

The Count Pourtales Association

Board of Directors' Summary of Key Proposed Changes to Covenants

This summary has been prepared by the Board as a convenience to highlight what it believes are the principal proposed changes.

Descriptions of the proposed changes reflect the Board's understanding of the amendments and are provided solely as an informational summary only. Members are encouraged to read the full draft of the Third Amended & Restated Covenants.

Category	Key Change
General	Reformatted and reorganized the Covenants and updated language and provisions consistent with current community association legal drafting practices.
Definitions	Updated definitions to align with revised language and terminology used throughout the Covenants.
Assessments & Budgeting Provisions	These provisions have been updated and relocated from Bylaws to Covenants for consistency with current community association legal drafting practices. (Art. 7)
Assessment Amounts	Current assessment amounts have been rounded to nearest whole dollar, eliminating cents. (Art. 7.2)
Maintenance Responsibility	Added owner responsibility for maintaining water features. (Art. 8.1c) Added Association's maintenance responsibility. (Art. 8.2) Established maintenance compliance timeframes (10 days for weeds; 30 days for other maintenance) and clarified the process for Association intervention when necessary. (Art. 8.3)
Architectural Controls	Updated the Architectural Control provisions regarding the Architectural Review Committee (ARC) review and approval process. (Art. 9)
Architectural Control <i>Commencement of Approved Work</i>	Requires owner to begin an ARC-approved project within 6 months of approval (changed from one year) unless the ARC gives a written extension to start the work. (Art. 9.8)
Architectural Control <i>Completion of Approved Work</i>	Updated completion timelines for ARC-approved work (90 days) and new home construction (18 months), reduced from 2 years, unless extended by the ARC in writing. (Art. 9.9)
Use of Lots <i>Residential/Business Use</i>	Added provision prohibiting Accessory Dwelling Units within the Association unless otherwise required by law. (Art. 10.2a) Updated the use restrictions to permit ancillary business activities within a Lot/Home Site, subject to specified conditions. (Art. 10.2b)
Leasing	Added leasing provisions requiring tenant notice of Association requirements and establishing a minimum 30-day lease term. (Art 10.3)
Use of Common Areas (Pourtales Park)	Added provisions regarding the use of the Common Area to promote the safe and enjoyable use of shared community spaces by all Owners and Residents. (Art. 10.4)
Drainage Protection	Added provision addressing drainage patterns consistent with current community association legal drafting practices. (Art. 10.6)
Landscaping Requirements	Added new landscaping restriction limiting artificial vegetation (including artificial turf) as landscaping materials in front yards and side yards visible from the street; rear yard installations remain subject to ARC approval. (Art. 10.7)

Category	Key Change
Prohibition of Damage, Nuisance, Noise & Hazardous Activities	Added new provision prohibiting activities that may damage property, create unreasonable nuisances or pose hazards to the community consistent with current community association legal drafting practices. (Art.10.8)
Refuse and Rubbish	Added a provision requiring Owners to ensure contractors keep construction areas clean and minimize impacts to neighboring properties. (Art. 10.11)
Parking	Removed the two-week annual outside parking allowance for oversized vehicles, motor homes and similar vehicles due to the Association's inability to monitor compliance. No outside parking is allowed at any time unless otherwise permitted. Established a 72-hour allowance period for RVs/mobile homes to be loaded & unloaded (Art 10.12)
Vehicle Repair	Added provision restricting vehicle repair conducted outside of an enclosed structure consistent with current community association legal drafting practices. (Art. 10.13)
Antennas & Satellite Dishes	Added provision requiring ARC approval before installation. (Art.10.15)
No Mining & Drilling	Added new provision addressing mining & drilling activities consistent with current community association legal drafting practices. (Art.10.16)
Insurance	Added standard insurance provisions addressing coverage responsibilities & risk management. (Art.11)
Authority & Enforcement	Update the Association's authority and enforcement provisions consistent with current community association legal drafting practices. (Art. 12)
Amendments	Revised the amendment approval process by removing the current requirement for 80% approval or the alternative 51% approval process available every 20 years. New provision states amendments may be made at any time with approval by majority of the Association's total voting credits currently in good standing. (Art.13)