

**SATELLITE DISH INSTALLATION POLICY (DECLARATIONS SECTION 7.8
REVISED) ARBORS AT MOUNTAIN SHADOWS CONDOMINIUM OWNERS
ASSOCIATION, INC.
DATED July 15, 2004**

RESOLVED THE FOLLOWING POLICY WITH REGARD TO THE INSTALLATION OF
ANTENNA THIS DATE:

- I. Purpose: The board of Arbors at Mountain Shadows Condominium Owners Association, Inc ("the Association") adopts this Policy in compliance with recently issued regulations by the Federal Communications Commission regarding the installation of satellite dishes and other antennas; and in compliance with the Association's Condominium Declaration, which prohibits antennas without the prior written consent of the Board, and other sections which prohibit damage to the Common Elements and allow the adoption of Policies. The Board's intention is to comply with the Declaration to the fullest extent permitted by law and statute. The Board has adopted this Policy for the purposes of promoting the health, safety and welfare of the residents of the Development, their invites and guests to preserve and protect the values of the properties within the Project.
- II. Antenna Policy: All antennas are prohibited except each unit may be allowed to install, at the owner's sole expense, any of the following ("Permitted Antenna"): DBS antenna of one meter or less in diameter, MDS antenna of one meter or less in diameter and television broadcast antenna, but all subject to compliance with this Policy. The Association shall allow only antennas allowed by FCC regulation and this Policy. Installation of any satellite dish greater in diameter than one meter (39.37 inches) or disallowed antenna is prohibited.
- III. Notice: A notification of intent to install any Permitted Antenna as defined by FCC regulation including any satellite dish not exceeding one meter ("antenna") shall be submitted to the Association's manager no later than three (3) business days prior to installation in the form attached hereto.
- IV. Location: Installation of any Permitted Antenna to any Common Element, included without limitation sides of buildings, rooftops, lawns, or windows, is prohibited; unless the Architectural Control Committee (ACC) grants a written variance permitting the installation of a Permitted Antenna. If an acceptable quality of signal can be received by placing the Permitted Antenna wholly inside a unit then outdoor installation is prohibited. The Permitted Antenna shall only be installed on the patio, balcony or deck under the exclusive control of the owner and shall be shielded from view to the maximum extent possible from neighboring units or nearby streets, unless the ACC grants a written variance permitting the installation of a Permitted Antenna. The Permitted Antenna shall be no larger nor installed any higher than is necessary for reception of an acceptable quality signal.
- V. Standards for Installation: The Permitted Antenna shall be installed so as to comply fully with the FCC requirements and with all building codes.

insurance, manufacturer and governmental requirements and shall not protrude beyond the railing of such balcony, deck or patio, or approved chimney location, unless a written variance has been granted by the ACC. All installations shall be completed so as not to damage the Common Elements and not to violate this Policy in any manner and not to violate the rights of other owners and not to impair the integrity of the building. No holes shall be drilled through walls, floors or other Common Elements nor shall bolts, nails, fasteners or conduit be inserted into such Common Elements, unless a written variance has been granted by the ACC. All installation shall be fully grounded and properly secured so that the Permitted Antenna does not constitute a safety hazard. The Permitted Antenna shall be a stand-alone system and cannot involve splicing into wires or cable of the building. Rollaway antennas are prohibited because they present a significant safety hazard. All installations shall comply with all applicable building and safety codes and manufacturer's instructions.

Any cabling attached to the outside of the building must be attached to the soffit only using staples designed for this purpose and painted to match the building. Any cabling must be mounted so it is tight enough to prevent "wind flapping" against the side of the building.

A licensed professional experienced in the proper installation of antennas shall accomplish installation. Any installer of an antenna shall carry Commercial General Liability insurance in the minimum amount of \$1,000,000 and Workers' Compensation insurance in conformance with statutory requirements. Any installer shall provide a waiver agreeing not to assert liens against the Condominium Project. Evidence of all permits, qualifications, insurance and waiver shall be provided to the Association prior to the commitment of any installation.

- VI. Liability: The owner of the Permitted Antenna shall be fully responsible for any damage caused to real or personal property or any injuries resulting from the antenna. The owner of any antenna agrees to indemnify the Association or the Board in the event that the Association or its Board are sued for any such claim, including without limitation reasonable attorneys fees and costs, and shall provide a certificate of liability insurance insuring the Association in the amount of \$1,000,000 against any claims for property damage or personal injury resulting from the antenna. The owner of the Permitted Antenna shall be personally liable for the maintenance of the Permitted Antenna, and the Association shall incur no additional expense as a result of such antenna whether related to maintenance or otherwise. The Association may require a security deposit reasonably related to possible damage from the installation, maintenance, removal, or operation of the Permitted Antenna or violations of this Policy.
- VII. Removal: Any antenna not conforming to all requirements set forth in this Policy shall be removed within three days following written notice to the owner. If the owner fails to remove the antenna, the Association may arrange for its removal and the cost of removal shall be assessed against the owner thereof. The Board may assess fines against the owner for failure to comply with this Policy or any written notice. Upon removal of any antenna, the

owner of such antenna shall promptly restore the property to its original condition. If the owner fails to restore the property, the Board may take such actions and assess the costs against the owner of the antenna.

VIII. Enforcement and Dispute. Any enforcement of this Policy or resolution of any dispute here under shall be in the District Court for El Paso County, Colorado.

CERTIFICATION

The President and the Secretary of the Arbors at Mountain Shadows Condominium Owners Association, Inc., a Colorado non-profit corporation, certify that the foregoing resolution was approved and adopted by the Board of Managers of the Association, at a duly called and held meeting of the Board of Managers on July 15, 2004, and in witness thereof the undersigned have subscribed their names.

Arbors at Mountain Shadows
Condominium Owners Association, Inc.
A Colorado non-profit corporation

By 
Phillip H. Case, President

By 
Jack I. Mason, Secretary/Treasurer