



CONDOMINIUM MATRIX

TEMPE GARDENS TOWNHOUSE CORP. MAINTENANCE CHECKLIST



Laundry and Utility Rooms. n/a. To the extent such rooms exist they are part of the townhouse and the Owner's responsibility. **CC&Rs Section 9(b).**

TYPE OF ELEMENT
Part of Townhouse

WHO MAINTAINS
Owner

WHO PAYS
Owner



Patios of individual townhouses (except the exterior of walls of patios). **CC&Rs Section 9(b).**

TYPE OF ELEMENT
Part of Townhouse

WHO MAINTAINS
Owner

WHO PAYS
Owner



Covered Parking Areas as designated on the Plat and/or in the CC&RS, including roofs. **CC&Rs Sections 3, 9(b) and 9(c)(1); Horizontal Regime Article III, Section 1.**

TYPE OF ELEMENT
Part of Common Element

WHO MAINTAINS
Association

WHO PAYS
Association



Land upon which townhouse is situated, foundation of buildings below horizontal elevation line, and exterior portions and roofs of the townhouses/buildings. **Horizontal Regime Article III, Section 5; CC&Rs Section 9(b); Plat Map.**

TYPE OF ELEMENT
Part of Common Element*

WHO MAINTAINS
Association

WHO PAYS
Association



Removal of trash of all areas except interior of Townhouses and back patios. **CC&Rs Sections 9(b) and 9(c)(1)**

TYPE OF ELEMENT
Part of Common Element

WHO MAINTAINS
Association

WHO PAYS
Association



All portions of the perimeter and interior walls, floors and ceilings of the Townhouse. **CC&Rs Section 9(b); Horizontal Regime Article III, Section 4; Plat.**

TYPE OF ELEMENT
Part of Townhouse

WHO MAINTAINS
Owner

WHO PAYS
Owner



All improvements upon or to the General Common Elements, including commercial facilities, swimming pools, pumps, trees, pavement, streets, pipes, wires, and conduits designed for common use or enjoyment by more than the Owner of a single Townhouse. **Horizontal Regime Article III, Section 5; CC&Rs Section 9(b).**

TYPE OF ELEMENT

Part of Common Element

WHO MAINTAINS

Association

WHO PAYS

Association



All streets, drives, walkways and other means of ingress and egress, and all parking areas. **Horizontal Regime Article III, Section 5; CC&Rs Section 9(b)**

TYPE OF ELEMENT

Part of Common Element

WHO MAINTAINS

Association

WHO PAYS

Association



All sprinkler systems and landscaping, and any other facilities, devices and premises designed for common use or enjoyment by more than the Owner of a single townhouse. **CC&Rs Sections 9(b) and 9(c)(1).**

TYPE OF ELEMENT

Part of Common Element

WHO MAINTAINS

Association

WHO PAYS

Association



Maintenance of electricity, plumbing, water and other utilities serving A single townhouse.

Horizontal Regime Article III, Section 4 and 5; CC&Rs Section 13.

TYPE OF ELEMENT

Part of Townhouse

WHO MAINTAINS

Owner

WHO PAYS

Owner



Items of equipment installed and intended for the sole use and enjoyment of the Owner of the townhouse, and no other, including without limitation any hot water heater, heating or refrigerator units installed within the Townhouse for use by only one Townhouse.

Horizontal Regime Article III, Section 4 and 5; CC&Rs Section 2 and 3.

TYPE OF ELEMENT

Part of Townhouse

WHO MAINTAINS

Owner

WHO PAYS

Owner



Townhouse windows and interior of townhouse and cleanliness and trash removal of his own townhouse. **CC&Rs Sections 9(b) and 7.**

TYPE OF ELEMENT

Part of Townhouse

WHO MAINTAINS

Owner

WHO PAYS

Owner



Walls and partitions which are contained in owner's respective townhouse.

Amendment. CC&Rs Article III, Section 11

TYPE OF ELEMENT

Part of Townhouse**

WHO MAINTAINS

Owner

WHO PAYS

Owner

Declaration of Restriction recorded at Docket 4997, Page 594; Declaration of Horizontal Regime Recorded at Docket 4995, Page 598, Plat recorded at Book 105, Pages 23 through 28, Official Records of Maricopa County Recorder.

** Article III, Section 5 of the Horizontal Regime lists the Common Elements as the land upon which the townhouse is situated, all recreational facilities, community and commercial facilities, swimming pools, pumps, trees, pavements, streets, pipes, wires, conduits and other public utility lines, the foundations of the individual townhouse units below the appropriate elevation as contained on the maps, and air space not otherwise specifically conveyed for a townhouse unit, and all other devices and premises designed for common use and enjoyment by more than the owner of owners of a single townhouse unit.*

Any common expense or portion of a common expense benefitting fewer than all of the units shall be assessed exclusively against the units benefited. A.R.S. § 33-1255(C)(2).

***The rights and duties of owners of townhouses regarding party walls is included in the CC&Rs at Section 11. The Association is not responsible for the maintenance or repair of party walls between two townhouses but should be familiar with the obligations of the owners in the event of a dispute.*

In the event any common element, townhouse (exclusive of any party wall), carport or storage facility is damaged or destroyed through the negligent or culpable act of an owner or any of his guests, agents or members of his family, such owner does hereby irrevocably authorize the Association to repair said damaged element, townhouse, carport or storage facility, and the Association shall so repair said-damaged element, townhouse, carport or storage facility. The owner shall then repay the Association in the amount actually expended for said repairs. See CC&Rs Section 10(a).

Insurance. *This matrix is specifically created to identify the obligations of the Association and Owners related only to maintenance and repair of portions of the property and is not related to required insurance coverage for portions of the property. Responsibility of maintenance/repairs versus insurance are separate and distinct obligations. In certain situation the Association will not be responsible for maintenance or repair of a certain item but may be responsible for insuring it. By way of example only, the Association is not responsible for the interior walls of a townhouse but may be responsible for insuring it as a part of the townhouse under section 14 of the CC&Rs.*