

Vida del Mar  
Policy for Stairway, Pedestrian Bridge, Building Entrance and Corridor Maintenance  
Revision No.: Original  
Dated January 20, 2009

## **GENERAL MAINTENANCE RESPONSIBILITY**

Generally, Vida del Mar (VDM) is responsible for maintaining and/or repairing all common area stairways, pedestrian bridges, building entrances, hallways and corridors of all the residential buildings on the Vida property.

## **SPECIFIC RESPONSIBILITIES DEPENDING UPON CONSTRUCTION TYPES**

The following summarizes the various types of materials used in these common areas and indicates which party (i.e. Vida, the owners, or both) shall have the responsibility for the maintenance and/or repair of these areas. (For reference, see Attachment A which identifies the type of construction material currently in-place for each entryway/stack at all Vida buildings, and their respective locations (by building entrances, pedestrian bridges, stairways, and residential corridors).

### **Original Tile and/or Concrete Construction**

VDM is responsible for repairing and maintaining those common areas made of the original concrete and/or tile used in the initial construction of the buildings. This responsibility includes repainting those areas requiring painting on an as-needed basis as well as the repair of cracked cement, etc. VDM reserves the right to utilize other material options, such as concrete stains, etc., if the effectiveness and cost saving possibilities of these alternatives warrant it.

### **Maintenance of Owner Tiled Entryway Areas**

In the past, many groups of owners have opted to install ceramic or stone tiles to some of the common area entrances, pedestrian bridges, stairways, and residential corridors in their building entryways. As policy, VDM will, at its cost, attempt to maintain these materials to the best of its ability. However, in doing so, VDM does not assume responsibility for maintaining tiles with an exact color or texture match if owners do not provide a supply of replacement tile at the time the tile is installed. If original tiles are not available when repairs are needed, every attempt will be made by VDM to match tiles but owners must realize that tile patterns are sometimes discontinued and that lot colors can vary so an exact match to an existing tile may not be possible. In all of these situations, VDM will attempt to match tiles as closely as possible.

### **New Tile Installations by Owners**

In the future, a group of owners may band together to install and/or replace with new tiles the common area entrances, pedestrian bridges, stairways or residential corridors of their respective buildings. In the past, owners of stack could tile individual floors and stairways as they desired. This policy now requires all units using a common entrance and stairway to be included in the tile project owner group for the sake of uniformity. Until now, the lack of this requirement has resulted in some cases where one

entrance/stairway has as many as 3 different tile patterns. It is the responsibility of each of these owner groups to bear the total cost (labor and materials) of any such project. In addition, before any tile project installation can proceed, the group must follow the following procedures:

1. They submit a written plan and obtain plan approval of the VDM Board of Directors through the Architectural Control Committee.
2. The tile and grout selected must be of a non-slip variety and the color, tone, or pattern must be in keeping with the general appearance of VDM buildings. The approval of the color, tone or pattern of the tile and grout rests with the Architectural Control Committee (see the current guidelines published by the Architectural Control Committee) and the VDM Board of Directors
3. A super-majority (more than 66%) of owners of units affected by the proposed project must agree in writing with the scope of the project, the tile selected, and agree to pay an agreed upon portion of the cost before installation may start. The agreed upon cost allocation is not required to be an equal share of the total cost for each owner, but the total allocation in the proposal submitted for approval must equal 100% of the total cost (including any cost overruns). Preferably one but a maximum of two of the owners forming the project group must be designated in the proposal as being the contact(s) having responsibility for all aspects of the project.
4. The group of owners will be responsible for obtaining a qualified contractor and negotiating a contract that includes the price and a scope of work. (Note: The “scope of work” must include a clause that holds the contractor responsible for:
  - a) cleaning up all spills and cement splashes;
  - b) keeping the area as clean and tidy as possible during construction;
  - c) removing all debris from the work performed on Vida property at project completion; and
  - d) informing the contractor that he may not clean tools, buckets, etc. in Vida’s planter and garden areas, and specifying the days of the week and hours of the day when construction may take place. (Again, see the current guidelines from the Architectural Control Committee.))
5. Collection of the allocated costs shall be the responsibility of the specific owner group proposing the project by the specified contact persons. Neither Vida management nor any Vida personnel can be involved in any monetary collections or side agreements between owners, or in the mediation of such agreements, or in the underwriting of any such financial responsibility pertaining to the project.
6. All work related to this type of project must be done during the low season (May 1 to November 30), and comply with all other appropriate VDM construction guidelines established by the Architectural Control Committee.
7. When ordering tile, the owner group shall be required to order at least 5% extra tiles for storage and use by Vida for any possible repair work needed in the future. If the owner group agrees on a pattern with multiple colors, at least 5% extra tiles of each color must be provided. Once this extra tile is used for repairs, the section above concerning maintenance of existing owner tiled areas goes into effect.

Vida (through the office of the GM) will monitor and track each entryway retiling project as it progresses during construction to assure that it is in compliance with all appropriate Vida construction rules and guidelines, and will notify the designated contact(s) for the owner group when the project is satisfactorily completed so that final payment by the owner group can be made to the contractor.