

RED QUILL VILLAGE
RULES AND REGULATIONS

Adopted by the
Red Quill Village Townhome Association
Board of Directors

_____, 2003

PLEASE CHECK WITH THE BOARD OF DIRECTORS TO BE CERTAIN THAT YOU
HAVE THE MOST CURRENT VERSION OF RULES AND REGULATIONS

**RED QUILL VILLAGE
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TABLE OF CONTENTS

INTRODUCTION.....1

PROHIBITED USES AND RESTRICTIONS.....2

DESIGN REVIEW PROCESS.....4

 1. Submittal4

 2. Board Review5

 3. Design and Construction Requirements7

APPENDIX.....A-1

Application Form

INTRODUCTION

Welcome to Red Quill Village! These Rules and Regulations have been prepared to assist you and other Owners in making improvements to your home. These Rules and Regulations have been adopted by the Board of Directors to govern design review and certain use requirements within Red Quill Village.

- Purpose of Rules and Regulations. To achieve and maintain a community of which we can all be proud will require the cooperation of all residents. Although there are varying goals and viewpoints, everyone's assistance will be essential to perpetuate this harmonious community image. These efforts are not without reward, however, including enhancement of both property values and quality of life within the community.

To promote and maintain community image, the following Rules and Regulations outline certain use requirements and the procedures, requirements, standards and the design review process. Through this process, a congruence may be achieved between individual aesthetic judgment and the broader interest of community standards.

These Rules and Regulations are supplemental to, and do not in any way alter, the provisions and requirements contained in other official documents pertaining to Red Quill Village, such as the Amended Declaration, zoning ordinances and recorded plats.

The terms and conditions of the Declaration for Red Quill Village Townhomes , recorded on November 20, 2001, at Reception Number 2001-011711 of the Grand County Clerk and Recorder's records (referred to herein as the "Declaration"), are accepted automatically by every Owner when title to the property is conveyed. These Rules and Regulations have, in turn, been drafted and approved by the Red Quill Village Townhome Association Board of Directors as rules of the Association and adopted as Design Rules and Regulations by the Board of Directors pursuant to the Declaration. PLEASE NOTE: If you do not have a copy of the Declaration, please contact the management company for a copy. You will be charged the copying and mailing costs only. Those words that are capitalized in these Rules and Regulations and are defined in the Declaration will have the same meaning herein as defined in the Declaration.

The Board of Directors (which also may be referred to herein as the "Board"), as established by the Declaration, must give prior written approval to any new construction in Red Quill Village and any exterior change to buildings or property in Red Quill Village. The only exception to this requirement is the planting of flowers, bushes and similar low-lying landscape materials in the exterior yard of an Owner's Lot. In general, the Board of Directors is responsible for maintaining the quality and image of Red Quill Village.

All applications for Board of Directors approval shall be submitted to the management company for Red Quill Village, which will forward the application to the Board of Directors. Applications should be sent to the same address as assessment payments. Applications for additions, improvements or changes to existing homes will be reviewed and acted on by the Board of Directors. Application forms may be obtained from either the management company or a member of the Board. One copy of the application form is attached to these Rules and Regulations. Please contact the management company for names of Board members.

Should a Owner violate any Red Quill Village covenant, restriction or rule, including these Rules and Regulations, the violation must be corrected within the time period established by the Board. Failure to do so may result in one or more sanctions adopted and enforced by the Board of Directors. The sanctions include, but are not limited to, the following: the Owner may be fined, the Owner may be sued in court, the Association may correct the violation itself and bill the Owner, and the Owner may lose his or her rights to use Association property. Any unpaid charge or fine may become a lien against the Owner's property.

Before a Owner contacts the Association about a violation by a neighbor, the Owner should discuss the problem with the neighbor first and attempt to resolve the issue informally. This neighbor-to-neighbor approach will help to foster a sense of community through which all Owners share the responsibility for maintaining the quality and spirit of Red Quill Village.

PROHIBITED USES AND RESTRICTIONS

The following are some of the uses and activities that are prohibited within Red Quill Village. The following limitations supplement the specific use restrictions set forth in the Declaration.

- Noxious or Offensive Activity. Activities or uses that create an annoyance or nuisance to others are prohibited at Red Quill Village, particularly those that may potentially detract from residential values and the quality of life within a neighborhood.

Examples of noxious or offensive activities include, but are not limited to, loud or late night parties, sound systems that create noise through party walls and beyond property lines such as speakers, horns, whistles, bells or other sound devices, parking vehicles on lawn areas, exterior lighting that is not screened to avoid annoyance to neighboring Owners, and the accumulation of rubbish or debris of any kind.

- Drainage. There can be no interference with established drainage patterns over any Property unless approved by the Board of Directors.

- Glass. No tinting or reflective materials may be placed on glass windows without the prior written approval of the Board of Directors.

- Construction. No construction activity may cause a health hazard or unreasonably interfere with other Lot Owner's use of their Property. No Lot may be stripped of natural vegetation unless in connection with construction of improvements or installation of landscaping within such portion of the Lot. ALL steps must be taken to prevent soil erosion, collection of debris, weeds and noxious plants and to comply with any other requirements as the Board of Directors deems appropriate.

- Unsightly Articles. No unsightly article may remain on any Lot or street if it is visible from another Lot, Common Areas, adjoining property or public or private thoroughfares.

Without limiting the generality of the foregoing, trailers, mobile homes, recreation vehicles, graders, trucks other than pickups used solely for the private and non-business use of the residents of a dwelling, boats, tractors, campers, wagons, buses, sleighs, motorcycles, motor scooters, snowmobiles, snow removal equipment, garden and maintenance equipment, and all commercial and business vehicles shall be kept at all times, except when in actual use, in the garage. No lumber, grass, plant waste, shrub or tree clippings, metals, bulk materials or scrap shall be kept, stored or allowed to accumulate on any property.

- Vehicles. Only automobiles and sport utility vehicles with four wheels or personal use trucks under one ton, excluding specifically all other motor vehicles, shall be permitted to park in streets or on driveways of residential Lots within Red Quill Village, except that such other motor vehicles may be parked by occasional visitors and in connection with commercial deliveries and services performed at the Property. Any other vehicles, including but not limited to recreational vehicles (RV's), motorcycles, boats, campers, other trucks, pick-ups with oversized camper shells as described above, trailers, etc. shall be stored in garages, or parked in an off-site storage area. No vehicle shall be parked in such manner as to impede or prevent ready access to another Owner's driveway.

Motorcycles shall be licensed for travel on the highway. Motorcycles and snowmobiles operated on the Property shall be equipped with the most recently approved noise control devices and operated only on the roads and driveways and in a manner not to disturb the occupants.

Any damages to any Lot, Common Area or Improvement within the Property by use of any vehicle including hired and leased moving vans shall be punishable by an amount to repair, replace or legal action as shall be determined by the Association Board of Directors. The Association assumes no responsibility for damage done to automobiles.

No vehicle of any type shall be repaired or rebuilt within the Property except inside the garage. Such activity shall not be conducted on the driveway, Common Area or in a street. Unlicensed or inoperable vehicles (those unable to operate under their own power for at least one week) may not be parked on a Lot (except in the garage), Common Area or on the street.

- Garage Sales. No garage, patio, porch or lawn sale shall be held on any Lot or Common Area.

- Signs. No for sale or for rent sign may be placed on the exterior of any Lot or on the Common Area. One For Sale or For Rent sign not larger than _____ square inches may be placed on the inside of a front or rear window of a Townhome only during the period the Townhome is being actively marketed for sale or rental.

- Animals. The raising of animals, other than dogs, cats or other common household pets, shall be prohibited in Red Quill Village. Non-domesticated animals shall be prohibited. Also prohibited are kennels for boarding dogs or other animals for commercial purposes. No animals other than domesticated dogs or cats and small domestic pets kept entirely within a residence shall be kept on any Lot within the Property. No rare, exotic or unusual

animals or other pets (except birds and fish) shall be kept on any Lot without the prior written approval of the Board of the Association. No animal or pet of any kind shall be permitted which, in the opinion of the Board of the Association, might be dangerous or which makes an unreasonable amount of noise or odor or is otherwise a nuisance. If an animal or pet creates a nuisance that affects other Owners, the Board may require the removal of the offending pet(s) or further limit or require a reduction in the number, size, and/or type of animals or pets that the Owner of such offending pets or animals may keep in the Townhome.

Dogs shall be kept on leashes, except while inside a Townhome. Dogs may not be leashed or kept on a Lot outside a Townhome. Animals brought to the Townhome by an Owner shall be limited to two in number and shall not make an unreasonable amount of noise or odor. Pets may not be permitted to run loose on the Property or adjacent properties or public or private streets at any time. Each Owner shall be responsible for cleaning up after his or her pet on his or her Lot, on other Lots, on the Common Area, and upon other parts of the Property and shall be responsible for all damage to the Lot of any other Owner or any Common Area caused by any pet in the possession of such Owner.

DESIGN REVIEW PROCESS

1. **Submittal.** The Owner is responsible for initiating the review process of proposed site and exterior building improvements by submitting an application to the Board of Directors through the management company before beginning construction (See, application form attached).

The application form must be completed and submitted to the Board of Directors, with plans, and must be approved before commencement of construction, painting, landscaping (other than the landscaping permitted under the Declaration) or placement of an improvement on a Lot. Prior to submitting the application form, it is suggested that the Applicant review the Declaration, as well as these Rules and Regulations. Applicants should also check with agency resources listed within these Rules and Regulations to determine other required reviews and approvals.

An application for approval by the Board of Directors shall be typewritten or printed legibly by hand. It shall contain all the information required by the Board of Directors herein or required after initial review of an application. An application shall not be considered complete and filed until all information required by the Board of Directors has been submitted.

The required application information with plans and drawings must be submitted in duplicate, with one copy retained on file by the Board of Directors, and one copy to be returned to the Applicant with comments and the decision, including any conditions of approval.

To begin the forest design review process, the Applicant (Owner or Owner's Representative) submits the following required information:

A. Project Information:

- (1) Name of Applicant (Owner or Owner's Representative).
- (2) Address and phone number of Applicant.
- (3) Description of proposed improvements, including types and colors of materials. Paint chips of the proposed colors must be included.
- (4) Construction schedule (start date and completion date).
- (5) Names and phone numbers of Owners whose Lots are immediately adjacent to the Applicant's property.
- (6) Name, address and telephone numbers of the Applicant's Architect and Contractor (if any).

B. Site Plan Accurately Drawn to Scale Depicting:

- (1) Lot lines.
- (2) Location/placement of house on Lot.
- (3) Proposed improvement layout with dimensions.
- (4) Details of construction including applicable colors, materials, sizes and other descriptive information.

C. Building Elevations (as applicable).

D. Landscape Plan. Identify proposed plant materials with species, sizes, quantities, mulch materials, type of irrigation system and any landscape features.

E. Additional Information. Any additional information the Board of Directors deems necessary for review shall be submitted upon request by the Board.

2. Board Review. After the Board of Directors receives an application, the Board shall advise the Applicant if the application is complete or, if it is not complete, what additional information is required.

The Board of Directors will meet to review and approve or disapprove applications. The Board may ask the Applicant to attend the meeting if additional information is needed. Approvals are determined by an affirmative majority vote of the Board. If the application is not complete, the thirty (30) day period shall not commence until after receipt of a completed application.

Within thirty (30) days after receipt of a completed application, the Board of Directors shall either approve or disapprove the application in writing. Any approval may include conditions. If the Applicant refuses to accept the conditions, the application shall be deemed denied.

The Board of Director's role is to ensure a consistent application of the Design Rules and Regulations and applicable provisions of the Declaration. The Rules and Regulations are purposefully directed toward those qualities at Red Quill Village which contribute to the value of individual properties, foster visual attractiveness, maintain the overall visual harmony and attractiveness of Red Quill Village and promote compatibility within the community and neighborhoods.

These qualities include positive aesthetic interrelationships of buildings, landscape, topography and overall design of the community.

The Rules and Regulations identify specific criteria relative to site development and exterior building construction.

These criteria are identified to ensure that the following principles are observed and followed.

- General Principles.
 - A. Fitness of Concept. The design idea of the proposed improvement must be appropriate to the surroundings and of sound construction.
 - B. Compatibility of Structures and Site. Proposed site improvements must be in harmony and aesthetically compatible with adjacent sites and structures with views of the improvements.
 - C. Design Compatibility. Proposed improvements, construction, remodeling, repainting, and other exterior work must be compatible with the design character of the site, adjacent properties and the neighborhood. Compatible design character is defined as harmony of architectural style, materials, colors, scale and detail of construction.
 - D. Consideration of Neighbors. The consideration of neighbors and adjacent properties must be sensitively addressed by ensuring reasonable provisions for surface water runoff, access, visual and sound buffer and other aspects of improvements that may impact neighbors.
 - E. Workmanship. The quality of workmanship of approved construction must be no less than that existing on the site and on adjacent properties.
 - F. Schedule. Projects which are not completed in a timely mariner may be a nuisance, safety hazard and visually unacceptable. Therefore, all applications must include a

proposed maximum time of completion for construction. The Board may deny an application on the basis of an unreasonable time frame.

Should projects not be finished within the approved schedule for completion, the Board may request the Applicant to complete construction within thirty (30) days or be subject to Board action, including imposition of fines and removal of incomplete construction, at the expense of the Owner. If the Applicant has removed any ground cover from his property, he shall take precautions to ensure that soil does not blow away, erode or wash onto adjacent properties or streets.

The Applicant is responsible for ensuring that any proposed improvements of construction are coordinated and approved, when applicable, by local, state and federal government agencies. The Board of Directors assumes no responsibility for obtaining these approvals; however, the Board of Directors may condition its approval on obtaining all applicable governmental approvals. The Applicant is also responsible for location and avoidance of buried utilities such as power sources, cables, telephone lines, etc. prior to any excavation during construction.

- Agency Resources. Proposed improvements may require approval by or coordination with public agencies as well as the Board of Directors. The Applicant is requested to check with the following agencies, as appropriate, to determine if their review or approval is needed:

- A. Town of Winter Park. Building permits, zoning issues, variances.

- B. Grand County Water & Sanitation District No. 1. Water and sewer service and any construction within utility easements.

- C. Mountain Parks Utilities. Electrical service, street lighting and improvements within utility easements, gas lines and easements.

- D. Qwest. Telephone lines and easements.

3. Design and Construction Requirements. This section of the Rules and Regulations outlines those design construction practices required for improvements to building exteriors and residential properties. The practices and methods discussed and illustrated include those that are intended only as recommendations and those approved and adopted as mandatory rules by the Red Quill Village Townhome Association Board of Directors. The two are distinguishable by the preceding word "should," or "shall," respectively.

Those construction methods that are acceptable are illustrated for clarity to the Applicant. Generally, those applications conforming with design and construction principles herein outlined in the Rules and Regulations are most likely to be approved by the Board of Directors. All applications will be considered on their individual merits.

Owners are required to notify the Board (through the management company) in writing of completion of improvements. The Board of Directors may, but is not required to, inspect the work in progress or after completion for conformity to the approved application. Should the work/improvements not comply with the application, the Board has the authority to require the Applicant to remedy deviations. Corrections must be completed within thirty (30) days after the Owner is notified of the deviation. Deviations not remedied may be subject to sanctions, including, but not limited to, removal of unapproved construction at the direction of the Board, and at the expense of the Owner.

- Exemptions. All improvements, whether exempt or not, must comply with local and state building codes and construction requirements. The following types of improvements or alterations do not require the formal approval of the Board of Directors; however, the Owner shall also be expected to comply with any applicable Red Quill Village Rules and Regulations and Declaration requirements.

- A. Alterations to the interior of a residence when the outside appearance of the structure is not visually affected.

- B. Repairs to a residence in compliance with previously approved drawings and specifications.

- C. Adding plant materials to a residential property in compliance with a previously approved landscape plan, or one consistent with front yard landscaping installed by the Builder, or that are permitted to be installed without Board approval under the Declaration and as described previously in these Rules and Regulations.

- D. Seasonal decorations are allowed, if removed within fourteen (14) days following the holiday.

- E. Real estate signs placed on the inside of a window of a Townhome as described above. No signs may be placed on fences, balconies, or other exterior improvements. Any directional signs for open houses are permitted from Friday through Sunday and holidays, only.

- F. Number one grade redwood or cedar fencing, six (6) feet in height, with four (4) inch, dog-eared pickets.

Windows. No mirrored glass shall be permitted. All windows shall have painted or stained wood frames and dividers.

All windows shall be covered with drapes, curtains or similar acceptable coverings within a maximum of six (6) months of occupancy. Any window coverings visible from residential exteriors shall be compatible with its architectural character. Film type window coverings, or reflective shades, are prohibited. Storm windows and doors shall be compatible with the colors of the house and/or trim. Reflective or galvanized metal surfaces are prohibited.

Antennae. No antennae, television, radio, satellite or microwave dish transmitting or receiving apparatus or similar equipment shall be erected on the exterior of any structure, or placed on any Townhome or exterior of a Lot within Red Quill Village without the approval of the Board of Directors. All such equipment shall be adequately screened from view of adjacent properties and streets.

Solar Panels. Solar panels and support equipment shall not be visually obtrusive. All solar panels shall be installed with construction details to appear as an integral part of the structure and its architectural character. Grovel or wall mounted panels shall be integrated into the structure, using matching materials and colors of the house. The design and location shall be approved by the Board of Directors.

Garages. Garages and garage doors shall remain closed when not in use. This will present a more orderly appearance for neighborhoods and promote visual harmony by screening areas of storage and utility.

General. Those portions of a residential homesite not covered by structures such as house, driveway, sidewalks and patios, shall be landscaped within ninety (90) days after occupancy, if occupancy occurs between March 1 and August 31. Those Owners who take occupancy between September 1 and February 28 have until the following June 30 to install landscaping.

All front yards are landscaped by the Builder. All landscaping shall be consistent with front yard landscaping installed by the Builder or shall be done in compliance with a landscape plan approved by the Board of Directors. Additional landscaping, including, but not limited to, plant materials, irrigation systems and walls not a part of the initially approved plan or otherwise permitted, must receive a separate Board approval.

Plant Materials. Plants utilized in residential landscaping shall consist of durable materials, avoiding extensive use of short-lived plantings, such as annual flowers. Nuisance plants, such as cotton-producing cottonwood trees, should be avoided.

Mulch. The use of gravel as a mulch material is permitted with the exception that it shall not be used to cover large areas of ground. Gravel mulch is encouraged, but other types of mulch may be used. Only natural color rocks, other than volcanic red rock, may be used. No artificially colored rock is permitted. Mulched areas must be kept free of weeds and debris and weed barriers shall be placed in the mulched area.

Ornamentation. The overall goal of landscaping within Red Quill Village is to develop a visually pleasing and harmonious neighborhood character. Individual expression of statements of landscape by Owners are permissible to the extent they do not diminish or detract from this goal.

Non-living ornamentation in the landscape shall be allowed in front or side yards or in backyards when visible from adjacent properties and streets, only with the prior approval of

the Board of Directors. Examples of non-living ornamentation which require prior approval are driftwood, wagon wheels and animal sculptures. Ornamentation should be placed close to a residence to minimize visibility from streets and adjacent properties.

Maintenance. Landscaped areas shall be maintained in a neat and healthy condition. Maintenance of landscaped areas in both front and backyards shall include, as a minimum, watering, mowing, pruning, weeding and removal and replacement of dead or dying plant materials. Weeds must be removed regularly and not allowed to exceed six (6) inches in height.

Water Usage. Since homes normally will be sold with front yard landscape in place, the backyard landscaping should be integrated with a similar or compatible landscape system. The Owner should consult with a professional designer or landscape architect experienced in designing irrigation systems.

Hoses on outside water faucets should be disconnected at freezing temperatures to prevent broken pipes. It is also advisable to manually drain irrigation systems during the winter months to avoid damage to the system. This period is typically from October to April.

Fencing. Perimeter, or lot line, fencing at Red Quill Village shall be made of cedar or redwood, with four (4) inch dog-eared pickets. All fences, other than split-rail, shall be six (6) feet high above the finished grade at the fence line. Fences abutting streets or landscaping strips shall be constructed in accordance with the perimeter fencing detail and materials installed by the developer. Fencing details for construction are available from the Board.

Chain link fences shall not be permitted, except as part of approved dog runs. Fencing for interior lot lines, patio enclosures, dog runs and screening purposes shall be compatible with the approved perimeter fencing type and with respect to finish, materials, height (six (6) feet in height), grade and color. Chicken wire and other materials may not be placed on fences. All interior fences, dog runs, etc. which may be visible from adjacent properties or streets shall be subject to approval by the Master Architectural Board.

Fencing shall be installed in such a manner that it does not interfere with established drainage flows.

Fencing shall not be permitted in front yards, with the exception of split-rail fencing. The fence height of split-rail fences shall not exceed three (3) feet.

Fences shall be adequately maintained by the Owner who installed the fence or on whose Lot the Builder placed a fence. Broken and leaning pickets and fence posts shall be repaired or replaced and fences shall be stained periodically to avoid deterioration and graying of the wood.

Temporary Structures. No tent, shack or other temporary structure shall be placed on an Lot or Common Area.

Lighting. Exterior lighting which creates an annoyance to adjoining properties shall not be permitted.

Signage. No signs shall be displayed without prior Board of Directors approval, with the exception of a single house for sale or lease sign placed inside a Townhome. Signs may not be placed on telephone or utility poles, traffic control devices or similar locations. No other boxes or signs shall be attached to the original mail box or post.

Mailboxes. Mailboxes, including any replacements thereof, shall be consistent with the size, design and color of the original mailbox placed on a Lot and on adjacent Lots. Mailboxes shall be repaired or replaced when necessary.

Play Equipment. Play equipment such as swing sets may be installed inside a screened or fenced yard, and shall be approved by the Board of Directors for appropriateness of scale, color and materials.

Basketball Backboards. Installation of basketball backboards are permitted over garage doors or on posts and shall be original manufacturer specifications. They are subject to prior approval by the Board. No homemade basketball backboards are permitted.

Site Grading. No changes to final property grades shall be permitted unless approved in advance by the Board. Extreme care shall be taken to divert water from foundations. No grading may be proposed that diverts water onto adjacent properties or significantly alters existing drainage patterns. Downspouts shall discharge onto splash blocks to prevent moisture saturation at the foundations. Irrigation of plant materials should be kept a minim of five (5) feet away from foundations. Planting areas shall be sloped away from foundations to prevent ponding of water.

Screening. Screening of visually unsightly articles by approved fencing or landscape shall be utilized in the following situations. The intent of this required screening is to promote a neat and orderly appearance to neighborhoods by eliminating visual clutter, and contribute to property values and community image.

- **Garbage/Refuse.** All refuse, garbage and other wastes shall be kept in covered, noiseless containers within garage areas or within exterior spaces in backyards properly screened from adjacent properties or public view. The enclosure shall conform to color and materials of approved fencing details, and be maintained in a clean and weed-free condition.

- **Firewood.** Firewood shall be neatly stacked in backyards or side yards behind fences.

- **Outdoor Storage.** The storage of vehicles and unsightly materials, including, but not limited to, trash, trash cans, building materials, unlicensed vehicles, trucks, boats, RV's, trailers, motorcycles, snowmobiles, garden supplies and shrub or tree clippings shall be prohibited in unscreened areas of a residential site. Such items may be

stored in a backyard only if they can be adequately screened from view. Such screening must be approved by the Board.

- **Swimming Pools/Hot Tubs.** All swimming pools, spas or hot tubs shall be placed in backyards and must be approved by the Board of Directors.

- **Dog Houses.** Dog houses shall be constructed from materials compatible with the house and shall be completely screened from view of public streets and private property.

- **Mechanical Equipment.** All mechanical equipment, including air conditioning units, swamp coolers, exhaust pipes and heating equipment, shall be installed as an integrated part of the architecture and building. These items shall not 'be roof-mounted or located where they are visible from adjacent properties or public streets and shall be screened from view.

- **Clotheslines.** Clotheslines shall be prohibited.

Ancillary Structures. All ancillary structures, including but not limited to, storage sheds, patio covers, decks, greenhouses and arbors, etc., shall have prior approval by the Board of Directors before commencement of construction or before placement of prefabricated structures on a Lot. These structures shall be designed and located to be compatible in the use of materials and colors with the house, adjacent houses and fencing. The highest point on any such structure shall be equal to or less than eight (8) feet above the finished grade of the backyard and all such structures should be placed as close as possible to the residence.

Driveways. Modifications to driveways shall not be permitted, including the addition of new vehicular access points or widening of driveways to a width greater than the width of the garage door without prior approval of the Nester Architectural Board. Cracking and spalling of concrete in driveways shall be repaired and oil stains removed.

Retaining Walls. All retaining walls shall be subject to prior approval by the Board. Retaining walls which adversely affect drainage flow and patterns or divert runoff onto other properties are prohibited.

CERTIFICATION: The undersigned, as Secretary of the Board of Directors of Red Quill Village Townhome Association, hereby certifies that the foregoing Rules and Regulations were duly adopted by the Board of Directors on _____, 2003.
