

**WINDJAMMER HOMEOWNERS ASSOCIATION**  
**COMMON AREA USE**  
**16 October 2025**

**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 ("Common Areas") in the Windjammer Homeowners Association ("Association"), 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 Association's 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

**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 16th day of October 2025.

Windjammer Homeowners Association is a Colorado Non-profit Corporation.



Mark Hrdlichka

President Windjammer HOA