

Harman Park Subdivision

Maintenance Director Roles & Responsibilities

February 2, 2005

Version 1

Harman Minor Impact Subdivision Original Declaration & Restrictions (01/09/03)	Harman Park Subdivision First Amendment to Declaration of Restrictions (12/04)
Applicability: To Declarant & each Lot Owner for their respective lots, including Parcels 1 & 2 given to Town of Pagosa Springs.	Applicability: To Declarant & each Lot Owner for their respective lots, including Parcels 1 & 2 given to Town of Pagosa Springs.
Explicitly Stated Responsibilities	Explicitly Stated Responsibilities
Maintain Paved surfaces (4.5.a)	Same
Remove snow, paper, refuse (4.5.b)	Same
Repair/replace traffic directional signs (4.5.c)	Same
Operate, maintain, repair lighting (4.5.d)	Same
Maintain landscape area - shrubs, sprinklers (4.5.e)	Same
Maintain, repair, replace fences, walls (4.5.f)	Same
Maintain, repair, replace non-dedicated drains, sewers, utility lines (4.5.g)	Same
Keep monument signs lighted (4.5.h)	Same
Maintain, repair, replace monument signs (4.5.i)	Same
Noncompliance notices to Agreement violator (4.9)	Same
Legal action for specific performance/correction of noncompliance (4.9)	Same
Contact for corrective maintenance, insurance payment, tax payment & bill defaulting owner (4.9)	Same
File & record Liens against defaulting owner for failure to pay maintenance, insurance, taxes (4.9)	Same
	Contract for & pay for "Open Space" upkeep & insurance expenses (7.3)
	Statement of past year "Open Space Expenses", lot allocations for Expenses, and current year "Open Space Budget" to new owners (7.4)
	Operate, Maintain, Repair "Open Space" in accordance with budget (7.5)
	Emergency Repairs to "Open Space" (7.6)
	Extraordinary Expenses for "Open Space" repairs with Owners' approval (7.7)
	Legal action for non-payment of "Open Space Expenses" (7.9)

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	File & record Liens against defaulting owner for failure to pay "Open Space" maintenance & insurance expenses (7.9)
	Recover reasonable costs and attorney fees from legal action to obtain payment of "Open Space Expenses" from non-paying owner (7.10)
	Pay Town of Pagosa Springs, as an "Extraordinary Cost", expenses incurred by the Town to maintain any parcels not maintained to the satisfaction of the Town (7.11)
Implied Responsibilities	Implied Responsibilities
Declarant/Owner representative for initial contact re: site improvement plan and architectural/aesthetic compatibility (2.2.a)	Same
Declarant/Owner representative for agreement compliance (architectural, exterior maintenance & upkeep, etc) (4.9)	Same