

RESOLUTION OF BOARD OF DIRECTORS
of
NORTHPARK HOMEOWNERS ASSOCIATION, INC.

SUBJECT: Antenna and Satellite Dish Regulations

PURPOSE: To provide notice of the Association's adoption of a Resolution approving rules, regulations and restrictions promoting the recreation, health, safety and welfare of the residents of the properties subject to the Declaration and preserving and protecting the values of the properties subject to the Declaration.

AUTHORITY: The Declaration, Articles of Incorporation and Bylaws of the Association and Colorado law.

EFFECTIVE

DATE: January 13, 1997

RESOLUTION: The Association hereby gives notice of its adoption of a Resolution establishing rules, regulations and restrictions for the installation and maintenance of exterior antennas in the community in compliance with the FCC Rule which became effective October 4, 1996. The Resolution adopted is as follows:

I. Notification

- A. Before installation of any DBS (direct broadcast satellite) satellite dish that is one meter or less in diameter, MMDS (multichannel multipoint distribution service wireless cable) antenna that is one meter or less in diameter or diagonal measurement, or television (TBS) antenna (collectively referred to as "antenna") is permitted, the Owner of the property where the antenna is being installed must notify the Association in writing using the attached form.
- B. The regulations contained in this Resolution do not relieve any Owner from obtaining approval for other exterior modifications, alterations and additions for painting, landscaping or fence installation as may be required by the Association's governing documents.
- C. ANY ANTENNA INSTALLATION WITHOUT PROPER NOTIFICATION, OR NOT IN COMPLIANCE WITH THIS RESOLUTION, MAY RESULT IN A FINE AGAINST THE OWNER OF UP TO \$250.00 FOLLOWING NOTICE AND OPPORTUNITY FOR HEARING AND SUCH FURTHER ACTION, LEGAL OR OTHERWISE, AS PERMITTED BY DECLARATION OR STATUTE.

II. Antenna Location

- A. The primary installation location for a DBS satellite dish and MMDS antenna shall be in a location in the backyard that is shielded from view from the street(s) and adjacent residences, provided such location does not preclude reception of an acceptable quality signal.
- B. The secondary location: If the primary location prevents reception of an acceptable quality signal, the antenna shall be installed in a location that is shielded from view from the street(s) and adjacent residences, provided such location does not preclude reception of an acceptable quality signal.
- C. A TV antenna shall be installed wholly within the physical structure of the residence so long as the signal received is substantially the same as the signal received by an outdoor TV antenna. If a TV antenna is installed outdoors it shall be installed in a location that is

shielded from view from the street(s) and adjacent residences.

- D. Installation of an antenna on any common areas as defined in the Declaration or property not owned and under the exclusive use or control of the Owner is strictly prohibited.
- E. Installation of any antenna designed to transmit radio, television, cellular, or other signals that does not also receive over the air video programming services as described in Paragraph I A is strictly prohibited.
- F. Installation of any antenna not described in this Resolution is subject to prior written approval of the Board of Directors and/or the Architectural Control Committee.

III. Antenna Installation

- A. Installation of an antenna permitted in Sections I and II shall be subject to the following:
 - 1. Installation shall be by a qualified person knowledgeable about the proper installation of antennas.
 - 2. Installation shall be in accordance with all applicable building, fire, electrical and related codes and a building permit shall be obtained, if required by local ordinance.
 - 3. Installation shall be in accordance with the manufacturer's installation specifications. The installer shall have a copy of such specifications on site at all times during the installation.
 - 4. Wiring or cabling shall be installed so as to be minimally visible and blend into the material to which is it attached. If the antenna is installed on the side of a structure, the penetration of the wire or cable from the exterior to the interior of the residence shall be made as close as possible to the location the antenna is attached to the siding and through existing penetrations for wire and cable, if available.
 - 5. If the antenna is installed on a structure, such as a roof or siding, it shall be painted so as to blend into the background to which it is mounted or placed.
 - 6. An antenna installed on the ground shall be screened from view from any street or adjacent lot by a solid wood fence or appropriate landscaping.
 - 7. No antenna shall be placed in a location where it blocks fire exits, walkways, ingress or egress from an area, fire lanes, fire hoses, fire extinguishers, safety equipment, electrical panels, or other items or areas necessary for the safe operation of the Association or individual units.
 - 8. No antenna may obstruct a driver's view of an intersection or a street.

IV. Mast Installation

- A. Antennas mounted on masts are prohibited except where necessary for reception of an acceptable quality signal.
 - 1. Due to safety concerns, a mast plus antenna structure which extends twelve feet or less above the roof must be properly anchored to withstand winds as required by local ordinances or codes.
 - 2. Due to safety concerns relating to wind loads and the risk of falling structures, installation of a mast plus antenna structure which extends more than twelve feet

above the roof must be approved in writing by the Board of Directors and/or Architectural Control Committee prior to installation. The Owner shall submit an application using the attached form including detailed drawings of the mast structure and methods of anchorage.

3. Due to safety concerns relating to wind loads and the risk of falling structures, installation of a mast plus antenna structure which extends more than twelve feet above the roof shall comply with all local ordinances and codes.
- B. Masts shall be painted to match the antenna mounted on it and to blend with the surroundings.
 - C. Masts which are installed in the ground shall be anchored to withstand winds as required by local ordinances and codes.
 - D. No mast installed on a roof shall be installed nearer to the lot line than the total height of the mast plus antenna structure above the roof.
 - E. No mast shall be erected nearer to electric power lines than the total height of the mast plus antenna structure above the roof.
 - F. No mast shall encroach upon any common area, street or other public space.
 - G. Guy wires and other accessories shall not cross or encroach upon any common area, street or other public space, or over any electric power lines, or encroach upon any other privately owned property.
 - H. Masts shall be constructed of approved corrosion-resistant noncombustible material.
 - I. Masts shall be designed for the dead load plus the ice load.
 - J. Adequate foundations and anchorage shall be provided to resist two times the calculated wind uplift.
 - K. Masts shall be permanently and properly grounded.
 - L. All applicable provisions of Section III above shall apply to the installation of masts.

V. Maintenance and Repair

- A. The Owner of the property on which the antenna is installed shall be responsible for the maintenance of any antenna and mast. Maintenance and repair shall include, but not be limited to:
 1. Reattachment or removal of antenna or mast, within seventy-two (72) hours of dislodgment, for any reason, from its original point of installation.
 2. Repainting or replacement, if for any reason the exterior surface of the antenna or mast becomes worn, disfigured or deteriorated.
 3. Repair or replacement, if for any reason the antenna or mast no longer retains its original condition.

4. Repair or replacement to prevent the antenna or mast from becoming a safety hazard.
- B. Should the Owner fail to properly maintain the antenna or mast, the Association may, after notification of the Owner, fine the unit owner up to \$250.00 following notice and opportunity for hearing and take such further action, legal or otherwise, as permitted by Declaration or statute.
1. Except in an emergency situation, the Board of Directors and/or the Architectural Control Committee shall notify the Owner, in writing, that the antenna and/or mast requires maintenance, repair or replacement, and that such maintenance, repair or replacement must be completed within thirty (30) days of such notification.
 2. The Owner may request a meeting with the Board of Directors and/or Architectural Control Committee to be held within thirty (30) days of such notification, to review the reasons for the required maintenance, repair or replacement. Within thirty (30) days of such meeting, the Board of Directors and/or Architectural Control Committee shall notify the Owner, in writing, of its final decision.
 3. If any required work is not completed within thirty (30) days of notification of final decision if reviewed, the Association may remove and/or repair the antenna or mast at the expense of the Unit owner, such expense being added to the Owner's annual assessment.

VI. Responsibility

- A. The Owner of the antenna (including mast) shall be responsible for any damage to any and all real or personal property, or for any injury resulting from the installation of the antenna (including mast) and/or its use, including but not limited to:
1. Damage to any real or personal property caused by, related to, or arising from the installation due to dislodgment, use, maintenance of any antenna or mast.
 2. Injury to any person resulting from the installation of the antenna or mast or their use.

VII. Miscellaneous

- A. If any of these provisions is ruled invalid, the remaining provisions shall remain in full force and effect.
- B. The Board of Directors may amend this Resolution from time to time as it deems necessary.
- C. To the extent that this Resolution conflicts with any prior existing rule, restriction or architectural guideline, this Resolution has precedence.
- D. All prior existing rules, restrictions or architectural guidelines not in conflict with this Resolution shall remain in full force and effect.

PRESIDENT'S AND SECRETARY'S

CERTIFICATION: The undersigned, respectively being the President and Secretary of the Northpark Homeowners Association, a Colorado nonprofit corporation, certify that the foregoing Resolution was approved and adopted by the Board of Directors of the Association, at a duly called and held meeting of the Board of Directors of the

Association on January 13, 1997 and in witness thereof, the undersigned have subscribed their names.

ASSOCIATION

NORTHPARK HOMEOWNERS

a Colorado non-profit corporation,

By:

Michael McClymonds, President

ATTEST:

By: _____

David Bell, Secretary