

CONSTRUCTION PRACTICES IN THE PINES-EAST VILLAGE SUB-DIVISION

- 1) A fifty thousand dollar (\$50,000.00) deposit for any and all construction projects, including, new construction or remodels. This is a refundable fee which is placed into an interest bearing escrow account at Alpine Bank – Snowmass Village. We will need your social security account number to supply to Alpine Bank for the account. This account will be considered to be a vehicle to provide for a means in which to:
 - a) Return the ski trail to a usable trail for winter use (skiing, grooming) prior to the date of October 1st, which is the last day the trails may be used for any construction purposes and have to be returned to a useable state prior to this date. If the trails are not in a usable condition, prepared for the snow fall and winter grooming operations, then the association will hire a contractor (or contractors) of the association's choice and timing, to make the trails return to a usable condition as soon after October 1st as possible. Any and all costs associated with the project of bringing the trails to a usable condition will be charged against the deposit. If the costs to restore the trails are greater than the deposit on hand, then association has the right to assess the property owner for the difference plus any amount to bring the deposit back to the \$50,000 level.
 - b) The association will have the ability to present an invoice for immediate withdrawal from the account, by the manager to the general contractor for any problems the contractor or any of the sub-contractors may have caused from time to time during the construction period. The fines will be \$250.00 for the 1st offense, \$500.00 for the 2nd offense and \$1,000.00 for each subsequent offense of the same nature. Except for the section regarding Animals – Dogs running at large, has it's own fine schedule listed below. The association manager will provide a written description of each offense. These offenses may range from:

Animals running at large is a chargeable offense. According to the Town of Snowmass Village and the CC&R's of The Pines-East Village HOA (section 4.8 below), dogs running at large is a problem. Construction workers dogs on job sites have been running at large and sometimes been harassing, approaching other dogs of people walking their dogs in the sub-division. They have been running in the street and almost been hit by vehicles traveling on the roads, these actions have caused the drivers to be forced to make quick evasive maneuvers and move into opposite travel lanes or stop.

4.8 Animals. No horses, cows, fowl or other farm animals shall be kept on any Lot. Domestic pets shall be permitted, subject to the rules and regulations with respect thereto as may be promulgated from time to time by the Association or as may be otherwise provided herein. Dogs are permitted subject to the installation and maintenance by the Lot Owner of an underground electric containment system and compliance with all the laws of the Town regarding leashing and control of dogs. The dog electric containment system may enclose and contain a maximum area of 4,000 sq. ft. either within the building envelope or immediately adjacent thereto. The Town and/or The Pines - East Village Homeowner's Association shall have the right to enforce the above provisions by injunctive relief and any other remedy available at law or equity and may impose and collect fines of up to \$500.00 for the first violation, \$1,000.00 for the second violation, \$1,500.00 for the third violation and upon the third violation for running at large, the dog(s) must be permanently removed from the premises.

Trash from the job site, either by natural or unnatural means, (weather, animals, human or any other means) which should have been controlled on the job site, trash from workers meals discarded in a fashion other than a trash can with a lid which is to be removed daily as to not attract animals to the job site.

Another issue which has arisen as a chargeable offense, has been workers vehicles. The specific issue is the congestion of the roadway which, in the board's opinion, is a controllable circumstance by the General Contractor. All worker's vehicles shall be parked only on one side of the road to allow unimpeded movement of all traffic going by the job site. The traffic problems in the past have ranged from the narrowing down the lanes to a single lane which has forced vehicles to wait while other vehicles pass through. The constraining of the lanes which has forced emergency vehicles to wait for workers to move their vehicles to allow the fire/ambulance/police vehicles to pass through. Constrained delivery vehicles, UPS/FEDX and others, so the deliveries are not able to be delivered to the address in question which may be at or past the job site. We suggest the contractor look into many ways available to keep to area as free from unnecessary vehicles as possible. These may range from requiring workers to carpool to the jobsite, parking offsite at local parking lots after making arrangements with the Town of Snowmass Village or the City of Aspen in regards to using the intercept parking lot at Hwy 82 and Brush Creek road. The contractor may have a parking program which informs all workers as to which side of the road to park and to park off the road as far as possible. If the contractor uses this method, then it will be understood the shoulders and ditches will have to be returned to a pre-construction state.

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When the contractor or subcontractor is planning on bringing into the subdivision a vehicle or vehicles which will require temporary closure of one or more lanes of the road, you are required to notify the association manager and also the Town of Snowmass Village's Police department a minimum of 48 hours prior to the occurrence for approval. You are not allowed to any closure of any roadway within this subdivision without prior approval from both the Association and Town.

We have had a number of construction vehicles which have driven off the road onto the shoulders and damaged property which we will hold the general contractor responsible for the repairs. If the damage occurs during the winter season, the repairs will be performed in the spring. The association may allow the repairs to be made by the contractor which caused the damage or the homeowner's landscaping contractor

If the property owner or the general contractor has any questions regarding this information, you are requested to inform the association manager for any clarification necessary. The manager will be the sole individual responsible for interpretation of these regulations and fines. Other issues may be added to this document from time to time, and you will be notified prior to any assessment levied via written warning and oral discussion by the Pines-East Village HOA manager of the new policy.

Bill Boineau
Pines East Village HOA Manager

