

## **PARKING RULES AND REGULATIONS**

### **Mountaineer Square**

The following Parking Rules and Regulations (“Parking Rules and Regulations”), except as otherwise expressly stated, apply to all Owners and their tenants and guests with respect to the use of any portion of the Mt. Crested Butte Town Center including Mountaineer Square (“Property”). Capitalized terms not specifically defined in these Parking Rules and Regulations shall have the same meaning as the meaning given to such terms in the Declaration of Condominium for Mountaineer Square (“Mountaineer Square Declaration”) and the Community Declaration for Mt. Crested Butte Town Center (“Community Declaration”) (collectively, the “Declarations”). To the extent that any provision of these Rules and Regulations conflicts with any provision of the Declarations, the more restrictive provision shall control. These Parking Rules and Regulations constitute “Rules and Regulations” as that term is defined in the Community Declaration.

1. The Parking Unit(s) shall be initially owned by the Master Association and shall be operated by the Master Association as Master Common Area. The Parking Unit(s) are not Common Elements of Mountaineer Square Condominiums and may be administered, used, and operated by the Master Association or its successors as it determines in its sole discretion, subject to applicable governmental approvals and regulation and applicable provisions of the Association Documents. The Parking Unit(s) may be subject to public use rights pursuant to the PUD Guide or otherwise.

2. No Owner other than the Owner(s) of the Parking Unit(s) shall have any interest in or right to use the Parking Unit(s), or any Limited Common Elements-Parking, solely by virtue of their ownership of another Unit within Mountaineer Square Condominiums. Parking rights of other Owners are provided by and through the Parking Agreement, which document is the only means by which any Owners other than the Parking Owner(s) obtain any rights to use the Parking Unit(s). The Association has certain obligations of payment pursuant to the Parking Agreement as more particularly provided therein.

3. The Owner(s) of the Parking Unit(s) shall have the absolute right to charge fees for the use of the Parking Unit(s), in their sole and absolute discretion.

4. Vehicles using the parking structure, driveways and ramp may not exceed a speed of five miles per hour.

5. Public and visitor parking spaces are provided on the premises as pay parking spaces, on a space available basis.

6. Illegally parked vehicles and derelict vehicles will be towed at the vehicle owner’s expense with or without notice.

7. The sidewalks, driveways and entrances must not be obstructed or encumbered or used for any purpose other than ingress and egress to and from a Building.

8. No part of the Common Elements may be used for storage, vehicle repair, construction or any other purpose. Vehicle repairs other than emergency repairs to remove a vehicle from the premises are prohibited.

9. Bicycles must be stored in the designated areas and may not be stored on the Limited or General Common Elements including parking spaces, hallways and balconies.

10. No motorcycle, motorbike, snowmobile, all-terrain vehicle, or other motorized recreational vehicle shall be operated or parked within or on the Property, except for (i) licensed motorcycles and motorbikes that are driven on the roadways, and (ii) vehicular uses that are otherwise specifically permitted by the Rules and Regulations of the Master Association.

11. Vehicles may not be cleaned or washed in the parking garage or on any Limited or General Common Elements.

12. Pursuant to Section 3.10.2 of the Community Declaration and Section 4.11.2 of the Master Association Bylaws, the Master Association Board may promulgate such additional Rules and Regulations and/or amend these Rules and Regulations from time to time as the Master Association Board may deem necessary for the safety, care, and regulation of parking at the Mt. Crested Butte Town Center.

**CERTIFICATION**

I, the undersigned, do hereby certify:

That I am the duly elected and acting Secretary of Mt. Crested Butte Town Center Community Association, a Colorado nonprofit corporation; and

That the foregoing Rules and Regulations were duly adopted by action of the Board of said Association at its regular meeting on \_\_\_\_\_, 2007.

Dated: \_\_\_\_\_, 2007

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Joe Fitzpatrick