

**Village of Troon at Kildaire**  
**Homeowner (HO) vs Association (HOA) Responsibilities**  
**As to Maintenance, Repair, Replacement & Insurance**

**1.1 Limited Common Elements:**

1.1.1 Per Declaration 1.11:

Those portions of the Common Elements allocated for the exclusive use of one Unit but fewer than all including, but not limited, to any patio, driveway, sidewalk appurtenant to Unit, attic storage area, heating & air conditioning equipment area, wiring and plumbing.

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

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

**1.2 Unit Boundaries:**

1.2.1 Per NC Condominium Act 47C-2-102(1): Does not apply since it is in conflict with the Declaration and gives the Declaration control.

1.2.2 Per Declaration 1.20:

Unit boundaries, both vertical and horizontal, are the undecorated surfaces of the perimeter walls, exterior doors and exterior windows facing the interior of the Unit, the undecorated surfaces of the ceiling facing the interior of the Unit, and the topmost surfaces of the sub-flooring. Also includes exterior heating & air conditioning equipment.

**1.3 Homeowner vs HOA Responsibility:**

1.3.1 Per Declaration 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.

1.3.2 Per NC Condominium Act 47C-2-111(2) and ByLaws 6.16:

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

1.3.3 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.

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

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| ELEMENT                       | MAINTENANCE/<br>REPAIR | REPLACEMENT | INSURANCE |
|-------------------------------|------------------------|-------------|-----------|
| UNITS                         | HO                     | HO          | HO        |
| LIMITED COMMON<br>ELEMENTS    | HO                     | HO          | HO/HOA    |
| COMMON ELEMENTS               | HOA                    | HOA         | HOA       |
| EXTERIOR DOORS                | HO                     | HO          | HOA       |
| GARAGE DOORS                  | HO                     | HO          | HOA       |
| WINDOWS                       | HO                     | HO          | HOA       |
| DECKS & PATIOS                | HO                     | HO          | HOA       |
| SIDEWALKS BY UNIT             | HO                     | HO          | N/A       |
| DRIVEWAYS                     | HO                     | HO          | N/A       |
| WATER HEATERS                 | HO                     | HO          | HO        |
| AIR COND/HEATING<br>EQUIPMENT | HO                     | HO          | HO        |
| SHUTTERS                      | HO                     | HO          | HOA       |
| EXTERIOR LIGHT<br>FIXTURES    | HO                     | HO          | HOA       |
| CHIMNEY CAPS                  | HOA                    | HOA         | HOA       |
| GUTTERS & DOWN-<br>SPOUTS     | HOA                    | HOA         | HOA       |
| ROOFS                         | HOA                    | HOA         | HOA       |
| BUILDING MASONRY<br>WALLS     | HOA                    | HOA         | HOA       |
| WINDOW & DOOR<br>SEALANTS     | HOA                    | HOA         | HOA       |
| ASPHALT PAVEMENT              | HOA                    | HOA         | N/A       |
| MAILBOX STATIONS              | HOA                    | HOA         | HOA       |
| METAL FENCES BY<br>UNIT       | HOA                    | HOA         | HOA       |

By Authority of Troon at Kildaire Board of Directors

Date: May 2, 2006

Ann Ball, Secretary \_\_\_\_\_