

**The Orchard Villas, A Condominium**  
**The Association's Responsibilities and Homeowners Responsibilities**  
**as to Maintenance, Repair, Replacement & Insurance**

**Limited Common Elements:**

*As Defined under the Declaration of Covenants Section 1.21:*

Those portions of the Common Elements allocated for the exclusive use of one Unit but fewer than all including, but not limited to, any deck, porch, patio, the area between the sidewalk and the front exterior wall, and the area 18 feet by 18 feet located immediately in front of the garage for each unit.

*Per NC Condominium Act 47C-2-102(4):*

Any shutters, doorsteps, stoops, decks, patios, exterior doors, windows, porches, or other exterior fixtures designated to serve a single Unit.

**Description of the Homeowner's Unit:**

*As Defined under the Declaration of Covenants Section 2.7(c):*

The Unit includes the following;

- Decorated surfaces, including paint, varnish, wall covering, tile and other finishing materials, which are applied to floors, ceilings, and interior and perimeter walls, carpeting, and also the floors and ceilings themselves and the drywall, paneling and other finishing wall materials;
- Entrance doors, including garage doors, windows, including frames, sashes, jambs, hardware and screens are considered part of the Unit;
- All fixtures and appliance installed for the use of the Unit, commencing at the point of disconnection from the body of the building including, built in cabinets, dishwashers, garbage disposal, refrigerators, stoves and ovens, television antennas and cabinets, furnaces, hot water heaters, heat pumps, air conditioning units, and vents;
- Any electrical plumbing, heating, gas or other utility system, that serves only that Unit, and is located under that Unit or attached to the exterior wall of that Unit;
- All control knobs, switches, thermostats and electrical outlets and connections attached to the walls, floors, and ceilings;
- The portion of the fireplace actually within the interior of the Unit and fireplace vents or chases;

- For units with a screened or glassed in porch, the space in that screened or glassed in porch; and
- The attic space or storage space above the Unit, to which the Unit has direct and exclusive access.

A Unit shall not include the supporting element of the building contained within the interior walls, all plumbing, electric, heating, cooling and other utility or services lines, pipes, sump pumps, wires, ducts and conduits which service multiple units and fireplace brick chimneys.

### **Homeowner vs HOA Responsibility:**

*As Defined under the Declaration of Covenants Section 7.2 & 7.3:*

The Homeowner is responsible for the expense of cleaning, maintenance, repair, and replacement of his Unit and the limited Common Elements serving his Unit appurtenant thereto. Any Common Expenses associated with the maintenance, repair, and replacement of a Limited Common Element shall be assessed against the Unit or Units served by that Limited Common Element.

*Per NC Condominium Act 47C-2-111(2) and the By-Laws under Section 6.16:*

No Homeowner shall make any addition, alternation, or improvement which affects the exterior portion or outward appearance of his Unit without prior written consent of the HOA.

*Per NC Condominium Act 47C-3-102(6):*

The HOA regulates the use, maintenance, repair, replacement, and modification of all Common and Limited Common Elements.

### **Listing of Major Elements:**

Listing of Major Elements which may be in question as to the responsibility for expense of maintenance, repair, replacement, and insurance. See following Table:

<b>ELEMENT</b>	<b>MAINTENANCE/ REPAIR</b>	<b>REPLACEMENT</b>	<b>INSURANCE</b>
<i>UNITS</i>	HO	HO	HO
<i>LIMITED COMMON ELEMENTS</i>	HO	HO	HO/HOA
<i>COMMON ELEMENTS</i>	HOA	HOA	HOA
<i>EXTERIOR DOORS</i>	HO	HO	HOA
<i>GARAGE DOORS</i>	HO	HO	HOA
<i>WINDOWS</i>	HO	HO	HOA
<i>DECKS &amp; PATIOS</i>	HO	HO	HOA
<i>SIDEWALKS BY UNIT</i>	HOA	HOA	N/A
<i>DRIVEWAYS (18x18 IN FRONT OF GARAGE)</i>	HO	HO	N/A
<i>COMMON SHARED DRIVEWAY</i>	HOA	HOA	N/A
<i>WATER HEATERS</i>	HO	HO	HO
<i>AIR COND/HEATING EQUIPMENT</i>	HO	HO	HO
<i>SHUTTERS</i>	HO	HO	HOA

<i>EXTERIOR LIGHT FIXTURES</i>	HO	HO	HOA
<i>CHIMNEY CAPS</i>	HOA	HOA	HOA
<i>CHIMNEY CHASES</i>	HO	HO	HO
<i>GUTTERS &amp; DOWN-SPOUTS</i>	HOA	HOA	HOA
<i>ROOFS</i>	HOA	HOA	HOA
<i>BUILDING MASONRY WALLS</i>	HOA	HOA	HOA
<i>EXTERIOR WINDOW &amp; DOOR SEALANTS (BETWEEN FRAME AND TRIM/SIDING)</i>	HOA	HOA	HOA
<i>MAILBOX STATIONS</i>	HOA	HOA	HOA
<i>PATIO FENCES</i>	HOA	HOA	HOA