

Hidden Reserve Condominiums Owners Association, Inc.

HOMEOWNER'S GUIDE

July 2024

HOMEOWNER'S GUIDE

Introduction

Hidden Reserve is a premier residential condominium. Owners place a high value on the quiet enjoyment of their homes and the beautiful Hidden Reserve setting.

Living in a Condominium environment is different from living in a single-family house or Homeowners Association. Unit Owners are members of the Hidden Reserve Condominiums Owners Association Inc. (Association), which is a non-profit Wisconsin corporation. Members jointly own the Common Elements of Hidden Reserve. The Common Elements include everything except the dwelling Units (the buildings we live in). Owners are entitled to exclusive use (not exclusive ownership) of the Limited Common Elements. The Limited Common elements are the areas 18 feet to the rear (patio area), 14 feet to the front, and 5 feet to the side of the building. See Pp. A-3 – A-4 of the Declaration for a detailed description of the Common Elements and Limited Common Elements.

In legal parlance, each Unit Owner owns a 1/54 undivided interest in the Common Elements, including the Limited Common Elements. Consequently, guidelines and rules and regulations govern the use of the Common and Limited Common Elements for the benefit of all condominium owners. Rules will be established, from time to time, to enhance our enjoyment of Hidden Reserve by maintaining a consistent standard of excellence.

The Board of Directors has the responsibility and authority to enact rules and regulations, interpret those rules and regulations, and resolve problems and disputes that may arise. The Board has adopted some rules. Some rules were established by the developer at the time Hidden Reserve was created and are contained in the Declaration and By-laws.

This Guide will be revised and enhanced over time.

PLEASE NOTE: When you sell your Unit, you must give your copies of the Disclosure Documents (Declaration, Articles of Incorporation, By-laws, Amendments, Resolutions, etc.) and this Guide to the new owner. Ideally, we suggest that these are given to a prospective buyer prior to an accepted offer.

DISCLAIMER: This Guide is a summary, hopefully in plain English, of legal documents and statutes. In the event there is a discrepancy between this Guide and any such legal document or statute, the provisions of the legal document or statute apply. Please do not rely on this document. Read the relevant statute or legal document and/or consult your personal attorney for advice.

Living in Mequon

The City of Mequon has a robust website at:

www.ci.mequon.wi.us

On the website you will find a wealth of information about living in Mequon including all contact information for emergency services, non-emergency services, City departments, staff and elected officials.

The City also has ordinances governing many of the things covered in the Hidden Reserve rules and regulations, such as outdoor storage of vehicles and other items, restraint of pets, and building permits for changes to structures.

Streets within Hidden Reserve are City of Mequon streets and both the City and Association rules prohibit overnight parking on City streets in Hidden Reserve. Overnight parking in driveways is also governed by the Association's rules.

Communication with Residents

IMPORTANT NOTE: The Association does business with Owners primarily by e-mail. It is important that you to keep your e-mail address current with the President and the Association's professional manager, Real Estate Specialists, Inc. (doug.koller@realestatespl.com). If you do not have e-mail, it is your responsibility to make arrangements satisfactory to Real Estate Specialists and the Board of Directors to receive Association communications. Failure to make appropriate arrangements to receive communications on a timely basis will not excuse an Owner from assessment of late payment fees.

The Association also maintains a separate Directory of Owners. The information is confidential and is provided for the personal use of current Hidden Reserve Owners, the Board of Directors and the Management Company. It shall not be used for business or commercial purposes and shall not be distributed by any means to anyone who is not a current owner without the prior approval of the person whose information is to be distributed.

Governance

General. The affairs of the Association are managed by the Board of Directors, in compliance with state statutes, the Declaration, the Articles of Incorporation, and the By-Laws.

The Articles of Incorporation and the Declaration may normally be changed by a 75% vote of the members of the Association. *Articles of Incorporation, Art. X (Page B-3); Declaration Art. XXI, Sec. 1 (Page A-26)*. Action on certain matters also requires a 75% vote of the holders of mortgages on Units. *Declaration Art. XII, Sec.2 (Page A-26)*.

The By-laws may be changed by a two-thirds (2/3) vote of the Members of the Association. *By-laws Art. X, Sec. 1 (Page C-12)*.

Actions of the Association or the Board of Directors require a majority vote of the members present at the meeting of the Association or the Board, provided a quorum (a majority of the Members of the Association or the Board) is present, and unless a super-majority vote is required by state statute, the Declaration, the Articles of Incorporation, or the By-Laws.

Annual Meeting of the Association. All Unit Owners are Members of the Association. The By-Laws state that the annual meeting of the Association is to be held at a time and place selected by the Board of Directors. *By-Laws Article IV, Section 3 (Amended October 19, 2005)*. The Board has typically scheduled the annual meeting in July to best accommodate winter vacationing.

Decisions of the Association are made by majority vote of the Members attending the meeting, provided a quorum (a majority of the Members) is present, and unless a super-majority vote is required by state statute, the Declaration, the Articles of Incorporation, or the By-Laws. *By-laws Art. III, Sec. 2 (page C-3)*. Each Unit is entitled to one vote. *By-laws Art. III, Sec. 1 (page C-3)*.

Board of Directors. The Association is governed by a Board of Directors elected by the Members at the annual meeting of the Association. There are five directors, three of whom are elected to two-year terms at an annual meeting of the Association, and two of whom are elected to two-year terms at the next succeeding annual meeting of the Association. Decisions of the Board are made by majority vote of those directors attending the meeting, provided a quorum (a majority of the directors) is present. *By-laws Art. V, Sec. 12 (Page C-7)*.

The current directors, and their terms of office, are:

<i>Name</i>	<i>Term Expires</i>	<i>Telephone</i>	<i>Email</i>
Janet Ehn	(2026)	414-588-9889	janetlehn@wi.rr.com
Ruth Denker	(2025)	414-405-5800	ruthdenker@gmail.com
Harriet Resnick	(2025)	262-242-1516	hmresnick@gmail.com
Fred Shafrin	(2025)	414-460-8919	doc4cn@wi.rr.com
Charlie Sauer	(2026)	414-915-9691	ctsauer@icloud.com

Officers. The Board elects the officers of the Association each year at the annual meeting of the Board of Directors, which usually follows immediately after the annual meeting of the Association Members.

The current officers are:

Janet Ehn	President
Harriet Resnick	Vice President
Fred Shafrin	Treasurer
Charlie Sauer	Secretary

Architectural and Grounds and Landscape Guidelines

The **Architectural Control Board (ACB)** is established by the Declaration. *Declaration Art. VII (Pages A-7 to A-11)*. The members of the ACB are the officers of the Association. The purpose of the ACB is to establish, maintain and preserve high aesthetic standards for improvements to Units and the natural beauty of the Common Elements.

Owners must submit proposals for any improvements or changes to building façades. The types of improvements or changes that require ACB approval are described in the Declaration. *Article VII, Sec. 5 (Pages A-8 to A-10)*.

The City of Mequon must also approve additions and improvements to a Unit.

The grades, elevations, drainage ways and utility easements were set in an agreement between the developer and the City of Mequon. Unit Owners may not fill drainage ways, low spots or easements, and may not change the drainage elevations or contours of the landscape. Unit owners may not modify any natural areas or basins within the development.

Most recently, the Board of Directors clarified and reaffirmed resident landscaping responsibilities as follows:

- A. Individual residents are responsible for the maintenance of the landscaping within the Limited Common Elements surrounding their Units. The Limited Common Elements are defined in Article III, Section 2 of the Declarations.
- B. Individual residents are responsible for maintenance of all approved, resident installed landscaping within the mowed Common Elements surrounding their Units. This applies to landscaping installed by the current owner of the Unit and all previous owners of the Unit. This also includes individual trees and shrubs in the mowed Common Elements around the Unit. Modification of any landscaping in the mowed Common Elements around the Unit requires written Board approval prior to work commencing. Lawn maintenance is the responsibility of the Association, as is all maintenance of natural areas, basins and common areas that do not contain a Unit (such as the entrance).
- C. Individual residents are also responsible for any trees immediately bordering the roadway around their Units which are not within the City of Mequon right of way as defined by the City of Mequon. Should a tree that immediately borders the roadway, but is not within the City's right of way, require removal, the Association will follow a similar procedure to the City of Mequon's Street Tree Program in force at the time of the removal. Currently, that would mean that the expense for removal would be the responsibility of the individual Unit owner and if the tree is replaced, the Association will

contribute \$125 toward the Board approved replacement, which would be the responsibility of the individual Unit owner.

Resolution of the Board of Directors dated July 30, 2019.

Submitting Exterior Change Requests

Owners must submit plans in electronic form to the Board of Directors for review and approval for any proposed exterior changes including, but not limited to, patio, walkway and landscaping, including tree planting, unit color changes, lighting changes, roof replacement, etc. No exterior changes may be made until the resident has received a written approval from the Board.

The Board has adopted the form on the following page to assist it in the review and approval process. Any approvals also stipulate, among other things, that no dumpsters, PODS, Port-A-Johns, etc. are allowed outside and equipment may not be left outside overnight.

Residents are encouraged to reach out to the Board when contemplating an exterior change to discuss what types of information will be needed for the review and what document limitations may affect the project. This works to simplify the completion of the request form and neighbor sign off and make Board review more efficient.

Hidden Reserve Condominium Association

Information for Landscape and Exterior Project and Change Requests

(This form and all attachments must be submitted electronically to the Board of Directors for review)

Describe the Proposed Project in detail including the location relative to your unit and attach a "to scale" drawing:

Owner Making the Request:

Signature: _____

Print Name: _____ Address _____ Date _____

Roof mate:

Signature: _____

Print Name: _____ Address _____ Date _____

Supports: Yes No

Across the Street or Backyard Neighbor:

Signature: _____

Print Name: _____ Address _____ Date _____

Supports: Yes No

Across the Street or Backyard Neighbor:

Signature: _____

Print Name: _____ Address _____ Date _____

Supports: Yes No

Insurance

The Association carries property* and general liability insurance covering the Common Elements and Directors and Officers Liability insurance. The master policy is a Commercial Package Policy with Acuity Insurance Company. The local agent is Robertson Ryan Insurance, 330 E. Kilbourn Ave., Suite 850, Milwaukee, WI 53202. The contact person is Wendy Jungbluth (414-271-3575 (X1811) or wjungbluth@robertsonryan.com).

Because this is an Association master policy and not individual policies, any unit owner claim inquiries must be directed first through Doug Koller at our management company and the Board to ensure that proper procedure and documentation are followed for the agent, insurance carrier and Association records.

The following is a summary of the policy. **DISCLAIMER: This is a summary of an insurance contract. In the event there is a discrepancy between this summary and the language of the policy, the provisions of the policy apply. Please do not rely on this summary. Read the policy, which is available from Doug Koller at our management company and/or consult your personal attorney or insurance agent.**

Property Coverage. There are scheduled limits at replacement cost coverage on each 2-Unit Building. The policy limits total \$80,724,594, as of March 26, 2024. The policy limits increase automatically each year at the end of March and have also increased as Units have been sold and as Unit Owners increase their declared values. Due to rapid and ongoing increases in raw materials and labor resulting in rising replacement costs, the Board, at the recommendation of insurance professionals, determined in 2020 that no unit's insured value shall be less than \$900,000 (adjusted annually thereafter for inflation) and recommends higher values for increases in square footage, interior finishes, etc. The items covered are determined by the Association's Declaration and By-Laws.

The By-Laws currently provide that the Association will cover property damage to:

Fixtures, improvements and alterations that are part of the buildings or structure, including, but not limited to the following: walls, floors, exterior siding and brick veneers, roof, fixtures [as defined by law], heating and air conditioning systems, water softeners and iron filters, major kitchen appliances [whether or not built-in], wet bar refrigerators, wine refrigerators, lighting fixtures, ceiling fans, attached floor coverings, built-in cabinets, shelving, counter tops, wiring, in-wall vacuum systems, garage, plumbing fixtures [including bathroom sinks, showers and tubs], and blinds.

The By-Laws currently provide the following exclusions, meaning the Association will not cover these items and that the Unit Owners must insure them.

Personal property [owned by or in the care, custody or control of a Unit Owner], automobiles, boats, motorcycles, snowmobiles, bicycles, area rugs, drapes, furniture, art, entertainment units, animals and other pets.

Unit Owners should carry their own insurance on contents, furnishings and improvements not covered by the Association's insurance policy. Contact your insurance agent to ensure your policy dovetails with the Association's and does not create overlaps or gaps in coverage.

Property Damage Deductible. The insurance policy has a deductible of \$10,000 for each occurrence. For covered wind and hail claims, the deductible is 1% of the building's insured value (the combined replacement value of both units). The roof damage settlement basis is as follows: If the roof is older than 15 years, the roof replacement in a covered claim will be the depreciated cash value, not the replacement value. Pursuant to the Association documents, the payment of the deductible is the responsibility of the Unit Owner incurring the loss.

Base Liability Coverage. The basic policy has a \$1,000,000 limit per occurrence for bodily injury and/or property damage. There is an annual aggregate \$3,000,000 limit for such occurrences. The excess liability coverage (*see below*) comes into effect when the base coverage is exhausted.

Excess Liability Coverage. There is excess coverage in an aggregate amount of \$5,000,000 per year. Therefore, we have \$6,000,000 of coverage for any one occurrence, provided we have not exceeded our base liability coverage and have not otherwise dipped into the excess coverage during the year.

Sump Pump; Sewer Backup; etc. The policy provides \$50,000 of coverage **per building** per occurrence for water backup from sewers, drains and sump pumps.

Directors and Officers Insurance. The policy provides a separate \$5,000,000 of coverage for director and officer liability.

Attorneys' Fees. Adjusting expenses and attorneys' fees are above and beyond the policy limits and are borne by Acuity Insurance Company.

Term. The policy is a one-year policy, renewable annually on March 26th.

Premiums. Each Unit Owner pays his/her share of the total premium based on the declared value of his/her Unit as reflected on the billing installments provided to the property manager – Real Estate Specialists, Inc. The remaining insurance costs are pro-rated equally based on the number of units (54).

*Note that the Master Policy does not cover Flood, Earthquake and Sinkhole claims.

Rules and Regulations

At the time Hidden Reserve was created by the developer, many rules and regulations were incorporated into the incorporating documents. The following is a summary of the **rules and regulations contained in the Declaration and By-Laws**. The summary is not necessarily a complete listing of all rules and regulations.

- **Exterior Structure and Interiors of Units**

- ◆ Unit Owners must maintain their Units in good condition. *Declaration Art. VIII, Sec. 1 (Page A-11); Art. VII, Sec. 7 (Pages A-12 and A-13)*. The Board of Directors may require Unit Owners to make necessary repairs. The Board also will resolve disputes between “roof mates” regarding whether or not repairs are necessary.
- ◆ Changes to the exterior structure or appearance require approval. *Declaration Art. VIII, Sec. 4 (Page A-12)* See also, *Policy on Additions to Units beginning on page 13 of this Guide*.
- ◆ The exterior face of window coverings must be white or off-white. Any deviation requires Board of Directors approval. *By-laws, Art. IX, Sec. 4(f) (Page C-11)*.
- ◆ No antennas or aerials for television, satellite or radio reception are permitted, except satellite dishes of neutral color and not in excess of 21 inches in diameter. *Declaration Art. XIII, Sec. 6 (Page A-19); By-laws, Art. IX, Sec. 4(e) (Page C-11)*.
- ◆ Owners are responsible for sealing and repairing driveways, having windows washed, painting/staining the exterior of their Unit (every five years), and repairing/replacing the roof shingles.
- ◆ Owners are responsible for maintaining, repairing and replacing construction elements of the Unit (such as windows, doors, exterior and interior walls, utility lines and pipes, etc.) and interior elements (such as fixtures, furniture and furnishings). *Declaration Art. VIII, Sec. 1 (Page A-11)*.

- **Use of Common Elements**

- ◆ Decorations to the Common Elements requires Board of Directors approval. Signs, advertising materials (including contractor signage), religious displays and the like are prohibited. Patio Areas (including decks and porches) may not be used for storage. Fixed gas grills must be covered. *Declaration Art. VII, Sec. 5 (Page A-12); Art. XIII, Sec. 11 (Page A-19); By-laws, Art. IX, Sec. 4(a) (Page C-11)*. Temporary religious and holiday decorations on the Limited Common Elements are permitted during the holiday period.

- **Use of Limited Common Elements**

- ◆ Although Unit Owners have exclusive use of the Limited Common Elements: Patio Area (18 feet), Front Yard (14 feet), and Side Yard (5 feet), improvements, fixtures and landscaping located in such Limited Common Elements require ACB or Board of Directors approval. *Declaration, Art. III, Sec. 2 (Pages. A-3 and A-4); Art. VII, Sec. 6 (page A-12); Art. VII, Sec. 9 (Page A-13).*

- **Use of Premises**

- ◆ Each Unit shall be used only for single-family residential purposes. The only business activity permitted is that conducted exclusively over the telephone or Internet, *i.e.*, no customers or business associates visiting the premises. *Declaration Art. XIII, Sec.1 (Page A-17).* City of Mequon ordinances also restrict the business activities that may be conducted in residential neighborhoods. No Unit Owner may use of the Condominium for any illegal purpose or in a way that might jeopardize the insurance carried by the Association. *Declaration Art. 17, Secs. 16 and 17 (Pages A-20 and A-21).*
- ◆ Units may not be rented out for less than six (6) months. No rooms may be rented out and no transient tenants may be accommodated. *Declaration Art. XIII, Sec. 2 (Page A-18).*
- ◆ No activity, use or practice which constitutes a nuisance, or is immoral or offensive, or which unreasonably interferes with or is an unreasonable annoyance to the peaceful enjoyment or proper use of the Condominium by Unit Owners is permitted. *Declaration Art. XIII, Sec. 10 (Page A-19); By-laws, Art. IX, Sec. 4(b) (Page C-11).* Motor vehicle noise must be maintained at a reasonable level. *Declaration Art. XIII, Sec. 15 (Page A-20).*
- ◆ Waste, litter, trash and building materials shall not be accumulated. This includes the prohibition of dumpsters, PODS or similar. Empty trash containers must be returned to their inside storage locations by 7:00 p.m. on the day of collection. *Declaration Art. XIII, Sec. 5 (Page A-18); By-laws Art. IX, Sec. 4(d) (Page C-11).*

- **Vehicles**

- ◆ Vehicles may not be parked on the streets of Hidden Reserve except upon approval by the Board of Directors and in compliance with the ordinances of the City of Mequon. *Declaration Art. VIII, Sec. 5 (Page A-12).* Note: Neither the City of Mequon nor the Association allows parking on any streets.
- ◆ No motor vehicles may be parked overnight on a driveway without a permit issued by the Board of Directors. The Board has granted blanket approval, upon specific

request, to owners to permit parking a vehicle overnight for up to three consecutive nights without specific approval of the Board. See Parking Policy below.
Declaration Art. XIII, Sec. 4 (Page A-18).

- ◆ Junk vehicles, motor homes, trailers, snowmobiles, equipment and the like may not be stored on the Condominium. City of Mequon ordinances also prohibit outdoor storage of such vehicles. Garage doors shall be closed at all times other than when open to permit entry and egress. *Declaration Art. XIII, Sec. 4 (Page A-18); Art. XIII, Sec. 12 (Page A-19); Art. XIII, Sec. 14 (Page A-20).* Vehicle repair, except changing a tire or a battery, is prohibited. *Declaration Art. XIII, Sec. 13 (Page A-20).* No temporary structures shall be erected. *Declaration Art. XIII, Sec. 6 (Page A-19).*
- ◆ Recreational vehicles, trailers, vans, motor homes, snowmobiles, water craft and similar items may not be stored anywhere on the Condominium property.
Declaration Art. XIII, Sec. 14 (Page A-20).

- **Animals**

- ◆ No animals, reptiles or birds are permitted, except household pets may be allowed pursuant to a pet license issued by the Board of Directors. The process for requesting a pet license and detailed rules governing keeping of pets are contained in a Consent Resolution Adopted by the Board of Directors. *Declaration Art. XIII, Sec. 3 (Page A-18); Consent Resolution of the Board of Directors, June 6, 2000.* The City of Mequon requires pets to be licensed and has a “dog under control” ordinance.
- ◆ Invisible pet fences are permitted provided they are approved by the Board in advance of the installation. The Board has adopted a specific resolution on this topic, a copy of which can be obtained from Real Estate Specialists, Inc.. Application for approval must include the following information: name and address of unit owner, copy of the current pet license approved by the Board, description of the type/breed, age, and number of pets to be contained by the invisible fence, sketch and narrative description of the proposed location, type and manufacturer of the invisible fence, names and addresses of adjacent unit owners affected by the invisible fence, a written statement certifying the unit owner discussed the invisible fence with adjacent unit owner(s), description of training method used to keep the pet inside the limits of the invisible fence, and any other reasonable information requested by the Board. In the absence of an invisible pet fence, pets must be leashed when outdoors. No pet may be left outside unattended at any time.

Rules and regulations may be adopted from time to time by the Board of Directors. Rules and regulations are designed to enhance the enjoyment of the owners and to increase the value of the Units by maintaining a consistent standard of excellence. To date **the Board of Directors has adopted the following general rules.**

- Paved patios shall not extend beyond the limits of the Limited Common Elements, *i.e.*, 18 feet from the rear of the building.
- The maximum width of driveways measured at the culvert shall not exceed 27 feet where there is a three-car garage and 18 feet where there is a two-car garage.
- Driveway caps must be black asphalt.

Reaffirmed by the Board of Directors, June 18, 2007.

- **Policy on Additions to Units**

All additions to units are prohibited unless first approved by the Board of Directors, by a two-thirds vote, subject to the following:

A. Any unit owner desiring an Addition to a Unit shall make an application to the Board by submitting the following information and materials to the Board President on forms as may be adopted by the Board from time to time:

1. Name and address of the Unit and the Unit Owner, and an application fee of \$500.00.
2. Architectural floor and elevation plans and a site map showing proposed location and type of the Addition.
3. Name and address of adjacent Unit Owners affected by the Addition including, but not limited to, the common wall Unit Owner, and any Unit Owner whose sight line would be affected by the Addition, and written statement certifying the Unit Owner discussed the addition or change with the common wall and other affected Unit Owners and providing such Owners' reactions.
4. An Offer to Purchase, from the Association, that portion of the Common Elements that the Addition would occupy, which Offer proposes a definitive price that the Unit Owner proposes to pay:
5. A Final Condominium Plat showing the current location, as built, of all units along with approval of the Final Plat by the City of Mequon ("City") and a proposed Amended Plat reflecting the proposed addition or change, in a form as required by the City;

6. Plans showing any modification which the Addition would require to grading, drainage or landscaping of Common Elements;
 7. Certification from a registered architect that the Addition will:
 - iv) Not cause the unit to exceed the maximum square footage of 3,500 square feet as provided in Article VII, Section (4)(2) of the Declarations;
 - ii) Have a full basement as required by Article VII, (4)(b);
 - iii) Not encroach on any easements;
 - iv) otherwise meet the requirements of Article VII of the Declarations and the requirements of the City of Mequon.
 8. The applicant shall have the portion of the Common Elements affected by the addition or change staked for review by the Board and other owners who might be affected by the addition.
 9. Proof of approval of 51% of the Unit mortgage holders as required by Article XXI 2. (g) and (i) of the Declarations;
 10. An illustration that the exterior materials, and architectural design of the Addition will be compatible with the exterior materials and architectural design of the original construction. No metal or all glass structures will be allowed;
 11. A landscape plan must be submitted and be completed within six months after the Addition is completed and which landscape plan includes elevations and drainage such that there will be no adverse impact on neighboring units;
 12. The applicant shall provide an agreement to be responsible to pay for any and all costs, filing fees, expert appraisal, legal or other similar fees which the Corporation incurs in connection with its consideration of the application.
- B. The Board shall review the contents of the application, and the Board President shall contact the Unit Owner to schedule a meeting on-site with a quorum of the Board in attendance, and if possible, the common wall Unit Owner. The site meeting shall occur not earlier than fourteen (14) days after the date on which completed application and supporting materials have been mailed, electronically or by U.S. mail, to the common wall Unit Owner.
- C. The Board shall take into consideration the following standards in conducting its review of the application:
1. The area enclosed by the addition causes a minimal impact on the limited common elements and common elements and does not adversely interfere with other Unit Owners use and enjoyment of the common elements.

2. The price to be paid by the applicant to the corporation for acquisition of a portion of the Common Elements represents fair market value.
3. All City of Mequon approvals have been obtained.
4. The Addition and use thereof will not be hazardous, harmful, offensive, or otherwise have an adverse impact on other Unit Owners, including, but not limited to, the common wall Unit Owner, or the Condominium Property, including, without limitation, the wetlands and preservation areas.
5. The Addition is compatible with the site, existing structures, neighboring uses, common areas, driveway location, wetlands, and natural preservation areas and does not exceed the unit square foot limitation contained in the Declaration.

The Unit Owner shall have the burden to prove the application meets the standards set forth above. Notwithstanding the foregoing, the Board retains full discretion to approve or deny any application.

- D. The Board's decision on the application shall be issued, in writing, within ten (10) days after the site review, subject to any extensions granted to, or by, the Unit Owner. The Board shall approve, disapprove, or require the submittal of a modified application, and the Board's decision shall include the general reasons for such decision. The Board may also place any conditions on an approval that the Board decides will reasonably further the intent of these Rules and Regulations.
- E. Any Unit Owner adversely affected by the Board's decision shall have one (1) opportunity within five (5) business days after the date of the Board's decision to submit to the Board President a written request to reconsider the Board's decision and the reasons therefor. The Board shall have the discretion to grant or reject a request to reconsider its decision. If the Board grants a request to reconsider its decision, all affected parties, such as the Unit Owner and the common wall Unit Owner, shall be provided notice of the same and of the reconsideration process to be followed, and shall have an opportunity to be heard and provide materials to the Board as part of the reconsideration process. The Board shall issue a decision on the reconsideration not later than thirty (30) days after the date on which the Board granted the request for reconsideration, subject to any extensions granted to, or by, the Unit Owner.
- F. Any Unit Owner who receives an approval for an Addition, hereby agrees and accepts that as part of such approval it shall indemnify and hold the Association harmless from and against any and all claims, actions, and liabilities whatsoever, including, but not limited to, injury to person or damage to property, relating to the approval, including the Association's reasonable attorneys' fees and costs.
- G. The Unit Owner, upon completion of the Addition shall provide the Board with a written certification from the Unit Owner and the contractor who constructs the

addition that was completed in substantial compliance with the Board's decision and approval.

- H. Any changes, modifications, or alterations to the approved Addition shall require the prior written approval of the Board, which such approval may be withheld in the Board's sole discretion, after first following the procedures required to approve the original addition.
- I. The Unit Owner shall comply with the Board's written approval and any and all conditions thereto, the Declaration, the Bylaws, the Rules and Regulations, and all other condominium instruments of the Condominium.

Approved by the Board of Directors, April 18, 2013.

- **Policy on Outdoor Up-lighting**

The Association attempts to preserve the rural character of its surroundings, and therefore, established the following policy governing the installation and use of outdoor up-lighting.

1. Any Owner desiring to install outdoor up-lighting must submit a plan to the Architectural Control Board (ACB) and obtain ACB approval of the plan before installing any outdoor up lights.
2. Prior to the plan's submission, neighboring Owners within line of sight of the proposed lighting must sign the lighting plan documenting that they have no objection to the plan.
3. Any Owner using outdoor up-lighting shall install and utilize an automatic timer to control when the lights are on and off. All outdoor up-lighting must be extinguished by 11:00 p.m.

Approved by the Board of Directors, December 15, 2005.

- **Parking Policy**

1. The Board recognizes that the parking restrictions in the Declaration are too strict, but they cannot be changed without a vote of the Owners and the mortgagees. A super-majority approval of 75% of each of the groups (Owners and mortgagees) is required to amend the Declaration.
2. To ease the parking restrictions, the Board has adopted a general rule permitting vehicles to be parked on the driveway overnight for no more than three (3) consecutive nights. The owner of the vehicle must be a guest of the Unit Owner and not be a family member residing at the residence on a permanent or

temporary basis.

3. The Board granted blanket approval to Owners who have college students home for the summer to park their motor vehicles on the driveway overnight in the summer. The blanket permission runs from May 15 through September 15 each year. Owners must notify the Board that they desire to take advantage of the blanket permit and indicate the start and end dates. As with all parking permits, the Board asks Owners to park cars in their garages whenever there is space available.
4. The Board and City of Mequon Police encourage residents and their guests to keep cars locked at all times and remove valuables from the vehicle.

Approved by the Board of Directors, May 16, 2005.

- **Garage, Rummage or estate sales**

All such sales are strictly prohibited.

Approved by the Board of Directors, April 18, 2013.

- **Fines and Penalties**

The Board passed a resolution establishing penalties to Owners who fail to comply with a directive or order of the Board of Directors after proof of delivery of the directive or order.

1. The penalty amount is \$100 per day during which the Owner fails to comply with the directive or order.
2. The penalty amount is \$5000 per day during which the Owner fails to comply with the directive or order regarding prohibited sales on the premises.
(Resolution of the Board of Directors dated May 28, 2019).
3. The Owner is also responsible for paying the actual costs of the Association in the event the Owner challenges the directive or order in court and is unsuccessful.

Resolution of the Board of Directors dated August 16, 2004.

The Board established a \$50 late fee for late payment of dues and assessments.

1. The fee applies when the bill remains unpaid for more than 30 days following submission of the bill.

2. The \$50 fee is assessed for each month or portion of a month during which the bill remains unpaid.

Resolution of the Board of Directors dated November 14, 2005.

Dues and Assessments

Dues. Each Unit Owners pays dues for operating the Association. The dues pay for garbage pick-up, snowplowing (plowing driveways and shoveling front walkways), lawn mowing and yard maintenance, maintenance of Common Elements and general administrative expenses.

Unit Owners are responsible for payment of dues to the Management Company via AppFolio or check by the first of each month. The Association strongly suggests payment via AppFolio to avoid late payments and fines.

Security System Charges. Security system contracts and related charges are the responsibility of the individual subscribing unit owner. The Association is not a party to security system contracts and related charges are not included as part of the regular association fees.

Insurance Premiums. Insurance premiums, billed annually and separate from monthly dues, include each Unit Owner's share of the cost of the Association's insurance covering property damage to Common Elements, general liability, and directors' and officers' liability as described in the Declaration. *Article XV (Pages A-22 and A-23). See the Insurance section of this Guide above.*

Assessments. The Board has established special assessments from time-to-time. The Board assessed each Unit \$100 in 2004 to fund the property damage deductible.

The Board assessed each Unit \$500 to fund the first phase of the Stewardship Plan, which primarily involved work around the large pond at the intersection of Hidden Reserve Circle and Hidden Reserve Court and removal of buckthorn. The assessment was billed in two \$250 installments in March and June, 2005. *Resolution of the Board of Directors, November 14, 2004.*

The Board assessed each Unit \$400 to fund new landscaping of the entrance. The assessment was billed in two installments of \$200 in March and June 2006. *Resolution of the Board of Directors, November 14, 2005.*

The Association 2007 annual meeting approved an assessment of \$50 per month for three (3) years beginning September 2007. This assessment included work on the natural areas.

The Association approved an assessment to replace all mailboxes in the association in 2011 in the amount of \$382.41.

The Board has also levied assessments to make up for the shortfall in the snow plowing budget.

The Board assessed each Unit \$650 in April 2019 for the restoration of the natural areas throughout the development.

The Board assessed each Unit \$800 in January 2020 for the spring mulching throughout the Association. Dues originally earmarked for mulching had to be used for a portion of the dead ash removal throughout the Association.

Late Payment Fee. The Board set a \$50 late payment fee per each 30-day period, or portion thereof, during which a bill remains unpaid. *Resolution of the Board of Directors, November 14, 2005.*

Reserves. In 2001 through 2003, the Association set aside \$5,000 per year from the dues for future maintenance of detention ponds, drainage ways, and Common Elements. In 2010, the Association began to charge each unit \$35 per month to fund the reserve account, which charge is scheduled to expire at the end of 2013.

Statutory Reserve Account. The Association voted to terminate the statutory reserve fund at the 2007 Annual Meeting of the Association. *Resolution of the Association, July 11, 2007.*

Real Estate taxes. The City of Mequon will send each Unit Owner a real estate tax bill each year. The assessment on which the tax bill is based reflects the value of the Owner's Unit plus a pro rata share of the value of the Common Elements, as determined by the city assessor.

File Control Charges. The Declarations established a File Control Charge for new owners (\$500) and subsequent owners (\$250) which can be adjusted by a vote of the majority of members of the Association. The File Control Charges were reduced to \$0 by majority vote of the Association on October 7, 2015. *Resolution of the Association, October 7, 2015.*

Working Capital Deposits. The Declarations established a Working Capital Deposit from each resident refundable at the unit's subsequent conveyance and like advance by subsequent purchaser. The Association fixed the amount of the Working Capital Deposit at \$300 per unit effective October 7, 2015. *Resolution of the Association, October 7, 2015.*

Miscellaneous

Garbage Collection. Weekly garbage collection is included in the monthly assessment. Currently, the service is contracted to GFL. GFL provides one large wheeled container for garbage and one large wheeled container for recyclables. The Association has contracted for collection of these containers, once per week for trash and bi-weekly for recycling. Trash containers should be left at the curb by 7 am the morning of the pick-up. GFL will wheel containers to the street for an additional fee per month, charged directly to the unit owner. Any unit owner who wishes to receive this service should contact Real Estate Specialists, Inc.

State law requires recycling. Recyclable items should be placed in the recyclables container in accordance with the instructions of our trash provider.

Trash or recycling that does not fit in the provided containers can be picked up upon request for an additional charge. **All loose trash must be securely bagged so that it will not blow away when it is transported to the truck.**

Garbage is collected on Fridays. Garbage containers are to be placed at the curb by 7:00 a.m. and returned inside by 7:00 p.m. If a holiday falls on a Monday, Tuesday, Wednesday, Thursday or Friday, garbage will be collected on Saturday that week.

Outdoor Post Lights. Each Unit has an outdoor light post in addition to outside lights mounted on the building façade and garage. Most outdoor post lights have photo-sensitive cells that turn on the lights at dusk and off at dawn. Other outdoor post lights are switched and are operated by a timer or manually as the Unit Owner desires. The Association and City of Mequon Police encourages post lights always be utilized in the evening hours for safety.

Property Management. The Association has engaged the management services of Real Estate Specialists, Inc. to manage the day to day affairs of the Association. Doug Koller is the Property Manager assigned to Hidden Reserve. Doug can be reached at: doug.koller@realestatespl.com or 262-695-8844 (main) or 262-746-3556 (direct).