project Information* form.
5. Work will be performed between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday. Construction or remodeling work by outside contractors, or any work by a homeowner or resident which causes noise, is not allowed before 8:00 a.m. or after 5:00 p.m. Monday through Saturday, or at any time on Sundays or Federal holidays. Light construction such as painting, cleaning and moving may be done on Saturdays during normal work hours of 8a.m. to 5p.m. Work scheduled outside these work hours require the authorization of the Association Manager. If a hardship is known to a unit owner of why certain work needs to be done a Saturday, it will require the Boards approval.
6. Construction debris dumpsters and material storage trailers will be placed on the property only with the prior authorization of the Association Manager.
7. The Contractor will make arrangements in advance with the Association for the supply of electricity, gas, or water.
8. All contractor and subcontractor vehicles will be parked off-site or in reserved spaces specifically designated for contractors or guests, or as directed by the Association Manager. Contractors will not park in any space within the Park Plaza parking lot without express permission and direction from Management. Under no circumstances will a contractor park in spaces designated as *Resident Loading Zones, Fire Lanes, or Reserved Parking*. Residents will be held responsible for parking violations by their contractors.
9. The Contractor agrees to remove all rubbish and debris daily and to leave the work site in a clean and safe condition at the end of each day. This includes vacuuming the hallway carpeting if there is any rubbish or debris, as well as leaving the service elevator, service area, loading and parking areas clean and free of all debris. Contractors may not place debris in *any* Park Plaza bins or receptacles and must haul all construction waste and debris off site daily.
10. Contractors and residents will not allow paint, solvents, or construction debris of any kind to be put down any drain or toilet. Hazardous materials and fluids must be disposed of properly.
11. Contractors and residents will provide proper ventilation of units when painting or using any product which gives off fumes. Special effort must be made to minimize noxious fumes entering the hallways, common areas, and surrounding units.
12. Contractors will be responsible for securing safety barricades if necessary and properly identifying areas of risk to members of the Association and residents affected by the Contractor's work.
13. The Contractor agrees to notify the Association Manager immediately of any changes in schedule due to weather or unforeseen conditions.

14. The Contractor agrees that his crew members will not smoke, consume alcohol, use illegal drugs, play loud music, or use profanity while on Association property.
15. The Contractor is responsible for informing all subcontractors of these Rules and Regulations and for insuring compliance.
16. The Contractor will provide all equipment necessary to complete the Contractor's work.
17. The Contractor agrees to notify the Association Manager at least forty-eight (48) hours in advance of any required shut-off of electricity, gas, water, or disconnection of any heating or cooling apparatus. Water shut-off for the entire building will require three days notice. The 48 hour and three day advance notices must be counted on regular business days, not to include weekends or holidays. For example, a 48-hour notice given on Friday at 1:00 p.m. would allow a shut off on Tuesday at 1:00 p.m. at the earliest. Only regular business days are counted. Management needs to give residents adequate notice of a disruption in their water or electric service. All water and electrical shut-offs should be scheduled for mornings, but may not be scheduled earlier than 10:00 a.m. This allows time for unexpected problems to be resolved before the maintenance staff leaves for the day. Water and electrical service is to be restored by 4:00 p.m. A fee for the labor required for a shut-off will be billed to the homeowner.
18. The Contractor will notify the Association Manager immediately in the event of any accident, loss, or property damage.
19. Contractors who do not follow these guidelines may, at the discretion of the Association Manager, be barred from doing work in the building.
20. Homeowner is responsible for making sure any required permits are obtained for all projects. Construction must meet all zoning, building codes, and City and County law.
21. Weekend work must not generate loud noise such as replacing tile, cabinets, etc.

**Homeowners and residents performing their own remodeling work or acting as their own contractor must comply with all Contractor Rules and Regulations (with the exception of item #1).**

ALSO SEE ARCHITECTURAL REVIEW COMMITTEE

**COURTESY PATROL**

The Association provides courtesy patrol service from 24 hours a day 7 days a week. The Courtesy Patrol officer is available to greet residents and guests, assist residents with copy and fax services and picking up packages in the Association Management office, patrol the building and grounds, monitor building operating systems, and assist residents with maintenance emergencies. Courtesy Patrol officers also assist emergency personnel such as police, fire, and rescue in accessing the building and guiding them to residents in distress. Courtesy Patrol officers monitor the building and grounds and watch for unsafe conditions. Residents are asked not to monopolize the Courtesy Patrol officers time with extended conversations, etcetera, as they must attend to their assigned duties. The Courtesy Patrol officer on duty is either posted at the desk in the lobby or may be reached at 681-5657 during patrol hours.

**COVENANTS, CONDITIONS, AND RESTRICTIONS (CC&R's) - see GOVERNING DOCUMENTS**

**DIRECTORY - see RESIDENT DIRECTORY**

**DOORS -ENTRY TO BUILDING**

Park Plaza has a limited access entry system for the safety of the community. All doors require a key fob or door card for admission. The main entrance to the lobby off Fourteenth Street may also be opened using the square Medeco key. The Medeco key is also used to open the wrought iron gates entering the pool and patio area. Special care should be taken to avoid allowing door cards and key fobs from coming in contact with strong magnets, as this may cause irreparable damage. Lost or stolen cards and key fobs should be reported to the Association Management office

immediately so they may be deactivated. Replacement key fobs are available for purchase in the Association Management office.

### **DOORS-UNITS**

Although the door surface on the inside of a unit is the property of the owner, the outside of the unit door surface in the residential hallways is considered part of the common area. Any alterations require the advance approval of the Board of Directors. These items are acceptable on the outside of the doors: Hooks or nails for laundry, large unit numbers on doors made of brass or similar material, wreaths appropriate to the season from Thanksgiving to the New Year, "Do not disturb" signs, signs or symbols required for religious observances, brass door knockers, signs required for medical purposes, such as "Oxygen in use". Not Allowable: Paper decorations on doors, i.e. paper turkey or Halloween decorations and decorations inside fireboxes. Doors from the hallway into resident's units must be kept closed at all times other than for entry and exit. It is recommended that residents keep their doors locked at all times.

### **DRAINS AND GARBAGE DISPOSALS**

Clogged drains are an ongoing problem in any high-rise building. With 40 year old pipes, the problem is compounded. Please be gentle with our plumbing system. Most of our back-ups can be attributed to two problems; garbage disposal debris and improper items and excessive amounts of hair going down drains and toilets.

Since the use of garbage disposals is the source of so many of our plumbing problems at Park Plaza, we would like to offer these guidelines for using your disposal.

1. Use the disposal sparingly. Put most items in the trash rather than down the disposal. (This would save water too!)
2. If you must use your disposal, run plenty of water while it is on and after you turn it off, to flush out all debris.
3. Do not put fibrous items like celery, plant stems and leaves, vegetable skins, etcetera, or anything plastic down the disposal.
4. Don't overload the disposal. Feed items down a little at a time while running the water full force. (Yes, this wastes water, too - try the trash instead.)
5. Grease of any kind must never be put down drains. This includes items such as chicken skins, etcetera.

If you have long hair, please make sure you have drain covers/strainers in place in your tub and shower to stop the hair from going down the drain. This applies to the kitchen sink too, if that's where you wash your hair. Also, remember to use a strainer if you wash a pet in your bathtub, shower or sink. The Association has hair strainers available. Let us know if you would like one.

**Never put items such as dental floss or cat litter down a toilet or sink. Feminine hygiene products, disposable-diapers, paper towels or wipes, etcetera must never be flushed down a toilet.**

Although the main lines and drains are cleaned out on a regular schedule, residents' help is needed with these items to keep plumbing problems to a minimum. If a resident notices that a sink or tub is draining slowly, or if they hear unusual noises from the drain or see liquid, suds, or debris coming up in the sink, they should report it immediately. Quick action can keep a simple incident from becoming a major problem.

ELECTIONS - see ASSOCIATION GOVERNANCE

### **ELEVATORS**

**Food and beverages must be covered if carried onto elevators. Residents taking food to and from the grill and patio area must use the service elevator. Food and beverages may not be consumed on the elevators. The service elevator must, when available, be used for all deliveries of large or bulky items, shopping carts,**

**move-ins and move-outs, luggage carts, bicycles, pets, and contractors. Shopping carts are not to be left in the elevator.** Please return shopping carts to the service area on the first floor Residents' workers such as construction crews, painters, and all service people (except domestic employees) must use the service elevator when it is available. It is the responsibility of residents to inform their workers of this rule.

The service elevator must be reserved, in advance, through the Association Management office for any moves or major remodeling projects so that the pads can be installed **by the staff**. If the letters "IS" are displayed on the service elevator panel it indicates that the elevator is reserved and is in "Independent Service" mode. This indicates that the elevator is being used by someone moving in or out, or by a contractor, etcetera. Residents should use one of the passenger elevators if the service elevator is reserved. Use of the passenger elevators for pets, shopping carts, and small deliveries is only permitted if the services **elevator is unavailable**. Pets are to be taken in and out of the building on the service elevator. Pets are not allowed on the passenger elevators, unless the service elevator is not available.

**Footwear must be worn in the elevators. When in an elevator, swimmers must wear some type of covering (such as a robe) over their bathing suit.** After swimming, bathers are encouraged to dry themselves as thoroughly as possible to minimize dripping on the floor.

Do not hold the elevator doors open for more than a few seconds. Serious injuries could result from trying to keep a door from closing. **Under no circumstances should an elevator door be blocked with any item to keep it from closing.**

### **EMERGENCY PREPAREDNESS**

*(Note: These safety guidelines were previously contained in the separate Safety Procedure Manual, but are now published in their entirety.)*

In the case of fire or other life safety emergencies, the first call should be made to 911.

Knowledge of emergency preparedness is essential. An emergency results from any situation that poses immediate and extreme danger to people, property, or process. Most emergencies are sudden, severe, and unexpected, so it is extremely important to be prepared for a possible emergency. We must be prepared to cope with emergencies to help ensure safety and survival. An up-to-date list of all residents with physical disabilities and challenges who cannot use the stairs is maintained in the Association Management office. Please confirm you are on this list if you are unable to walk down the stairs in case of an emergency, or if you require special help. Read the following safety procedures and save this guide to review often.

#### **Emergency Telephone Number - Dial 911**

##### **Non Emergency Telephone Numbers**

Albuquerque Fire Department	(505)	833-7300
Albuquerque Police Department	(505)	242-2677
Federal Bureau of Investigation	(505)	224-2000

Park Plaza Association Management Office	(505)	242-2731
Courtesy Patrol	(505)	681-5657

#### **Building Evacuation Guidelines**

The question of when to evacuate causes considerable consternation. Each person must decide when to evacuate; please do not waste potentially precious minutes.

How to evacuate:

1. **Rescue:** Rescue any persons in immediate danger if it does not put you in imminent danger.
2. **Alarm:** If you discover a fire or other significant hazard that threatens others, immediately activate the building fire alarm system by setting off the pull station. Pull stations are located near the north and south ends of each hall on the west wall. Do not wait for the automated system to go off by itself. Immediately CALL 911 and the Association Management office.  
When reporting a fire or other emergency, speak slowly and clearly and give the following information;  
Physical Location: 134 Fourteenth Street S.W.  
Your name, unit number, and number of floor  
Location of the problem  
Listen to the dispatcher for any additional instructions before hanging up  
Deliberately setting off a false fire alarm is against New Mexico state law. Perpetrators will be prosecuted.
3. **Confine:** Keep fire doors closed, stairways and corridors clear. Prevent further spread of the fire by closing all doors in the area of the fire. Fire doors in corridors and stairways are designed to block fire and its deadly effects. Before opening any door place a hand on the door surface and check for heat.
4. **Evacuate:** Go down to the lobby to exit. Vacate the building through the nearest stairway staying on the right hand side, keeping pace with the person ahead of you. By staying on the right hand side, emergency crews will have free and clear access on the left. Refrain from talking so that instructions can be heard or given. **DO NOT USE THE ELEVATORS TO EVACUATE.** Once out, stay out! Exit the building through the west main lobby doors to Fourteenth Street and proceed to the evacuation point. In most circumstances, the evacuation point will be beyond the southernmost point of the property on the sidewalk along the east side of Fourteenth Street in front of the Park Place Apartments. No one is to return to an evacuated building unless told to do so by City Officials or Management of Park Plaza. You will be notified when the emergency has been remedied and the building reopened.

### Building Fire Safety Tips

Know Where the Exits Are Located

In a fire, visibility may be obscured and you may have little time to escape. Know the two closest ways out from anywhere in the building. There are two sets of stairways located on the north and south ends of each floor and they should be used to get to the first floor.

When the Fire Alarm Sounds, Get Out

Take the stairs, NOT THE ELEVATOR. Elevators are programmed to travel to the ground floor and stay there upon activation of the fire alarm system. Stairways are your emergency pathways to safety. They are designed to keep smoke, heat, and flame out, and they have emergency lighting systems when building power is lost.

Get Down for Life

Remember to always go down to exit. Fire ladders may not reach to upper floors or the roof of our high-rise but deadly smoke, heat, and flames do.

Close Doors

This can help prevent the fire from spreading.

Keep Residence, Storage Spaces, Corridors, and Other Common Areas clean. Fire hazards are magnified in a multi-story building. Make sure no materials are blocking sprinklers or smoke detectors, and be sure that flammable chemicals are stored correctly. Ensure materials are at least 18 inches below sprinkler heads.

Know the Locations of the Fire Extinguishers

Fire extinguishers are located in the hose box on each floor. Residents are also encouraged to keep a fire extinguisher in their unit. If you have the training and are not endangering yourself in the process, you may be able to keep a small fire from growing. The fire department should be notified and building occupants alerted for any fire. Even a small fire can give off large volumes of smoke and can grow quickly. Know when to fight and when to run.

#### Know What to Do If You Are Trapped

If your exits are blocked by heavy smoke or fire, retreat as far as you can, closing, *but not locking*, as many doors between you and the fire as you can. If possible, call the Fire Department and the Association Management office and give them your exact location. If smoke starts coming in, try sealing the door gaps as best you can using towels or rags soaked with water. If you can, open an exterior window or go to the balcony and try to signal the Fire Department. Be ready to close the window or balcony door if smoke is drawn into your unit.

#### Practice Fire Prevention through Fire Safety Actions

If you smoke, use a large ashtray. Dispose of ashes only when they are cold. Smoking in bed is dangerous. Check electrical equipment that is not working properly or gives off a strange smell. Unusual odors from appliances or cords can be a first sign of a potential fire. If you must use an extension cord, plug only one appliance into it. Unplug extension cords when not in use. Replace extension cords that are in poor condition. Keep heat-producing devices away from things that burn. Make sure all appliances are turned off when you leave your unit. Test your smoke detectors monthly. When you change your clocks in the Spring and Fall, change the batteries in your smoke detectors. (Park Plaza maintenance personnel can assist with this.) Test and recharge your fire extinguisher(s) according to manufacturer's instructions. Post emergency telephone numbers by telephones. Inspect your unit for potential hazards. If practical, take CPR and first aid training. Teach children how and when to call 911 and other local emergency numbers.

Remember to fill out a Park Plaza Vacation Notification form. This form asks for information regarding who we should contact in case of an emergency during your absence. Also, keep your emergency contact information up to date in the Association Management office.

#### Holiday and Party Safety

##### Candles

Put candles securely, in non-tip candleholders. Keep candles well away from Christmas trees, decorations curtains, and other combustibles, and never put candles in windows or near exits. Do not leave candles burning unattended or within the reach of small children, and blow them out before you leave the room or go to sleep.

##### Decorative Lights

Use lights that bear the label of an independent testing lab (i.e.: UL). Throw away sets of lights that have cracked or frayed cords or loose or damaged sockets. Do not overload electrical outlets. Never run extension cords under carpets or across doorways. Make sure that extension cords are not pinched behind or under furniture, and unplug all decorative lights before leaving your home or going to bed. Never use electric lights on a metal Christmas tree.

##### Christmas Trees

Do not cut down or buy a real tree that is shedding its needles. Cut the trunk at an angle and install the tree in a large, deep, no-tip stand well away from exits and heat sources. Make sure the tree has a constant supply of water and check the water level daily. If your tree dries out, remove it promptly and dispose of it. If you use an artificial tree, it should be flame-retardant.

### Hazardous Materials in Your Unit

Many ordinary household products can be dangerous when exposed to fire. Stored improperly, they can even start fires. Aerosol cans of hair spray and other personal-care products can be flammable. Do not discharge aerosol cans near an open flame or heat source. Nail polish, nail-polish remover, and mothballs all give off flammable vapors. Make sure containers are tightly closed and store them away from flames and high heat. Use floor or furniture polishes, spot removers, and oven cleaners carefully and away from high heat or flame. Read product labels. If the ingredients include petroleum distillates or mineral spirits, assume that the product will burn.

### Disaster Supply Kit

The following items should always be kept on hand for use during a disaster:

- ❖ A three-day supply of water and food (one gallon of water per person per day; food that will not spoil)
- ❖ One change of clothing and footwear per person
- ❖ One blanket or sleeping bag per person
- ❖ A well stocked first-aid kit
- ❖ Prescription medicine
- ❖ Emergency tools
- ❖ A portable radio, flashlight, and plenty of extra batteries
- ❖ An extra set of car keys
- ❖ Cash
- ❖ Special items for infant, elderly, or disabled family members
- ❖ A smaller amount of disaster supplies in the trunk of your car

### Severe Weather

Weather emergency concerns-for the Albuquerque area-include high winds, flash flooding, lightning, tornadoes, and freezing precipitation.

### Lightning

Lightning can be nature's worst destroyer. A typical lightning bolt contains several hundred million volts of electricity at 30,000 or more amperes. Lightning need not strike a person directly to be dangerous. Lightning can crash down from a virtually clear sky. Stay away from open doors or windows during an electrical storm. Do not use the bathtub or shower. Avoid using the telephone or electronic equipment and keep clear of metal objects and electrical appliances during a storm. Do not go outside.

### Tornadoes and Severe Thunderstorms

Tornadoes produce violent winds that can damage homes, vehicles, and people. Severe thunderstorms and hail commonly precede a tornado. A dark funnel cloud or roaring noise (like a train) is evidence of an actual tornado. There are two defined conditions recognized by the National Weather Service regarding tornadoes:

### Tornado Watch

This means that weather conditions in the area are such that a tornado could develop. The National Weather Service distributes this information. Park Plaza staff will monitor the weather from the National Weather Service through the internet. Typical thunderstorms are 15 miles in diameter and last an average of 30 minutes.

### Tornado Warning

This means that a tornado has been sighted or indicated by weather radar. If a tornado warning is issued for Bernalillo County, move to a place of safety in your unit, away from windows.



### Severe Thunderstorm Watch

This means that severe thunderstorms are possible in your area.

### Severe Thunderstorm Warning

This means that severe thunderstorms are presently occurring in the area. Tornadoes occasionally develop in areas in which severe thunderstorm watch or warning is in effect. If a tornado warning has been issued, residents should be prepared to move to interior spaces safely away from windows, wind, and debris. These areas include the elevator lobby on each floor, the stairways, and interior rooms without windows. Remember to close all drapes and/or blinds and doors to the outside areas should you make the decision to move to a safer location. In situations where no advance warning is given and a tornado is sighted heading toward the building, residents should move away from the windows and crawl underneath a heavy object or into a bathtub. Because of possible power failures, avoid using an elevator.

### Bomb Threats

A large number of bomb threat calls are false alarms meant only to disrupt the normal activities of an individual or company. However, at no time should any call be regarded as just another false alarm. If you receive a bomb threat over the telephone, remain calm and be courteous. Take note of the caller's threat, tone, voice characteristics, and background noise. At the conclusion of the call immediately notify the Albuquerque Police Department using 911, and then call the Association Management office. Park Plaza staff will control all incoming persons. If a suspicious object is found during the search by the Albuquerque Police Department, they may order the evacuation of the building. If the building must be evacuated, use the stairs, not the elevators. If you see a suspicious package or object, do not touch, move, jar, disturb, or cover the object. If the building has been ordered evacuated, you may only re-enter upon approval from the Albuquerque Police Department or the Albuquerque Fire Department.

### General Community Threat

In case of a general downtown or community threat, Park Plaza staff will further secure the site. All non-essential vendors, construction workers, and visitors will be asked to leave. The entrance and exit gates will be monitored to ensure that only residents are permitted to leave or enter. Residents will be asked to notify the Association Management office of any expected visitors.

According to the Red Cross, in case of a mass evacuation, the Albuquerque Disaster Plan will provide information on where shelters are located. They will immediately announce this over television and radio stations. Wear long-sleeved shirts, long pants, and sturdy shoes so you can be protected as much as possible. Take your pet with you. Because pets are not permitted in public shelters, you will have to go to a relative's or friend's home, or find a "pet-friendly" hotel.

### Hostage / Kidnapping

If contacted by a hostage taker/kidnapper via telephone, immediately or as soon as possible, contact the Albuquerque Police Department and/or the Federal Bureau of Investigation (FBI). Notify the Association Management office and Courtesy Patrol who will assist authorities in whatever they may request of them. Once the authorities are on-site, they assume control of the building. The decision to evacuate the building will be that of the authorities. If contacted via hand-written note or typed letter, handle the paper as little as possible, secure the paper and envelope in a drawer or locked area.

### Medical Emergencies

If a resident or visitor has an accident or becomes seriously ill, do not move the victim. Call 911 first and then the Association Management office or Courtesy Patrol. Clearly state the problem. Describe the accident or symptoms of the illness as calmly as possible. Give the victim's exact location. Be very specific. Park Plaza Association Inc., the Management Company and their insurance providers assume no responsibility - for the outcome of any

medical emergencies. You are urged to contact 911 directly in addition to notifying the Management, staff, or Courtesy Patrol.

### Medical Kit

If you have special medical needs, you may want to prepare a medical emergency kit. You should assemble and place these items in an easy-to-carry container:

- ❖ Required prescription and non-prescription medications
- ❖ List of medications including dosage and any allergies.
- ❖ Extra eyeglasses and hearing aid batteries.
- ❖ Extra wheelchair batteries.
- ❖ Medical insurance and Medical Cards.
- ❖ Name of your primary care doctor and hospital.
- ❖ Name of relative or friend who should be notified.

### Emergency Power

The Park Plaza building provides for automatic emergency power during electrical outages with an emergency generator. The emergency power only supports building services, such as life safety equipment, elevators, emergency lighting, and security equipment. Residential hallways and stairs will be lit; however, the emergency generator is not capable of providing power to individual units. Power outages disrupt our conveniences of modern day living. Please be patient in case of power loss. Park Plaza Management will work vigorously to restore power and full operations.

**Residents should review these safety procedures regularly.**

ENFORCEMENT - see VIOLATIONS, ENFORCEMENT, AND FINES

### Estate Sales

The following procedures apply when a unit owner/resident schedules an Estate or Personal Property Sale defined below as “sales”) within Park Plaza:

1. All “sales” must be scheduled with Management and take place Monday through Saturday between the hours of 9:00 am and 5:00 pm. The managing Agent shall have the authority to prohibit any “sales” that have not been properly scheduled and authorized.
2. In order to schedule a “sale”, the Owner or Lessee must notify Management in writing of the desired date and time of the authorized “sale” at least 5 calendar days prior to the date requested for the “sale”. In order to complete the “sale” request, the resident must provide his/her full name, address, home and work phone numbers, email address and name of company overseeing/organizing the “sale” if applicable.
3. The Owner of the Unit is responsible for any damage done to the common areas; including but not limited to hallways, elevators, carports.
4. All “sales” shall require the payment of a non-refundable fee. A minimum half day fee of \$100.00 will be charged for “sales” lasting less than 4 hours. A fee of \$200 will be charged for “sales” 4 to 8 hours in duration. This fee is to defray the Association’s cost, and is not refundable. Payment of the Fee is the responsibility of the Homeowner. Included in this fee, the Owner/Lessee will be assigned a designated Park Plaza employee for the duration of the “sale”. The designated Park Plaza employee will assist and guide guests to and from the Unit.
5. At no time during the “sale” shall the common areas be blocked in a manner to prohibit access by residents. Every effort should be made during the “sale” to reduce noise so that residents are not disturbed.
6. Within two days after a “sale” the Management designated representative will perform an inspection of the common elements to reveal any damage caused at the time of “sale”. The Owner who hosted the “sale” will be liable for all costs incurred by the Association in repairing any damage to or performing any cleanup of the

common elements, including disposal of any trash that results from a “sale”. If damage is found, the cost of the repair will be assessed against the Owner of the unit. All fees collected under this Resolution shall be collectible in the same manner as any assessment.

I have read and agree to abide by the Estate Sale Procedures listed above. I understand and agree that if damage is incurred as a result of my “sale” I will accept total responsibility for the cost of any damage, repair, cleaning, losses, or other liabilities that occur.

EVACUATION - see EMERGENCY PREPAREDNESS

EXERCISE ROOM - see FITNESS CENTER

### FINANCIAL STATEMENTS

Financial statements are prepared by the Management Company. A copy of financial statements may be obtained by any owner in the Association Management office. Regular copy fees apply. Financial statements and records may also be viewed by owners in the Association Management office during regular business hours by appointment. Homeowners may also request a copy of their account statement in the Association Management office.

FINES - see VIOLATIONS, ENFORCEMENT, AND FINES

FIRE SAFETY, ALARMS, SPRINKLERS - see EMERGENCY PREPAREDNESS

### FITNESS CENTER

The Fitness Center is just one of the many fine amenities available to residents of Park Plaza. Residents appreciate the convenience of being able to use the on-site equipment 24-hours a day. They also enjoy the time and money they save by not belonging to a health club.

*Hours of Operation:* The Fitness Center is available to residents 24-hours a day, seven days a week.

*Guests.* Only two guests per unit are allowed in the Fitness Center.

*Children.* **Children under** sixteen [16] years of age are not to utilize the equipment unless accompanied by a responsible adult familiar with proper use of exercise equipment.

*Dress Code.* Dress codes are at best a difficult thing to enforce as there are always gray areas as to what might be considered appropriate attire. The intent of the Association's dress code for the Fitness Center is to prohibit attire that might be deemed offensive to others, or that might detract from the image the Association is striving to project with regard to this facility. Proper attire **should be worn at all times while using** the facility. No cut-offs, jeans, **jerseys torn or with holes, or other** such street clothes are allowed in the facility. Shirts must be worn at all times. Rubber-soled athletic footwear should be worn for protection. Residents are responsible for the appearance of their guests as well when they are using the facility.

*Facility Use.* The use of all equipment in the Fitness Center may be utilized by Park Plaza residents and their guests as defined above. The Fitness Center and its equipment are used solely at the risk of the user. **Park Plaza Association, Inc. and the Management Company assumes no responsibility whatsoever for injuries or consequences resulting from the use of this equipment or the health condition of the user. It is strongly recommended that all individuals check with their physician before beginning any exercise program.** Remember that courtesy pays when exercising. Residents are asked to observe a twenty (20) minute limit on the cardiovascular equipment when others are waiting.

All exercisers should bring a towel to the Fitness Center. Please use this towel to protect benches and seats. Remember to wipe the seats and surfaces of the machines before and after each use. Be careful about placing a towel on

machines such as a treadmill. You can be seriously injured if you drop your towel and try to retrieve it while the machine is moving.

Residents and guests are requested to clean up after themselves. **Do not leave dumbbells, mats, or other portable objects sitting in the middle of the floor. This is a trip hazard. It is not the job of the service staff to put the equipment away. Equipment and weights are not to be removed from the facility.**

**Only residents, homeowners, their guests, and their trainer/therapists may use the Fitness Center. Domestic employees may not use the Fitness Center other than to assist their resident employer.**

**No food is permitted in the Fitness Center other than snack bars needed by people who have problems with their blood sugar level when they exercise. If such food is required, please consume it away from the machines so crumbs do not fall on them. All drinks must be in unbreakable, covered containers. No glass is permitted. Alcoholic beverages are not permitted in the Fitness Center.**

Silence has precedence over noise in the Fitness Center. It is requested that the volume of the television and radios be kept to a minimum. The use of personal headphones is encouraged. Any resident who is bothered by another person's use of a television, radio, or other sound system may ask that the sound be reduced or silenced. No shouting is permitted.

### **FLOOR COVERINGS**

Floor coverings in each individual unit must provide for a minimum of 80% coverage by carpeting, rugs, or other sound deadening material throughout the unit. The original construction of the building does not provide for adequate noise insulation to accommodate tile or wood flooring in high traffic areas such as the living room, hallways, and bedroom areas. It is the responsibility of owners and their agents to make prospective purchasers and renters aware of this rule. The Board will retain the right to entertain specific complaints about present units if the noise is so great as to create a nuisance to other owners.

### **FOOD AND BEVERAGE**

Other than the Hospitality Room, Conference Room or lobby area, no food or beverages may be consumed in common areas within the building. (Association and private meetings in the Board Room as well as staff members' personal work areas are excluded.) Non-alcoholic beverages in covered, unbreakable containers are allowed in the Fitness Center. Food and beverages must be covered when carried into or out of common areas. Food and beverages must be covered if carried onto the elevators. Food and beverages may not be consumed while in the elevators. All beverages brought into the Fitness Center must be in covered, unbreakable containers. No glass is permitted. Food of any type is not permitted in the pool area or the Fitness Center, with the exception of snack bars needed by people who have problems with their blood sugar level when they exercise. Beverages in unbreakable containers are allowed only on the concrete surface of the pool area. No glass containers are allowed in the pool area. Alcohol of any type is not allowed in the pool area or Fitness Center. The consumption of alcohol is only allowed in the Hospitality Room and Patio Area.

GARBAGE – see REFUSE REMOVAL

GARBAGE DISPOSALS - see DRAINS AND GARBAGE DISPOSALS

### **GATES**

#### **Automatic Vehicle Gates**

The community's automatic gates are for the benefit and enhanced privacy of all residents. While the gates are not a guarantee of security or safety, they do serve as a deterrent to individuals who have no legitimate business within the

community. The gates are constructed of heavy steel and move automatically by use of electric motors. Do not stop or park your vehicle in such a manner that the gate can make contact with your vehicle. Do not touch gates or gate operators. Children and pets should never be allowed to play **on or around** gates or gate operators. Do not stand or hang on gates or gate operators at any time. The Association is not responsible for damage that may occur to individuals or vehicles while using the gates. The gate openers operate by sending a signal to the antenna at the gate operators. The gate openers operate on 12-volt alkaline batteries, and these batteries should last approximately one year, depending on use. Replacement batteries are available at Radio Shack and other local retail stores. Lost or stolen gate openers should be reported to the Association Management office immediately so they may be deactivated. Gate openers are available for purchase in the Association Management office

Between 8:00 a.m. and 6:00 p.m., Monday through Friday, the gates will open automatically when a vehicle approaches from the inside of the parking lot. This allows contractors, vendors, and guests to exit the parking lot. When opening the gates, please take precautions to make sure that unauthorized vehicles do not follow you into the parking lot. **UNAUTHORIZED VEHICLES THAT DO "TAILGATE" IN BEHIND YOUR VEHICLE SHOULD BE REPORTED IMMEDIATELY. Due to the width of the opening, the north gate is to be used as an exit only. The south gate functions as an entrance ONLY. Residents should use the gates properly.** Residents and their guests are responsible for any damage they may cause to the gates.

#### Pedestrian Gates

Pedestrian gates are located at the end of the sidewalks leading into the property at the north and south ends of the building, and at the north and south entrances to the patio/pool area. These gates are locked and may be opened with the Medeco key. Do not prop open the pedestrian gates. Make sure they close securely behind you. These gates are one element in keeping unattended children from entering the swimming pool area.

#### **GENERATOR**

The Park Plaza building provides for automatic emergency power during electrical outages with an emergency generator. The emergency power only supports building services, such as life safety equipment, elevators, emergency lighting, and security equipment. Residential hallway and stairs will be lit; however, the emergency generator is not capable of providing power to individual units. Power outages disrupt many of the conveniences of modern day living; please be patient in case of power loss. Park Plaza Management will work vigorously to restore power and full operations. The generator is run through a test cycle each Wednesday at 11 a.m. to ensure its readiness in case of an emergency.

#### **GOVERNING DOCUMENTS**

You should have received a copy of the Association's governing documents before the close of escrow on your property. The governing documents of Park Plaza Association, Inc. include the following:

- **The Covenants, Conditions and Restrictions (CC&Rs)**  
This document defines portions of the development owned by individual owners and any portions that may be owned by the Association itself. It also creates a binding relationship between the individual owners and the Association, and sets forth the administrative framework for the operation and management of the Association.
- **The By-Laws**  
Building upon the framework provided in the Covenants, Conditions and Restrictions, the By-Laws provide governing regulations for the administration and management of the Association. Topics include meetings, officers, elections, and etcetera.

- **The Rules and Regulations (this Resident Handbook)** This handbook covers rules, guidelines, and safety procedures for the Association not covered by the CC&R's or By-Laws.

It is important to become familiar with your Association's governing documents, as state statutes require your compliance. If you have not received a copy of all of the Park Plaza governing documents, please let us know.

GRILL- see BARBEQUE GRILL GROCERY CARTS - see CARTS

### **GUESTS**

The Park Plaza community enjoys making the guests of homeowners feel welcome when they visit. We only ask that guests follow the rules. Residents are liable for the actions and behavior of their guests. For their safety, Park Plaza asks that all children under the age of twelve (12) be accompanied or supervised by an adult when in the common areas. Any young guests who are visitors to the property must also be supervised. An adult must accompany children under the age of sixteen (16) using the pool at all times. Children under the age of sixteen [16] years of age are not to utilize the equipment in the Fitness Center unless accompanied by a responsible adult familiar with the proper use of exercise equipment.

Residents may allow non-paying friends or relatives to stay in their unit during their absence. NO short-term; (less than six months) rentals are permitted. Guests staying in the unit in the absence of the residents should be given this handbook so they will know the building's rules and regulations. Residents are liable for the behavior and actions of their guests. Overnight guests have full resident access to the common areas, including the Fitness Center, pool, and patio area. It is the responsibility of residents to ensure that all guests are fully informed as to the rules and regulations pertaining to the building and all facilities. The owner will be held responsible for any violation of the rules committed by his or her guest.

**Guests at Park Plaza are bound by all Association rules concerning pets. (SEE PETS)**

### **HALLWAYS AND STAIRWAYS**

**All hallways, stairways, and doors into the stairways must be kept clear of any obstructions at all times. The exit doors from the building and walkways in the storage bin areas must also be kept clear of obstructions at all times. This means that nothing should be placed or stored in the hallways, walkways, or stairwells by residents. RESIDENTS MAY NOT PLACE DOORMATS OUTSIDE THEIR UNIT DOOR IN THE HALLWAY.** Any item left in a hallway or doorway could be a dangerous trip hazard, especially for those with impaired vision. Items left unattended in the hallways, walkways, or stairwells will be removed and discarded.

HANDICAP PARKING - see PARKING

### **HEATING AND COOLING**

The heating and cooling system at Park Plaza consists of a series of pipes running through the building containing either heated or cooled water. The water is heated in boilers or cooled by a chiller, depending on the season. This equipment is located on the 16<sup>th</sup> floor, and the two-pipe system circulates the heated or chilled water throughout the building. The individual fan units in each condo, and the common areas, blow air across these pipes to heat or cool the air that is then delivered to the unit. Separate switches at each unit regulate the fan speed, and individual thermostats control the temperature. Air is re-circulated from within each unit, so there is no connection to other units by way of air ducts.

Our heating and cooling system is designed in such a way that we can only have one or the other activated at a time. When the heat is turned on, the air conditioning is not available. Once we switch to cooling, it is difficult and expensive to go back to heat should we experience colder weather. This means that in the spring and fall, residents can expect to have a period of time when the temperature in their unit is *less than* perfect. During the transition period between seasons, there may be times after the heat is turned off when the overnight and early morning temperatures are cool, requiring an extra blanket on the bed and maybe wearing a sweater around the house. Likewise, before we switch to cooling, the afternoons may be a bit too warm. Opening the windows, to circulate some fresh air, or using an electric fan can remedy this. Also, some residents have installed awnings and/or window tinting, which helps minimize the heat and keep their units cooler. (See AWNINGS AND SHUTTERS)

Residents must keep in mind the wide range of temperatures experienced in this building. Because some units are shaded and get very little sun, while others experience the heat generated by the intense afternoon sun shining on the west, it is often difficult to keep everyone happy. Also, as heat rises in the building, there can be a large discrepancy between the temperature on the lower floors and those at the top. We are very aware of these situations, and your patience and understanding are appreciated. Management monitors the temperature and weather forecasts daily during the transition period to determine the optimum date to make the switch. We also place the system in neutral at times when we are between seasons. This keeps the air temperature more comfortable and saves money as well. The heating season *generally* runs from sometime around the first of October to the first of May, and the cooling season *usually* runs from the first of May to around the end of September. There is some leeway - at the discretion of Management - depending on temperature and weather. It is our goal to maintain a comfortable living environment for all residents.

Residents are advised that during the summer cooling season, when the humidity is high, the cooling units may build up excessive condensation. A reservoir inside the cooling unit usually contains this moisture. However, if the humidity is too high, the reservoir may fill to overflowing. This may cause small amounts of water to periodically drip from the cooling unit. This condition occurs rarely and usually only lasts for a two or three week period in July or August. However, it can occur anytime after a rain or when the humidity level is high. If this situation occurs, residents may place a small container or towel under the drip to catch the water. They may also report this to the Association Management office and request that Maintenance drain the reservoir. Homeowners may, at their own expense, install a pump, which will help keep the reservoir from overflowing. Maintenance and replacement of any non-standard equipment which was not original or provided by the Association will be the responsibility of the homeowner. Residents should consider the matter of condensation when placing furnishings and other items directly under the cooling units. The Association or Management is not responsible for damage caused by condensation or other liquid dripping from the cooling units.

### **HOMEOWNER REQUESTS**

#### **FOR MAINTENANCE WITHIN A UNIT, RESIDENTS SHOULD COMPLETE A WORK ORDER REQUEST.**

There is an hourly charge for labor, and a charge for all materials and supplies used. Residents must complete a work order before any work can be scheduled (forms are available in the Association Management office). All requests for routine maintenance must go through the Association Management office. When work order forms are completed, they should be handed in to the Association Management office or deposited in the office mail slot when the office is closed. Repairs will be addressed in the order in which they are received. The Association Management office will bill the resident for the repair work. If the problem is beyond the ability of the staff, the resident will be informed to hire an outside contractor.

The Board of Directors is elected by the Park Plaza Association membership and meets monthly during the year. If a resident has a concern to present to the Board for discussion or action, he or she should submit the request in

writing. All homeowners are welcome to attend Open Board Meetings, which are held once each quarter. Residents wishing to meet with the Board should contact the Association Management office for the Board meeting schedule.

Residents must recognize that Board and Committee members willingly volunteer their time to work for the Association. Residents should respect the privacy and free time of these individuals. If you have a matter that you wish to discuss with a Board or Committee member, please contact them in writing or leave a message for them in the Association Management office. This way, the individual can contact you at their convenience. Please do not call them at home or work, or monopolize their free time when you see them in the lobby or parking lot. If a matter is important enough to discuss, then it is important enough to put in writing. Emergencies should be reported to the Association Manager during office hours, and to Courtesy Patrol after hours.

### **HOSPITALITY ROOM**

The Hospitality Room is used for Association sponsored social events as well as official Association meetings. The Hospitality Room may be reserved by Park Plaza residents and homeowners for private functions. The resident reserving the Hospitality Room must complete, sign, and submit the Hospitality Room Reservation Agreement to the Association Management office for approval. Advance reservations and a deposit are required. Residents are liable for the actions and behavior of their guests. For their safety, Park Plaza asks that all children under the age of twelve (12) be accompanied or supervised by an adult when in the common areas. All young guests who are visitors to the property at any time must be supervised. Adults are responsible for supervising the children under their care. Use of the kitchen, patio area, and grill is included with the Hospitality Room, although the patio area and grill may not be reserved for the *exclusive use* of anyone. Children under the age of sixteen (16) using the pool -must be accompanied by an adult at all times. All decorations for private events must be contained completely within the Hospitality Room and must not cause any damage to the facility or furnishings. All decorations must be removed immediately following the event. **No items or equipment, such as tables and chairs, etcetera, may be removed from any storage or common area without permission from the association manager.** See the Hospitality Room Reservation Agreement form for the terms and specific details on the use of the facility.

### **HOUSEKEEPING**

**Residents must not allow any disrepair or deterioration in their units which would jeopardize the soundness or safety of any other unit or which would unreasonably interfere with another owner's use and enjoyment of his or her unit.** Residents should minimize the possibility of unpleasant odors entering the common area hallways. Pet odors must not be obvious in common areas or adjoining units. Litter boxes should be emptied regularly. When cooking, please use the vent fan over the stove to help keep the common areas free of food odors.

**Do not sweep or wash debris off the balcony. No one may allow anything whatsoever to fall from windows, doors, or balconies of the building. Do not sweep debris from your condominium into the hallway. If you transport anything to or from your unit which leaves rubbish or debris in the hallway or service elevator, you must vacuum the hallway carpeting and clean the elevator.**

Residents are asked to help keep the laundry room clean. The washers and dryers should be left clean after each use. This includes cleaning out the detergent and softener dispensers, and removing lint from the dryer filter after each load. Empty laundry product containers, trash, and lint should be put down the garbage chute. All items placed down the trash chute must be bagged.



Housekeeping personnel care for the common areas of Park Plaza.

### **INSURANCE**

The Association provides the types of insurance required by the Bylaws and CC&R's. All insurance policies (or certificates) are retained by the Association and are open for inspection by owners during regular business hours. The Association is required to secure and maintain adequate liability and hazard insurance for property owned and maintained by the Association. Directors' and officers liability insurance is also required for the officers of the Association. Building insurance is re-bid on an annual basis by the Association. Please contact the Association Management office for agent information. All homeowner certificates of insurance can be obtained through the insurance agent's office. Homeowners are encouraged to contact the Association's insurance agent before placing coverage on individual units to assure maximum protection between the master and individual owner policies. Each owner should maintain general Liability and hazard insurance for their home, as well as coverage for all items within the walls of their condominium. This is to include all furnishings and Personal belongings, cabinets, flooring, window coverings, light fixtures, plumbing fixtures, etcetera (basically, everything from the paint in). Homeowners are reminded that the windows and sliding glass doors in each unit are the property of the homeowner, not the Association, and should be covered by the homeowner's insurance policy. **OWNERS ARE RESPONSIBLE FOR CARRYING ANY NECESSARY RENTERS' INSURANCE IF A UNIT IS RENTED OUT.** Any insurance loss involving the Association's property should be promptly reported to the Association through the Association Manager.

### **INTERCOM SYSTEM**

The intercom entry system uses your telephone to let you talk with visitors and allow them access to the building if you so desire. A visitor is instructed on how to find your "directory code" using either the system's built-in electronic directory or the posted list. The visitor then enters your code on the keypad and the system dials your telephone number, which has already been programmed into the system's memory, and your telephone will ring. The use of long distance numbers may incur an additional charge. The system keeps your telephone and unit number confidential. Neither your telephone number nor your unit number is displayed on the directory. The code numbers listed by the intercom do not correspond to your unit number. When you answer your telephone, you may conduct a normal conversation with the visitor. The entry system permits conversation for about one minute and will then automatically hang up. (Note: A short beep will be heard 10 seconds before it hangs up.) Be sure to speak clearly and loudly enough so the visitor can hear you.

If you wish to admit a guest, pressing the number "9" on the telephone will open the door. On some cellular telephones you must press the 9 twice. If a guest is not to be admitted, hanging up the telephone will disconnect the person from the entry system. Visitors may hear a busy signal if a resident is on the phone. This problem can be eliminated by ordering "Call Waiting" from the local telephone company.

### **KEY LOG PROCEDURES**

Residents must complete a "Resident Data Sheet" which lists those individuals authorized to check out a key to the unit. Staff members have been instructed to check the list of authorized persons and ask for photo identification before giving out keys, unless the person is positively known to them. If a resident wants the staff to give a key to someone not listed on their "Resident Data Sheet" - such as a contractor or for a delivery, they must do so in writing. Authorization forms are available in the Association Management office. Any contractor, service person, guest, staff member, or resident will be required to fill out the key log in the Association Management office when using keys from the office for any condominium, for any reason. The key log must be filled out completely in each instance. Individuals returning keys to the Association Management office may place the keys in the office mail slot if the office is closed. Residents must provide the Association Management office with copies of the keys to their unit for maintenance

emergencies. All keys are kept in a locked box in the Association Management office and strict control is maintained. Staff members have been instructed to check the list of authorized persons and ask for photo identification of persons not known to them before giving out keys. A copy of any new keys must be provided to the Association Management office if locks are changed.

### **LANDSCAPE**

The landscaped areas of the community are maintained by Park Plaza Staff. Reports of excessive water drainage, ponding or malfunctioning irrigation valves should be directed to the staff at once. The curb appeal of the Park Plaza community is an important asset to all residents, and both the Board and the Association appeal to all residents to respect and protect the integrity of the landscaped and flower bedding areas. Please help Park Plaza monitor violations and vandalism of any landscaped area, whether it be a pet owner not cleaning up after a pet, or individuals tampering with the gate valve boxes.

LATE CHARGES - see COLLECTION POLICY

### **LAUNDRY**

**The laundry room facilities and trash chutes are to be used between the hours of 7:00 a.m. and 10:00 p.m. only so as not to disturb residents living in units near the laundry room.** Residents are requested to use HE detergents in the washers. Lint should be removed from dryer filters after each load, then bagged and placed down the garbage chute. Please assist the staff in keeping the laundry facility in a tidy condition by disposing of lint and other debris in the trash chute. **Detergent, bleach, and other liquid or powdered laundry products are not to be brought to the laundry room in open containers due to spills on the carpet. Residents causing damage to the carpet, or any common area element, will be responsible for the cost of repair. Residents are asked to promptly remove their laundry from the machines so others may use them.** If there is a problem with a laundry machine, Mac Gray is available to make repairs. Their number is 1-800-622-4729. The floor of the malfunctioning machine and the address should be given when a request for repair is made. Residents may call Mac Gray directly, but please notify the Association Management office that they have been contacted so an "Out of Order" sign may be posted. The Association is not responsible for any clothing lost, stolen or damaged in the laundry room. Residents should only use the laundry facility on their floor, unless a machine on their floor is out of order. Laundry is not to be hung on balconies or over balcony railings. Residents are reminded that City of Albuquerque fire code does not allow the laundry room doors to be propped open since these doors act as fire barriers.

**Owners and residents are allowed to install washing machines and dryers in their unit.** The work has to be done by a licensed plumber/electrician. An ARC packet will have to be filled out and returned to the management office to be approved BEFORE they can be installed. Dryers may not be vented into the walls and crawl spaces.

LEASES - see UNIT SALES AND LEASES

### **LIBRARY**

The Library is comprised largely of books and other materials that have been donated by residents. The Library works on the honor system. Any resident may borrow an item from the Library. Residents are asked to be considerate of their neighbors and return items that have been borrowed within a reasonable time frame. The Library accepts donations from residents of books, videos, DVD's, audio books, and magazines. The Library Committee and the Board of Directors has the right to accept or reject donations, and will periodically cull through

the Library to remove books that are out-of-date or in bad condition. Please do not donate books that are in bad condition as this just creates work for the Library Committee.

LOADING ZONE - see PARKING

**MAIL SERVICE**

There is an outgoing-mailbox on the mail room door in the main lobby. Mail is delivered to residents' mailboxes located near the main entrance. The nearest post office is located at 2106 Central S.W. (Just east of Rio Grande Boulevard.) The Postal Service will not deliver mail that does not have a complete address.

The address should read:

(YOUR NAME)

1331 Park Avenue S.W.

Unit #

Albuquerque, New Mexico 87102

Questions regarding mail delivery can be addressed at the Main Post Office located at Broadway and Mountain Road N.E. Please notify the post office if you will be out of town for an extended time so your mail can be held at the post office and delivered when you return.

The physical address of Park Plaza for deliveries, emergency response, etc. is: 134 Fourteenth Street S.W.  
Albuquerque, New Mexico 87102

If you receive a package that will not fit in your mailbox, a staff member may sign for it and place it on the package shelves in the Association Management office. You will receive a notice in your mailbox from the U.S. Postal Service informing you of a delivery. You may then pick up your package in the Association Management office by signing the "Package Delivery Confirmation" book. After business hours, the Courtesy Patrol officer may assist residents in picking up their packages. Residents must Sign a form giving staff member's permission to sign for all deliveries, including packages, and registered or certified mail. This authorization is contained on the "Resident Data Sheet". Residents may also provide written permission for a staff member to place items in their unit while they are out of town. This would include items such as large parcels that will not fit in the parcel area of the Association Management office.

**Moving Fees and Procedures**

The following procedures apply when a unit owner/resident moves into or out of a Unit in the Park Plaza Association:

1. Move in or move out is defined as the initial move into a unit to establish occupancy or the move out to end occupancy either by an Owner or their lessee.
2. All move ins and move-outs must be scheduled with Management and take place Monday through Saturday between the hours of 9:00 am and 5:00 pm, and no moving company trucks will be allowed to enter the gated parking lot after 3:00 pm. The managing Agent shall have the authority to prohibit any moves that have not been properly scheduled and authorized.
3. In order to schedule a move, the Owner or Lessee must notify Management in writing of the desired date and time of the authorized move at least 5 calendar days prior to the date requested for the move. In order to complete the move in/out request, the resident must provide his/her full name, address, home and work phone numbers, email address, name of the moving company along with required proof of insurance, and contact information for the moving company representative.

4. The Owner of the Unit is responsible for any damage done to the common areas; including but not limited to hallways, elevators, carports. The Moving Company must supply the Association with a current certificate of liability insurance for a minimum of \$1,000,000, at least 48 hours before the move may take place.
5. All Move-in/Move-outs shall require the payment of a non-refundable fee. A minimum half day fee of \$100.00 will be charged for moves lasting less than 4 hours. A fee of \$200 will be charged for moves 4 to 8 hours in duration. This fee is to defray the Association's cost, and is not refundable. Payment of the Fee is the responsibility of the Homeowner. Included in this fee, the Owner/Lessee will be assigned a designated Park Plaza employee for the duration of the move. The designated Park Plaza employee will guide the moving truck onto the property and ensure a designated/reserved parking space, secure and retain the Freight elevator during loading and unloading of personal belongings, and escort the moving truck off property at the completion of the move.
6. At no time during the move shall the common areas be blocked in a manner to prohibit access by residents. All trash including cardboard boxes shall be removed from the common areas and disposed of in the trash enclosures. Cardboard boxes should be flattened and/or removed from the premises. Every effort should be made during the move to reduce noise so that residents are not disturbed.
7. Within two days after a move in or out, the Management designated representative will perform an inspection of the common elements to reveal any damage caused at the time of move. The Owner whose unit is being moved into or moved out of will be liable for all costs incurred by the Association in repairing any damage to or performing any cleanup of the common elements, including disposal of any trash that results from a move. If damage is found, the cost of the repair will be assessed against the Owner of the unit. Such Damages may include, but are not limited to, the cost to repair nicks, gouges, marks to the walls, damaged light fixtures, carpet damage/ stains. Amounts collected pursuant to this Resolution will be used to provide funds for expenses incurred by the Association as a result of such moves. All fees collected under this Resolution shall be collectible in the same manner as any assessment.
8. A move-in permit will not be issued to prospective tenants, lessee or occupants until the manager has received a copy of the executed Lease Agreement that contains a term of not less than six months. Note: The elevator door measurements are approximately 42" x 84". The elevator cab measures approximately 60" x 68" x 98". The weight capacity of the elevator is 2,500 pounds. I have read and agree to abide by the Move-In/Move-Out Procedures listed above in the Moving Fees and Procedures. I understand and agree that if damage is incurred as a result of my move (or the move of any resident into my unit; i.e. tenant), I will accept total responsibility for the cost of any damage, repair, cleaning, losses, or other liabilities that occur.

#### **MAINTENANCE AND REPAIRS**

The Association staff will provide some courtesy services during regular business hours to residents who are unable to perform light maintenance functions themselves. These services include replacement of light bulbs, help putting screens back on windows and assistance with heavy packages and other minor services. For more skilled maintenance, residents should complete a work order request. There is an hourly charge for labor, and a charge for all materials and supplies used. Residents must complete a work order before any work can be scheduled (forms are available in the Association Management office). **All requests for routine maintenance must go through the Association Management office.** When work order forms are completed, they should be handed in to the Association Management office or deposited in the office mail slot when the office is closed. Repairs will be addressed in the order in which they are received. The Association Management office will bill the resident for the repair work. If the problem

is beyond the ability of the staff, the resident will be informed to hire an outside contractor. **If you hire an outside plumber, electrician, or other maintenance person, he or she must be licensed. Tools and equipment belonging to the Association may not be loaned to anyone.**

**Under no circumstances should a resident pay the maintenance staff person directly or with cash for work done with a work order on Association time.** Staff members are not available to assist residents with major repairs, renovations, or construction during their duty hours. Requests for emergency repairs (such as a major leak) should be made directly to the Association Management office. If the emergency occurs when the Association Management office is closed, the Courtesy Patrol staff will assist the resident in obtaining the help needed either by contacting a Park Plaza service employee or directing the resident to outside assistance. Individual homeowners are responsible for cleaning out drains throughout a unit. Park Plaza will provide scheduled maintenance of the main drains, on a regularly scheduled basis. Residents also have the option of contracting with their own plumber, electrician, etcetera for work within their unit. Maintenance, housekeeping, and other staff members may be hired to perform jobs for residents during their off hours. Residents are urged to only hire staff to work for them during off hours so as not to put the employees job at risk.

Certain types of maintenance within each unit have a direct impact on the community. This involves things such as the plumbing and electrical systems which are connected throughout the building. Therefore, the maintenance staff will need to enter your unit on a periodic basis to inspect and repair certain equipment. **You are required to allow access to your unit for necessary inspection and maintenance of community systems and equipment.** Twice each year, in the spring and fall, the maintenance staff changes all filters in the heating and cooling units. If you experience damage to your unit as a result of some type of intrusion from a neighbor's unit, you should immediately inform the Association Management office. If the situation is an emergency, such as a serious leak, and it is not during office hours, immediately notify Courtesy Patrol. In the instance that there is a leak from another unit, access to the unit from which the leak is coming, or is suspected to be coming, must be granted. **DAMAGE CAUSED TO A UNIT BY ANOTHER UNIT, SUCH AS FROM A LEAK PENETRATING DOWN THROUGH THE CEILING, IS THE RESPONSIBILITY OF THE OWNER WHOSE UNIT HAS CAUSED THE PROBLEM - NOT THE OWNER OF THE DAMAGED UNIT.** Because disputes can arise, residents are strongly urged to notify the Association of any such damage prior to getting it repaired. In the case of disputes, they must be resolved between the homeowners. Park Plaza Association, Inc. assumes no responsibility for the resolution of such disputes. If the Association is responsible for the damage, then Park Plaza will cover the cost of repair.

Maintenance and replacement of any non-standard equipment, which was not original or provided by the Association, will be the responsibility of the homeowner. The Association is not responsible for problems or damage resulting from modifications of and/or additions to any equipment or systems by a homeowner or resident.

### **MANAGEMENT**

An independent management company manages Park Plaza. An on-site Association Manager oversees clerical, maintenance, housekeeping, and courtesy patrol personnel. The Management Company employs all Park Plaza staff members. Any issues regarding Park Plaza staff members should be referred to the Association Manager. **THE ASSOCIATION MANAGER WILL HANDLE ALL MATTERS REGARDING THE EMPLOYEES.**

### **NEWSLETTERS**

Newsletters are published on a regular basis by a committee of Park Plaza residents. Anyone having an item for the newsletter should submit the information in writing to the Association Management office.

**NEWSPAPERS**

Several newspapers are delivered regularly to Park Plaza, including *The Albuquerque Journal*, *The New York Times*, and *The Wall Street Journal*. Residents should contact the newspapers directly regarding subscriptions and delivery issues

Albuquerque Journal (morning paper)  
Circulation 823-4400

New York Times (800) 698-4637  
Wall Street Journal (800) 568-7625

**NOISE**

Residents living in a multi-family building such as Park Plaza should expect to tolerate some level of noise from neighbors. Although everyone tries to keep it to a minimum, some noise is normal for this type of housing environment. The everyday sounds of living are often shared in a configuration such as a multi-storied building. Residents can expect to hear TV, stereo and radio, as well as doors closing, heavy walking, and other normal sounds from surrounding units. Individuals that are sensitive to noise should not live in such close proximity to neighbors. Although it is unreasonable to expect total silence at Park Plaza, residents are requested to respect the right of peaceful enjoyment of the community for all occupants, as much as possible. **The hours of 11:00 p.m. to 6:00 a.m. are designated as "quiet time," and all residents should keep noise to a minimum during these hours.** Headsets for stereos and TVs are suggested. Subwoofers, loud bass, boom boxes and percussion instruments (excluding pianos) are prohibited in Park Plaza units. Speakers should be placed on a sheet of Styrofoam or on folded towels. Please do not place speakers or televisions on the wall adjoining a neighbor's home, or on an uncarpeted floor. The Association requests that TV's, radios, stereos, conversations, and animal noise be kept at levels that will not disturb neighbors. **Wind chimes on balconies are not allowed due to noise. The laundry room facilities and trash chutes may be used only between the hours of 6:00am and 10:00 pm so as not to disturb residents living in units near the laundry room.**

In the event of a noise disturbance; residents should first contact their neighbor and inform them that a noise disturbance is being created. Extreme noise violations may be reported to the Association Management office or a Courtesy Patrol officer. If the problem continues, violations may be reported, in writing, to the Board through the Management Company.

**NOTICES / POSTINGS - see BULLETIN BOARDS and SOLICITING**

**OFFICE SERVICES**

Copy machine and fax services are available in the Association Management office for a small fee. Faxes may be sent to Park Plaza residents at (505) 242- 2596. Residents may pick up faxes in the Association Management office at their convenience. Notary service is available by the Association Manager free of charge to Park Plaza residents. During regular office hours, an office staff person may be available to assist you. He or she can show you how to use the copier or fax machine so you are able to use it by yourself in the future. If you wish the staff to do the work for you, such as make copies or send a fax, you may ask, but if the staff person is busy you may be asked to return later or leave the item so it can be copied or faxed later.

## **PACKAGE DELIVERY**

We accept delivery of packages and other items as a *courtesy* to residents. Park Plaza Association, Inc., the Management Company, and their employees *are not responsible for damage, loss, or theft of delivered items*. All individuals that are picking up a package must sign the "package delivery confirmation" form to verify that they are taking possession of the package. Notifications of packages are left in the individual mail boxes or on the front door of the mailbox. The packages are left in the Association Management office and may be claimed at any time. If the Association Management office is closed, please ask a Courtesy Patrol officer to retrieve your package. Packages should be claimed and removed from the office within three business days. Unclaimed packages will be returned. Residents must sign a form giving staff members permission to sign for all deliveries. This authorization is contained on the "Resident Data Sheet".

## **PARKING**

### **Resident Parking**

Residents of Park Plaza are assigned parking space by the Association. **Only one (1) vehicle is allowed per assigned parking space. All vehicles must be parked within the lines of the designated space.** Every effort should be made to keep a reasonable distance between parked vehicles. For maximum safety and to minimize inconvenience to your neighbors, please park in the designated parking space assigned to your unit. Parking spaces are considered common area that is assigned to the unit, and as such they may not be sold. Should a resident desire to trade spaces with another resident, her or she must coordinate such a trade through the Association Management office. The Association requires unit owners to keep their spaces free of debris and unsightly stains such as those caused by automobile fluids. Repairs for asphalt damage in parking spaces caused by automobile fluids will be assessed back to the unit owner to whom the space is assigned. Gate operators may be purchased in the Association Management office.

**Trailers, campers, recreational vehicles, and boats may not be parked on the Park Plaza premises. Recreational vehicles, campers, boats and/or trailers are ONLY allowed in the parking area for the purpose of loading and unloading. Additionally, no inoperable vehicle may be kept on the premises. Operable vehicles are defined as vehicles displaying license plates with current registration tags, with windows and windshields intact, inflated tires, headlights in working order, and capable of being driven on City streets. No dismantled, inoperable or wrecked vehicles or equipment will be parked, stored, or deposited on Association property. All vehicles in the Park Plaza parking lot must have license plates with current registration.**

Residents entering the parking lot should watch for cars or individuals on foot that might try to follow them into the lot. Notify the Association Management office or Courtesy Patrol if anyone that you don't know follows you. To reduce the risk of auto theft from the parking lot, residents are asked not to leave their gate openers in their vehicles.

**All vehicles traveling through the Park Plaza property should not exceed five miles per hour. Drivers must take special care to watch for pedestrians. No motorized vehicle of any kind may be operated in any manner which is dangerous, noisy, or creates a nuisance.**

**All motorized vehicles operated within the parking lot must have mufflers installed in good condition which limits the exhaust noise to no more than eighty (80) decibels, ten (10) feet from the vehicle. While inside the parking lot, car stereos should be played at levels that cannot be heard outside of the vehicle. Remember to turn the volume down at the gate.**

**Residents should not allow their vehicle alarms to be an ongoing annoyance or nuisance to other residents. Residents should take action to silence their vehicle alarm as soon as possible when it sounds. Residents that allow their alarms to be an annoyance or nuisance repeatedly may be fined.**

The Association retains the right to tow vehicles that are in violation of these rules and regulations. Towing will be at the vehicle owner's expense.

Parking spaces may be leased to other Park Plaza residents, with the details of the lease decided by the prospective parties. The leasing of parking spaces to non-residents is not allowed.

Homeowners are responsible for any damage to Association property caused by their vehicle, the vehicles of their guests, or any vehicle they allow to be parked in the space assigned to their unit.

Any damage to another individual's vehicle or property caused by a resident or guest vehicle is a matter to be resolved between the two parties involved. Park Plaza Association, Inc. assumes no responsibility for any such damage.

### **Loading Zones**

For safety reasons, parking is not allowed along the curbing throughout Park Plaza. The east side of 14th Street from Park Avenue to Central is designated "no parking", with the exception of the loading zone in front of Park Plaza. This is a thirty (30) minute loading zone. Violators may be ticketed and/or towed by the Albuquerque Police Department. The resident loading zone adjacent to the service entrance at the east side of the building is for loading and unloading only. Parking in this space is limited to 30 minutes. Vehicles parked in a loading zone longer than 30 minutes may be towed at the owner's expense.

### **Staff/Employee Parking**

Staff members will park in spaces reserved for their use. **Homeowners, residents, guests, contractors, vendors, etcetera are not to park in spaces reserved for staff. Staff parking spaces are not to be used by residents at anytime.** Vehicles parked in reserved spaces may be towed at the owner's expense.

### **30 Minute Loading & Unloading, Contractor, and Vendor Parking**

Your guests should never park in your neighbor's parking space. Along with contractors and vendors they should be directed to the side streets adjoining the community. A contractor or vendor may park in the last two loading spaces on the east side of the building for longer than 30 minutes with permission from the management office. If a resident will not be home while a contractor is working in his or her unit, he or she may instruct the contractor to use his or her assigned parking space. Please note the carport clearance restrictions. If a contractor or vendor will need to enter the parking lot, the resident should meet him or her at the gate. From 8:00 a.m. to 5:00 p.m., Monday through Friday vehicles exiting the parking lot may approach the gate, and it will open automatically. Residents, guests, contractors or vendors parking in reserved spaces may be towed at the owner's expense.

### **Accommodations For Residents Needing Handicap Parking**

It is the policy of Park Plaza Association, Inc. to make short or long term accommodations for residents needing handicap parking.

Purpose:

To provide acceptable parking accommodations for residents who have a parking space that makes it difficult for them to access the building.

Procedure:

1. Notify the Association Manager of your need for handicap parking.
2. The Association Manager will evaluate your request.



3. A parking space that is best suited for your condition may be assigned to you.
4. Requests will be reviewed on a case-by-case basis.
5. In the event that your needs are short-term, you may have to return to your previously assigned parking space when you are again able.

All parking spaces are common areas as specified...in the CC&R's and are not deeded to the unit owners. The Association Manager will take into consideration the exchange of parking/spaces-and not restrict other unit owners ability to utilize the parking area. When a unit is sold, the parking space will be evaluated for current special resident needs.

Park Plaza Association, Inc. is not responsible for damage, loss, or theft of vehicles on Park Plaza premises or items left in or on vehicles.

### **PATIO AREA**

The patio area is available for use by Park Plaza residents and their guests during the hours of 8:00 a.m. to 10:00 p.m. Smoking is not allowed in the patio area. The patio area may not be reserved for private functions. However, if a resident or homeowner has reserved the Hospitality Room, they may also use the patio area and grill for their function, along with other residents. Children under the age of twelve (12) must be accompanied or supervised by an adult.

ALSO SEE BARBEQUE GRILL

### **PEST CONTROL**

Pest control service is provided to Park Plaza residents by the Association. The cost of this service is included in the monthly assessment fee. Park Plaza employees and exterminator personnel must be able to enter units to conduct the periodic scheduled pest control. A Park Plaza staff member will always accompany the exterminator personnel when entering a unit. **All residents must participate in the pest control program unless the resident has a medical reason why the unit should not be sprayed.** Such reason must be documented and signed by their physician. If too many residents decline to have their units treated, we could develop problems with pests.

### **PETS**

**Residents are allowed a maximum of two *common* household pets per unit. A common household pet is defined as a dog, cat, bird, or fish. Each pet may not weigh over 20 pounds. The number, type, and weight limit applies to all animals brought onto Park Plaza property, whether owned by a resident or homeowner, being kept by a resident or homeowner, or belonging to a guest. Any pets other than those expressly permitted are prohibited. All pets are to be leashed or contained in a pet carrier when in any common area, and are to be taken in and out of the building on the service elevator. Pets are not allowed on the passenger elevators unless the service elevator is unavailable.** Owners are encouraged to carry their dogs in passenger elevators.

**For the preservation of exterior common areas, no animals are to be walked on any landscaped areas surrounding the building, including the patio area adjacent to the swimming pool and the parking lot. The removal of pet waste is the responsibility of the pet owner. Pet waste must be bagged and disposed of in outdoor trash containers. Pet waste must never be brought into the building. Pet Odors must not be obvious in common areas or adjoining units. Litter boxes should be emptied regularly. Cat litter must be double bagged and brought down to the trash containers in the service area. Cat litter may not be placed down the trash chute, as the bags tend to break open.**

**No pets may be kept or maintained for commercial purposes or for breeding. All pet owners must register their pet with the Association through the Association Management office, and every pet must have a current city license/vaccination tag from the Albuquerque Animal Services Division or a licensed veterinarian, if such a license is required by the City of Albuquerque.**

**Pets are not allowed in the common areas of the Park Plaza community except as they are being taken to and from units, in and out of the building. When passing through common areas, pets must be accompanied by an adult capable of controlling the animal and restrained on a leash or contained in a pet carrier. Residents must maintain total control over their pets while they are passing through common areas. Dogs must not, under any circumstances, be permitted to jump on other residents. Animals are to be kept off of all common area furniture. Pets are not permitted to be in the lobby for extended periods. Any damage, including urine damage, caused by an animal will be repaired/replaced at the animal owner's expense. Pets are not to be left unsupervised on unit balconies. No pets or animals are permitted in the enclosed pool.**

**Pet owners are expected to control the noise of their pets so as not to disturb their neighbors.** Residents who are disturbed by an animal are urged to first contact the pet owner. A noise disturbance by a pet is a violation of City Ordinances and Management will file formal complaints with the approval of the Board when necessary. Any pet causing or creating a nuisance or unreasonable disturbance will be permanently removed from the property upon ten (10) days written notice from the Association.

Residents are responsible and liable for any personal injury or property damage caused by their pets. Pets owners who have pets in the building are deemed to have agreed to indemnify and hold the Association, Management, each other property owner, and declarant free and harmless from any loss, claim, or liability of any kind or character whatsoever arising by reason or keeping or maintaining such pet within the Community. If the pet owner is a tenant, the owner of the residence is liable. Pet owners are responsible for any damage to common areas caused by their pets. This includes, but is not limited to, cleaning up any accidents their pets have in the hallways, elevators, lobby, or other common areas. If the pet has soiled carpeting or other common area elements, the pet owner may be required to pay for special cleaning to remove stains and odor.

**All of these pet rules apply to all pets in the building, whether owned by a resident or belonging to a guest.**

Service animals that assist people with disabilities are welcome at Park Plaza and are exempt from the size and species rules.

#### **POLITICAL SIGNS AND LITERATURE**

No partisan political signs or literature are permitted in common areas and may not be displayed where they may be seen from outside the building. This includes partisan political signs on unit doors, partisan political literature on tables, or partisan political pamphlets in common areas. Nothing prohibits individuals from wearing campaign buttons or displaying campaign bumper stickers on their vehicles.

POOL - see SWIMMING POOL

POWER FAILURE - see GENERATOR

#### **RECORDS AND INFORMATION**

Homeowners may review financial records of the Association and minutes from Board of Directors' meetings. Homeowners requesting copies of any records will be charged the regular copy rate. Management or the Board of Directors has the right to determine that a request is excessive either because of the burden it places on employees' time or other costs.

Park Plaza Association, Inc. complies with New Mexico state law with respect to providing owners with access to records and information. Non-owner residents are precluded from access to official documents. No records containing information about individual owners, tenants, or employees will be made available to any owner other than members of the Board of Directors or those designated by the Board of Directors. Management and the Board of Directors have the right to deny a request for information because it is considered to violate the privacy of individual owners, residents, tenants, or employees.

### **RECREATIONAL EQUIPMENT**

With the safety of all residents of the Park Plaza community in mind, **skateboards, roller blades, skates, or "ATV's" (all terrain vehicles) may not be used in the common areas, including the parking lot, drives, and sidewalk areas. Bicycles should be locked to the rack provided by the Association. All bicycles kept in this rack should be registered with the Association Management office.** Park Plaza Association, Inc. and the Management Company are not responsible for damage, loss, or theft of bicycles or other equipment left on Park Plaza premises.

### **REFUSE REMOVAL**

**All refuse must be placed in plastic bags and securely tied before being dropped down the trash chute. Refuse that may be bagged and placed down the chute may not be transported on the elevators. Boxes and other large trash items are not to be placed down the chute and must be taken to the service room on the first floor and placed in one of the available trash bins. Please do not force trash down the chute as items may jam and block the chute. GLASS ITEMS ARE NOT TO BE THROWN DOWN THE TRASH CHUTE UNDER ANY CIRCUMSTANCES. Glass items are to taken to the service area on the first floor and placed in one of the trash bins. Cat litter must be double bagged and taken to the trash bin in the service area. Cat litter may not be placed down the trash chute, as the bags tend to break open. Used medical supplies such as syringes or needles must be fully protected in medical supply disposal containers. This includes used diabetes testing supplies.** Staff members will remove improperly stored refuse and other items left in any common area. Charges for such removal will be assessed to the respective unit owner. Residents identified as throwing inappropriate materials down the trash chute will be held liable for any damage or personal injury incurred by Park Plaza Association, Inc. or its staff.

**FURNITURE, USED APPLIANCES, MATTRESSES, LARGE RUGS OR CARPETING, AND OTHER LARGE DISCARDED ITEMS MAY NOT BE PLACED IN TRASH BINS OR LEFT IN THE SERVICE AREA. RESIDENTS MUST MAKE ARRANGEMENTS FOR THESE ITEMS TO BE HAULED OFF. The service elevator must be used for all such removals.**

The laundry room facilities and trash chutes are to be used between the hours of 6:00 a.m. and 10:00 p.m. only so as not to disturb residents living in units near the laundry room.

**REMODELING / ALTERATIONS - see ARCHITECTURAL REVIEW COMMITTEE and CONTRACTOR RULES AND REGULATIONS**

**RENTALS - see UNIT SALES AND LEASES**

**REPAIRS - see MAINTENANCE AND REPAIRS**

**RESERVES**

The Association maintains funds in reserve which are set aside from the general operating account. The money in the reserve account is allocated for specific items and projects according to a schedule established by the Reserve Study, which is updated regularly. Reserves may also be used under extraordinary circumstances. A portion of each homeowner's monthly assessment fee goes directly into the reserve account. This is the Association's "savings account" and is designated for repair and replacement of existing equipment and systems.

The Investment Committee oversees the reserve account and recommends investment strategies to the Board of Directors to ensure the highest return on the Association's money. Most of these funds are held in secure Certificates of Deposit or insured Money Market accounts.

### **RESIDENT DIRECTORY**

A Resident Directory is published twice each year. The directory lists residents and their telephone numbers. It also contains contact information for the Association, the Management Company, and a list of staff members. A list of vendors is included for a variety of products and services. Park Plaza residents have recommended these vendors. If a resident does not wish to be listed in the Resident Directory, or if he or she wants their telephone number unlisted, he or she must indicate his or her wishes on the "Resident Information Sheet" in the Association Management office. The information in the Park Plaza Resident Directory is not to be used for marketing purposes or for any type of solicitation.

### **RETURNED CHECKS**

A service charge (at the current rate) will be applied to accounts after the return of a check for non-sufficient funds, plus late charges where applicable. If two (2) NSF checks are received, checks will no longer be an acceptable form of payment for that account. Should this occur, the resident will have to make all future payments by a money order or cashier's check.

### **SAFETY -see see SECURITY AND SAFETY and EMERGENCY SALE OF UNITS - see UNIT SALES AND LEASES**

### **SATELLITE TV**

Satellite "dish" antennas may be installed on unit balconies. The size of the dish may not exceed 40". The dish must be mounted to a bracket attached to the north or south face of the brick divider between balconies. The installation of the bracket and dish must not extend into or cause damage to an adjoining unit, balcony, or any common area. The dish may not extend out past the edge of the balcony railing. The dish must be fully contained within the confines of the balcony area and may not be mounted to or protrude onto any common area surface of the building. Park Plaza Association discourages the installation of satellite antennas for aesthetic reasons, however, they are allowed per the Federal Communications Commission.

### **SECURITY AND PERSONAL SAFETY**

Park Plaza has a controlled access entry system to the grounds and building. All outside doors and gates to the building are secured and require electronic openers to enter/When residents are contacted through the intercom system, the identity of persons requesting admittance should be known before allowing entrance for any individual. Workmen, repairmen, movers and others who require entrance through the service area are to be admitted only by Association staff or a resident of Park Plaza. Residents are asked to notify the Association Management office in advance when workers or movers will be present so that proper parking directions may be given to the workers.

Residents entering the parking lot should watch for cars or individuals on foot that might try to follow them into the lot. Notify the Association Management office or Courtesy Patrol if anyone that you don't know follows you. Nonresidents and guests should be directed to the intercom in the outer lobby at the front entrance.

Doors and gates must not be propped open and left unattended.

To reduce the risk of auto theft from the parking lot, residents are asked not to leave their gate openers in their vehicles.

Residents arriving late at night or leaving before dawn are encouraged to notify Courtesy Patrol so they may be escorted to and from their vehicle. Residents should call 681-5657 to arrange for an escort. A Courtesy Patrol officer will be happy to escort you in the parking lot at any time.

Illegal or illicit activity of any type will not be tolerated at Park Plaza. This includes the use of illegal drugs and controlled substances. All illegal activity will be immediately reported to the Albuquerque Police Department.

Park Plaza homeowners, residents, and guests should be aware that security cameras and/or recording devices may be in use in the common areas.

### **Personal Safety**

(These safety tips were provided by the Park Plaza Courtesy Patrol and the Albuquerque Police Department, Crime Prevention Unit.)

#### **Away from Park Plaza**

- Always be aware of your surroundings and trust your instincts.
- Be aware of other people around you and make note of their behavior.
- Walk with authority and purpose while noticing people and activity around you.
- Lock all personal items in the trunk or away from view; roll up windows, lock doors, and take keys.
- Have your keys ready when approaching your vehicle and do not have several items in your hands.
- After securing your possessions in the vehicle, get in and lock the doors until you arrive at Park Plaza.
- Park in well lit areas with a lot of activity and as close to the entrance as
- Avoid carrying a purse at all times. Place wallet and/or money or credit cards in a front pocket or jacket pocket. Carry only items necessary for a particular outing
- If you must carry a purse, never leave it open, carry it close to your body with the flap facing inward, and place the strap around your shoulder.
- If you carry a defensive object, have proper training first.
- Use a personal body alarm, whistle, etcetera.
- If you notice a suspicious person or activity in a parking lot near your car, return to the store and ask for an escort and notify security or store Management.

#### **Returning to Park Plaza**

- Notify Park Plaza Courtesy Patrol when you leave of your estimated time of return.
- Program your cell phone for one touch dialing to reach the Park Plaza Courtesy Patrol (681-5657). Call ahead and give your estimated time of arrival so a Courtesy Patrol Officer can meet you at the gate or in the parking lot.
- If you notice a suspicious person or activity at the gate when you arrive at Park Plaza, call the Courtesy Patrol on your cell phone. If you do not have a cell phone, go around the block and then try entering again.

- If an unfamiliar person asks you to let him or her in the building, direct him or her to the intercom in the outer lobby at the front entrance.

#### SHOPPING CARTS - see CARTS

#### SIGNS

No signs or displays of any nature are allowed to be displayed from any unit at Park Plaza. This includes windows, doors, balconies, etcetera.

#### SMOKING

Smoking is not permitted in any of the common areas of Park Plaza. This includes the lobby, elevators, hallways, stairwells, pool, patio area, and parking lot. Residents who smoke in their units must ventilate the unit to ensure that smoke does not enter the hallway or surrounding units. The use of incense or other odor producing items and products is discouraged. Residents must not allow odors from their condominium to enter the hallway, any common area, or surrounding units. The only smoking common area is at the South exit to the right on the outside of the last gate.

#### SOLICITING

**All types of soliciting by those outside the building are forbidden at Park Plaza. This applies to all outside businesses and individuals. This rule includes notices placed under or on unit doors, as well as telephone calls and notices placed on vehicles. The information in the Park Plaza Resident directory is not to be used for marketing purposes or any type of solicitation.**

#### SPECIAL ASSESSMENTS

In addition to the monthly assessments, the Board of Directors may levy special assessments for items such as unexpected repairs, construction or reconstruction, and capital improvements.  
ALSO SEE CC&R's

#### SPEED LIMIT

All vehicles traveling through the Park Plaza property should not exceed five miles per hour. Drivers must take special care to watch for pedestrians.

#### STAFF

An on-site Association Manager oversees clerical, maintenance, housekeeping, and Courtesy Patrol personnel. All Park Plaza staff members are employed by the Management Company. **ANY ISSUES REGARDING PARK PLAZA STAFF MEMBERS SHOULD BE REFERRED TO THE ASSOCIATION MANAGER. THE ASSOCIATION MANAGER WILL HANDLE ALL MATTERS REGARDING THE EMPLOYEES.**

Employees are responsible to their supervisor **AND ONLY WORK INDIRECTLY FOR RESIDENTS. STAFF MEMBERS CANNOT TAKE ORDERS DIRECTLY FROM THE 170 OR SO INDIVIDUAL RESIDENTS AT PARK PLAZA. RESIDENTS MAY NOT HARASS, INTIMIDATE, VERBALLY ABUSE, OR MAKE UNREASONABLE DEMANDS OF THE STAFF.** Staff members should be treated with the same courtesy and respect that residents expect for themselves. **Home phone numbers of employees may not be given out to residents by anyone. Residents may not phone or contact any employee during off hours unless that employee has given the resident his or her phone number and permission to call or visit.**

Maintenance, housekeeping, and other staff members may be hired to perform jobs for residents during their off hours. Residents are urged to only hire staff to work for them during off hours so as not to put the employee's job at risk.

STAIRWAYS - see HALLWAYS AND STAIRWAYS

**STORAGE BINS**

Storage bins are common areas that are assigned to each unit by the Association. Residents may use these bins to store their personal items. It is the resident's responsibility to ensure that the bin is locked. **Residents are not to use the storage bins for storing hazardous or highly flammable materials as advised by Fire Code. A one and a half foot space must be left open at the top of the bins for the fire sprinklers to work properly.** Items left outside a storage bin in the walkways of the storage room corridors will be disposed of immediately. Park Plaza Association Inc. is not responsible for loss or damage of items placed in the storage bins. **Storage bins are considered common area that is assigned to the resident and as such they may not be sold. Access might need to be granted to Park Plaza staff members in order to replace a light bulb or work on plumbing or electrical systems. Should a resident desire to trade storage bins with another resident, they must coordinate such a trade through the Association Management Office.** Storage bins may be leased to other Park Plaza residents, with the details of the lease decided by the prospective parties. **The leasing of storage bins to non-residents is not allowed.**

**SWIMMING POOL**

The swimming pool will be open from May 1st to October 1st with a two-week leeway at the Association's discretion, based on temperature and weather. **NO LIFEGUARD IS ON DUTY.**

Our pool is a "Quiet Pool". No loud screaming and yelling permitted. No loud noises of any kind.

**Pool hours are 8:00 a.m. to 10:00 p.m.**

- 1. Only four (4) guests per unit are allowed. Residents must accompany their guests and are responsible for the conduct of their guests at all times.**
- 2. Diving is not allowed.**
- 3. No pets or animals are permitted in or around the pool.**
- 4. All children under sixteen (16) years of age must be accompanied by an adult when in the swimming pool. Adults are responsible for supervising the children under their care.**
- 5. Swimming attire is required. No nudity or semi-nudity is permitted. Men must wear trunks or shorts; women must wear both an upper and lower garment. A covering for swim attire (such as a robe), and shoes or sandals, are required when in the building.**
- 6. Children - regardless of age - are not allowed to swim naked and are not allowed in the pool wearing regular diapers. Swimming diapers are permitted.**
- 7. Swimmers should shower prior to entering the pool.**
- 8. Swimmers with long hair are encouraged to wear a bathing cap.**
- 9. Boisterous or rough play (including running, horseplay, or using foul language) will not be permitted in or around the swimming pool.**
- 10. Water aerobic exercise classes are offered from 10:00 a.m. to 10:45 a.m., Monday through Friday.**
- 11. Radios and all type of audio emitting equipment will be permitted in the pool area only if headphones are used. No portable stereos will be permitted without the use of headphones.**
- 12. Food of any, type is not permitted in the pool area. Beverages in non breakable containers are allowed only on the concrete surface of the pool area. No glass-containers-are allowed in the pool area.**
- 13. Alcohol of any type is not allowed in the pool area.**
- 14. Smoking is not allowed in the pool area.**
- 15. Wet bathing suits are not allowed in the lobby or elevators. When in an elevator, residents and guests must wear some type of covering (such as a robe) over their bathing suit. After swimming,**

**bathers are encouraged to dry themselves as thoroughly as possible before entering the building to minimize dripping on the floor.**

**16. If the safety rope in the pool is unhooked to accommodate swimming, it must be re-hooked when finished.**

**17. Maximum pool capacity is fifteen (15) persons.**

An Emergency telephone is located on the building exterior in the red box near the restrooms, west of the swimming pool. This telephone connects automatically to 911.

### **UNIT SALES AND LEASES**

Sales and leasing arrangements are not handled through the Park Plaza Association Management office. Prospective buyers or renters should contact the owners/agents directly. **Prospective buyers and renters of units are to be met in the lobby and escorted by the real estate salesperson or unit owner while in the building. PARK PLAZA STAFF MEMBERS WILL NOT SHOW UNITS.** Sales/rental signs are not allowed at Park Plaza. Notices for unit sale/lease may be placed with the Association Management office. Information on units for sale or lease is published on a master listing that is updated regularly and posted on the Park Plaza bulletin boards located in the west entrance vestibule and outside the Association Management office.

The Park Plaza Association, Inc. requires any title company closing a conveyance of a building unit or recording the refinancing of a building unit within Park Plaza Condominiums to act as follows:

1. Notify the Association of the pendency of the closing or refinancing and obtain from the Association a current homeowner statement showing the amount of any unpaid assessments and any transfer or refinancing fees required to be paid in connection the closing or refinancing fees.
2. Collect at closing or refinancing the amount of any assessments which are due and unpaid at that time, along with any such refinancing fees, in order to enable the collection by the Association of such items.
3. Notify the Association in writing, by copy of deed, to include the Building Unit number and the name and address of the purchaser of the building unit. Notification should be made to Park Plaza Association, Inc. in care of the Management Company.
4. If the assessments are not totally paid through the closing of sale or refinancing of a building unit within Park Plaza, the purchaser's building unit remains responsible for payment of the assessments and the associated lien is subject to foreclosure to collect the assessments.
5. The Association advises purchasers not to close the purchase of a building unit within Park Plaza without assurance from the title company that assessments have been paid and are current through the closing date.

**The Association charges a processing fee of \$50 on all unit sales, refinances, and transfers.** This fee covers CC&R's, By-Law and Resident Handbook documents, as well as paperwork completed by the Association for mortgage, title, and new resident information purposes.

### **Leases**

**The Park Plaza Association, Inc. requires that leases for condominiums in the building will be for a period of not less than six (6) months.** Investor owners who lease their units are requested to use the standard New Mexico Apartment Association lease form. **Copies of the executed lease should be kept on file in the Association Management office.**

Owners are reminded that they are responsible for seeing that their renters are familiar with the rules and regulations that govern the association. Additional Resident Handbooks are available in the Association Management Office for \$5.00 each. **Owners are responsible for their tenants' compliance with the rules and regulations.**



### UTILITIES

The costs of electricity, water sewer, refuse removal and natural gas for the entire building is included in the monthly assessment fee paid by each homeowner. The amount paid is an operating fund budget item and is divided among the unit owners based on square footage.

### VACATION NOTIFICATION

Residents are asked to notify the Association Management office if they will be out of town for an extended period of time by completing the Vacation Notification form. **THIS FORM ASKS FOR CONTACT INFORMATION IN CASE OF AN EMERGENCY DURING A RESIDENT'S ABSENCE.**

Prior to leaving town, residents are asked to prepare their unit for their departure. All windows and doors should be securely closed and locked. If you will be gone a considerable length of time, consider turning the water off under sinks and at toilets to limit the possibility of leaks. To help conserve energy, all lights and the heating and cooling units should be turned off. If you have plants, the heat may be left on low with the thermostat on a reasonable setting.

### VANDALISM

Any homeowner or resident found guilty of vandalizing a common area or Association property of any kind will be fined the maximum amount allowable and the Association will prosecute the matter to the fullest extent of the law. **A FINE OF \$500.00 WILL BE APPLIED TO THE ACCOUNT OF ANY HOMEOWNER OR RESIDENT FOUND VANDALIZING A COMMON AREA, ASSOCIATION PROPERTY, OR THE PROPERTY OF ANOTHER RESIDENT.**

### VENDING MACHINES

For the convenience of residents and guests, a vending machine dispensing soft drinks, juice, and bottled water is located in the south stairwell on the first floor. The Association receives a percentage of the sales from this machine.

### VIOLATIONS, ENFORCEMENT, AND FINES, PROCEDURES AND SANCTIONS APPLICABLE TO ENFORCEMENT OF RULES

Park Plaza is a condominium, the legal term used to mean a group of housing units where each homeowner owns his or her individual unit space and all the homeowners share ownership of areas of common use. Use of and access to common facilities such as hallways, heating and cooling systems, elevators, and exterior areas are regulated by legal rights associated with the individual ownership and controlled by the association of owners that jointly represents the ownership of the entire property.

Condominiums are generally regulated by state law. However, individual condominiums are unique communities with many residents living in close proximity to one another and sharing common areas. Condominium rules should be reasonable and address the needs of the community residents. For various reasons, such rules will always be violated on occasion. Some residents may feel the house rules are just "on paper" and are not actually going to be enforced. Others may not see the necessity for any rules and will choose to ignore them. Many who have not been involved in the drafting of the house rules will probably not even read them, and will thus be unaware of their provisions.

The Park Plaza Association desires to provide an adequate remedy when an owner, or a tenant renting from an owner, disturbs the right of quiet enjoyment of the premises or presents a risk of harm to other residents. Unit owners are responsible for any fines imposed on their tenants or guests pursuant to these rules. The house rules include those in the Handbook as well as the Declaration of Covenants, Conditions, and Restrictions (commonly referred to as the CC&Rs) creating the condominium.

Park Plaza unit owners and tenants must also be afforded protection from hazards and dangerous conditions that may exist due to an act or omission on the part of a unit owner, or as a result of the conduct of an individual on the premises who may be a homeowner, tenant, or visitor. The homeowner is the person responsible in such an instance.

It is the intent of the Association to minimize confrontational encounters involving the house rules. Doing so requires several steps. First, homeowners must be given an opportunity to learn exactly what the house rules require and do not permit. This is an ongoing process that requires communication among the board of directors, the management agent, and the residents. Second, open communication among owners, board members and the property manager is essential to resolving problems before they become serious issues. This includes the need to report apparent violations of the house rules. Finally, consistent enforcement of the house rules is essential.

Park Plaza Association is responsible for ensuring compliance with its rules and regulations. The Association has adopted the following procedures which apply to disciplinary proceedings that are necessary to ensure such compliance. The intent is to have rules that are as least intrusive as possible and to encourage voluntary compliance to the extent possible. Whenever violations are observed, informal notice to the management agent is encouraged, followed by a discussion by the resident manager with the alleged violator in an effort to informally resolve the matter.

It is intended that the process by which the house rules are enforced be consistent with the notion of fundamental fairness, which is usually defined in law as “due process,” a term usually applied to government and which protects certain legal rights owed to a person in a legal proceeding. However, because Park Plaza proceedings are not legal proceedings in a strict sense, the formal rules of evidence do not apply. Hearings will be somewhat informal but conducted in a manner that assures fairness and the right to a fair hearing on the part of anyone who is the subject to a complaint. Alleged violators are to be afforded basic rights: (a) adequate notice of any complaint; (b) a right to be informed of the specific allegations in the complaint; (c) a right to a fair hearing; and (d) a right to be heard, question witnesses, and to present his or her side of the story before the Association Board of Directors.

In turn, Park Plaza Association has not only a right but a duty to impose sanctions on those found to have violated the rules, and to ensure adequate enforcement of sanctions occurs.

Following is the process to be followed in the event of an alleged violation of the house rules:

- (1) **Filing of a Complaint:** If a violation of the rules is alleged, the complaint must be in writing and submitted to the Board through Park Plaza Management. The written complaint shall be sufficiently specific to identify the nature of the complaint and the identity of any persons who are allegedly responsible. A signed complaint may be disclosed to the alleged violator at the discretion of the Board and unless the complainant requests anonymity.
- (2) **Investigation by Board and Notification to Alleged Violator:** Upon receipt of a complaint, the Board will instruct the resident manager to investigate the complaint and determine whether there is a reasonable factual basis to find that a violation has occurred. The Board shall review the findings and conclusions of the resident manager and determine whether a violation has occurred and whether further action in response to the complaint should be undertaken. If it is determined that a violation has occurred, the Board will notify the alleged violator in writing by hand-delivering a copy of the complaint or by mailing a copy of the complaint. The notice shall instruct the alleged violator to cease and desist from the violation and shall include: (a) the nature of the alleged violation; (b) the action required to remove the

violation, and (c) notification of a grace period of ten (10) days within which the violation may be removed without penalty. Should the violation continue beyond the grace period, a fine will be imposed.

- (3) **Penalties and Fines:** The Board may impose a fine ranging from \$50.00 to \$500.00, which amount in the discretion of the Board is commensurate with the severity of the violation and any history of prior violations by the violator. Fines must be paid within thirty (30) days. Failure to pay a fine within the prescribed thirty (30) days shall result in the imposition of a late fee of 18% per month. A continuing violation on the part of the Respondent may be made subject to an additional fine imposed each thirty (30) days, in the discretion of the Board. If a violation is repeated within twelve (12) months of the first notice, a fine will be imposed without a grace period.
- (4) **Right to a Hearing:** The violator may request a hearing no later than ten (10) days after imposition of the fine. The request must be made in writing and be addressed to the Board of Directors. The Board may also decide to conduct a hearing on its own initiative after providing notice of such hearing at least ten (10) days before such hearing to the violator. If the violator requests a hearing, or if the Board decides to conduct a hearing, it shall be scheduled before the Board at its next regularly scheduled meeting or within a reasonable time and not more than thirty (30) days following the complaint. The hearing shall be held in executive session (that is, a closed session) of the Board, and will afford the violator a reasonable opportunity to be heard. The violator may present his or her case to the Board, and the Board will decide, based on the available information regarding the alleged violation, whether or not any fines and/or penalties should be rescinded or removed. If the complaining party declines to participate in the hearing or to be identified, in the absence of other substantial evidence sufficient to find that a violation has occurred, the Board shall dismiss the complaint. "Substantial evidence" means such relevant evidence as a reasonable mind might accept as adequate to support a conclusion, and the term is not synonymous with "any" evidence. All hearings conducted pursuant to these procedures shall be recorded, and the record thereof shall be maintained by the Board for a period of at least one (1) year.
- (5) **Right to Appeal:** The decision of the Board in any such matter may be appealed to the appropriate court of the State of New Mexico.
- (6) **Enforcement of Sanctions and Right to Seek Relief in Court:** The Board may file a claim of lien on the individual unit owned by the violator who has failed to pay any fine imposed within the time specified by the Board, and may take legal action in a court of lawful jurisdiction to seek enforcement of the payment of any fine assessed pursuant to these provisions,. If any unit owner fails to comply with the Rules and Regulations or By-laws, or with any decision rendered under the Rules and Regulations and By-laws, the unit owner may be sued for damages or injunctive relieve, or both, by the Board. When a violation involves the use of the common area, the Board may request a court to determine that the violator has thereby forfeited his or her right to the use of such portion of the common area that is the subject of the complaint and violation. The prevailing party in any such proceeding may be entitled to an award for legal fees and costs, as determined by the court.

**Extraordinary Circumstances and Remedies:** Whenever in the judgment of the Board the circumstances justify, and upon a finding based on substantial evidence that a hazard and dangerous situation exists and has been caused by a unit owner or tenant, or if the safety and well-being of the residents or employees of Park Plaza are placed at risk by the behavior of an owner or tenant, the Board may take such immediate action as is necessary, including seeking injunctive relief in a court of lawful jurisdiction against the offending owner or tenant and the filing of a complaint with law enforcement agencies and the Bernalillo County District Attorney, in order to protect the safety of the residents and employees of Park Plaza.

**WINDOWS/DOORS (individual units)**

During high windstorms, residents are reminded to lock glass doors and windows. Doors and windows should also be closed and locked if the resident is to be away from the unit for any length of time.

**Window coverings, curtains, drapes, shutters, blinds, etcetera, should be installed within 30 days after close of escrow. Window coverings, as viewed from outside the building, should be a neutral color. Aluminum foil, cardboard, paper, insulation material, or any other such material is not allowed to cover windows or sliding glass doors, inside or outside. This includes any type of metallic, reflective foil. Non-reflective window tinting is allowed.**

Should a unit owner wish to replace windows/sliding doors within the unit, a copy of the standard specifications for replacement windows/sliding doors must be obtained from the Association Management office. Homeowners are reminded that the windows and sliding glass doors in each unit are the property of the homeowner, not the Association, and should be covered by the homeowner's insurance policy.

ALSO SEE REMODELING and AWNINGS AND SHUTTERS

*The rules and regulations contained in this Resident Handbook were adopted by the Board of Directors of Park Plaza Association, Inc. on 7/20/10 and supersede all previous versions. Homeowners, residents and guests of Park Plaza Condominiums are required to abide by these rules. If any provision or provisions of this Agreement shall be held to be invalid, illegal, and unenforceable or in conflict with the law of any jurisdiction, the validity, legality and enforceability of the remaining provision shall not in any way be affected or impaired thereby. No covenants, restriction, conditions, obligations, rules, regulation or provisions contained in the CC&R's and this Resident Handbook shall be deemed to have been abrogated or waived by reason of any failure to enforce the same, irrespective of the number of violations or breaches which may occur.*