

**WINDJAMMER HOMEOWNERS  
ASSOCIATION COMMON AREA USE  
15 July 2021**

**Authority:** CRS 38-33.3-302, Powers of Unit Owners' Association Para (1) (f);  
Declaration Section 701(e)  
Bylaws, Article III, Section 3.7, Methods of Adopting Rules and Regulations  
Windjammer Homeowners Association Enforcement Policy and Procedures

**Purpose:** This Policy defines the areas of the Subdivision that are not owned by any single Homeowner but are instead collectively owned by all Owners in the Windjammer Homeowners Association ("**Common Areas**"), as well as identifies devices that are prohibited from these areas. For the purpose of this Policy, **Owners** refers to both resident and non-resident owners of any property subject to the Association's Covenants and Policies. **Tenants** are residents within the Subdivision, regardless of Owner status. Violations of this Policy will result in a notice of violation being issued to the Owner and may result in fines as proscribed by the Windjammer Homeowners Association Enforcement Policy.

**Definitions:**

- a. **Common Area** means any real property designated as such on a properly recorded plat of any portion of the Subdivision. Common areas include the area within the turning circle ("roundabout") and median at the main entrance to the Subdivision, ends of cul-de-sacs, and the walk-through at the northwest corner of the Subdivision as shown on recorded plats. All Owners shall have a nonexclusive easement for use and enjoyment of the Common Area, which is subject to the restrictions contained in the Covenants and such reasonable rules and regulations as the Association may adopt.
- b. **Prohibited Devices** are any item whose use within the Common Area would pose an elevated risk to the safety of Tenants and their invited guests, as well as increase the legal liability for the Windjammer Homeowners Association. Prohibited devices include the following:
  - **Motorized devices:** Motorized bicycle, motorized scooter, Go-Kart, all-terrain vehicle (ATV), hoverboard, or similar devices
  - **Non-motorized devices:** Skateboard, roller skates, or similar devices

**Policy:**

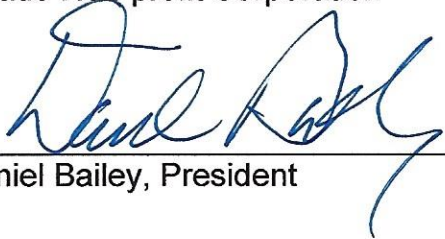
- a. Prohibited devices may not be operated by any person on any Common Area. These areas are not designed for such use and have inherent hazards such as proximity to arterial streets.
- b. Any Owner or Tenant who violates this policy shall subject the Owner to a notice of violation and a fining hearing. Each incident may be considered a separate

violation for which a fine may be imposed. See Enforcement Policy: Special Notice of Violation for more details on these potential enforcement actions.

IN WITNESS WHEREOF, the undersigned certifies that this Policy and Procedures was adopted by resolution of the Board of Directors of the Association on this 15th day of July 2021.

Windjammer Homeowners Association  
A Colorado Non-profit Corporation

By:

  
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Daniel Bailey, President