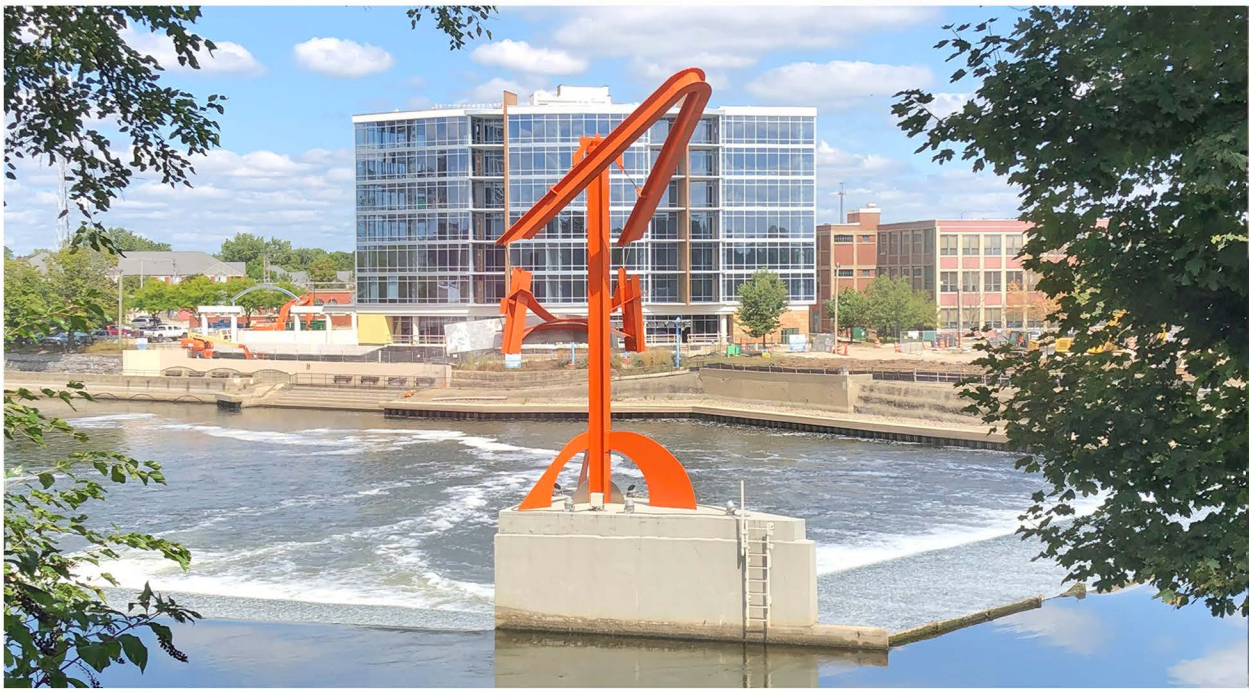

THREE TWENTY

at The Cascade

COMMERCIAL/RESIDENTIAL MIXED-USE DEVELOPMENT
IN DOWNTOWN SOUTH BEND, INDIANA

UNIT ALTERATION STANDARDS | MOVING AND DELIVERY ACCESS POLICIES

ADOPTED AS EFFECTIVE FEBRUARY 1, 2023
BY THREE TWENTY AT THE CASCADE COMDOMINIUM OWNER'S ASSOCIATION BOARD OF DIRECTORS

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UNIT ALTERATION STANDARDS | MOVING AND DELIVERY ACCESS POLICIES

Due to height, area, type of construction and mixed-uses, *Three Twenty at the Cascade* falls under sections of building code applicable to high-rise construction. Thus, when building-out or remodeling any condominium, the unit Owner must engage contractors properly licensed and experienced for such construction, which in some respects (e.g., use of steel studs and metal clad wiring) leans more to commercial than residential in type. The Cascade Condominiums Code of Bylaws state in **Section 5.03: Alterations and Additions:** *"No Person shall make any alterations or additions to the Common Areas or Limited Areas without the prior written approval of the Board of Directors, nor shall any Owner make any alteration or addition within the boundaries of his Condominium Unit that would affect the safety or structural integrity of the Buildings."* In consideration of such, the Condominium Association Board of Directors has prepared and adopted the following policies and guidelines intended to help guide and assure adherence to codes, standards, and procedures for maintaining the value and condition of the premises including all Common Area and Limited Area ("Common Elements").

Construction/Remodeling/Renovation

1. PROJECT WORK All construction, remodeling, and renovation ("Project Work") in any condominium unit must be done in compliance with the applicable building rules, building codes, regulations, and requirements.

2. SUBMITTALS TO ARCHITECTURAL CONTROL COMMITTEE Before starting any Project Work identified as **Category B** below, the unit owner must notify the Architectural Control Committee ("ACC") designated by the COA at that time (see Exhibit A), and to provide plans, contractor lists and other information requested. Such ACC review may take up to two (2) weeks, and is subject to the unit owner paying appropriate Review Fee(s) identified in Exhibit A.

3. SUBMITTALS TO PROPERTY MANAGER It is further the responsibility of the unit owner to provide copies of all required building permits to the Property Manager ("PM") designated by the COA at that time (see Exhibit A).

4. PROJECT CATEGORIES

   Category A: Projects of a decor nature that do not affect the Common Elements or modify building infrastructure, such as painting and wallpapering, replacing interior doors, hardware, or cabinetry, replacing carpeting, mounting audio/video components, installing new major appliances utilizing existing connection fittings, etc.

   Category B: Projects that could potentially affect Common Elements and building infrastructure, or that could otherwise affect another unit owner's safety, use and enjoyment of the building, which would include:

   - Installing or replacing sinks, faucets, toilets, showers, tubs, or any fixture or appliance utilizing a piped water supply; but only when such work involves extending, capping, or rerouting in-wall or ceiling water or waste piping; or if such work requires interruption of the water supply to any other residence or common space.
   - Modifications to electrical or telecommunication systems; but only if such work involves extending or re-routing in-wall or in-ceiling wiring; or if such work affects any other residence or common space.
   - Wall, ceiling, or bulkhead framing removal, relocation, or additions.
   - Changing or adding any hard surface flooring (e.g., wood, ceramic tile, laminate, rubber, or vinyl).
   - Any changes to HVAC equipment, clothes dryer, or kitchen exhaust hood ductwork, venting or gas piping, (routine maintenance, such as duct cleaning, excepted).
   - Any action relating to windows or the unit entry doors (routine cleaning or maintenance excepted).
   - Any action that involves drilling, cutting, or coring into the concrete.

   All **Category B** work must be prior approved by the ACC, which reserves the right to refuse to approve. The unit owner may petition the COA Board for final approval. Further, each resident is responsible to notify the PM of any significant noise or vibration-causing work at least 24 hrs. before starting, so other residents may be pre-advised.

6. INSURANCE All contractors engaged by any unit Owner must provide the PM with an acceptable current Certificate of Insurance, which shall provide general liability/workers compensation liability and vehicular insurance to the COA Board-designated minimum amounts in effect at that time (see Exhibit B).

7. LICENSING All contractors and subcontractors engaged by any unit Owner for trades so required per St. Joseph County building codes and ordinances (e.g., general contractors, plumbers, HVAC contractors, electricians), must be currently licensed in the County for their trade(s) and must secure all required permits and inspections for their work.

8. LIFE SAFETY SYSTEMS Modification of any fire sprinkler piping and/or fire alarm devices may ONLY be performed by the same licensed contractors (such to be engaged by the unit Owner) who are currently contracted by the COA to perform maintenance and annual inspection/recertification of such systems in Common Elements (see Exhibit A).

9. CONCRETE CORING OR CUTTING Any coring or cutting of building concrete, upon approval of the ACC, shall only be performed by qualified personnel experienced in proper cutting/coring of post-tensioned concrete, and only after areas proposed to be modified are cleared by a ground penetrating radar ("GPR") scan, performed by competent technicians approved by the ACC, and verifying the affected area is clear of any concrete post-tensioning tendons (see Exhibit B).

10. ELECTRICAL WIRING Any new line voltage electrical wiring must be pulled inside metal conduit or be of metal-clad ("MC") type cable. "Romex" type cable is not permitted for use as building wiring (see Exhibit C).

11. FLOORING UNDERLAYMENT To maintain designed acoustic separation between units, all carpeting and hard surface flooring (including wood and ceramic tile) must include appropriate acoustic underlayment to be approved by the ACC.

11. ACCEPTABLE HOURS OF WORK Construction work is only permitted between the hours of 7:30 AM and 6:00 PM Monday through Friday, unless otherwise approved by the PM.

12. DESIGNATED PARKING Contractors must park only in exterior blacktop spaces or as otherwise directed by the PM. No parking on concrete surfaces (except for short-term unloading) or in the underground garage.

13. PROTECTION OF COMMON ELEMENTS All contractors must use drop cloths and/or walk-off mats to cover and protect the common areas used and they must be removed by the end of each day, as well as providing for the installation of elevator pads, which may be left in place for the duration of the work at the discretion of the PM.

14. STORAGE OF MATERIALS Construction materials are not to be stored in common areas unless approved by the PM.

15. TEMPORARY TOILETS Construction shall not use common toilet facilities within the building. For any long-duration project, it shall be the responsibility of the unit Owner to provide and maintain proper temporary toilet facilities at an unobtrusive exterior ground location as directed by the PM, and to remove such facilities on completion of the work.

16. RUBBISH REMOVAL All construction materials and debris must be promptly removed from the premises by the contractor. Construction materials are NOT to be deposited in the common trash dumpster(s) of the building. NO CONSTRUCTION DEBRIS OF ANY KIND SHALL BE PLACED IN TRASH CHUTES, as such cause damage to the chute.

17. RIGHT TO INSPECT The COA reserves the right to have its designated representative(s) enter and inspect, at reasonable times with the Owner or Owner's representative present, **Category B** project work within any unit to ensure compliance and to halt the work pending compliance reviews if necessary.

Move-ins/Move-outs

1. MOVING FEE All Move-ins/Move-outs shall require pre-payment of a non-refundable fee by the moving party or unit Owner. A minimum half day fee of $200 will be charged for moves lasting less than 4 hours. A fee of $400 will be charged for moves 4 to 8 hours in duration. Additional moving time beyond 8 hours will be assessed at $100 per hour. This fee is intended to defray the COA's costs and is not refundable. Fees are subject to change without notice. Fee payment is the responsibility of the moving party and/or the unit Owner. As part of this fee, the PM will assign an employee to help provide necessary orientation and periodic monitoring of the move.

2. SCHEDULING AND PRE-INSPECTION At least one week before moving into or out of a residence, the moving party must contact the PM to schedule installation of elevator pads and any appropriate floor or wall protection. Just before the move the PM will perform a pre-moving inspection to make note of the pre-existing condition of all Common Elements from the entry to the residence, including the foyer, lobby, elevator, stairwells, and hallways.

3. INSURANCE AND LIABILITY The moving party and/or the unit Owner is responsible for any damage done to the Common Elements; including but not limited to hallways, elevators, and doorways. At least 48 hours before the move, the moving party's moving company must supply the PM with a current certificate of liability insurance for a minimum of $1,000,000, at least 48 hours before the move may take place. If the moving party is self-performing the move, in lieu of insurance the moving party must make a refundable moving deposit with the PM in the sum of $1,500. Any damages found may be deducted from this deposit, and the moving party will become responsible for any costs exceeding this sum.

4. ACCESS AND HOUSEKEEPING At no time during the move shall common areas be blocked in a manner to prohibit access by residents, or blocking fire exits unattended. All rubbish including cardboard boxes shall be removed from common areas and disposed of properly. Cardboard boxes should be flattened and placed in the Service Bay or removed from the premises. Every effort should be made during the move to reduce noise so that other residents are not disturbed.

5. POST MOVING INSPECTION Within two business days after a move in or out, the PM representative shall perform an inspection of the Common Elements to reveal any damage caused at the time of move. The Owner whose unit is being moved into or moved out of will be liable for all costs incurred by the COA for repairing any damage to or performing any cleanup of the common elements, including disposal of any left-behind trash that results from a move. If damage is found, the cost of the repair will be assessed against the Owner of the unit. Such Damages may include, but are not limited to, the cost to repair nicks, gouges, scratches, marks to the walls, damaged light fixtures, carpet damage/stains. All fees collected under this policy shall be considered binding and collectible in the same manner as any COA assessment.

Delivering or Moving Large Items

1. SCHEDULING Contact the Property Manager (PM) at least 24 hrs. prior to expected large deliveries to pre-inspect for damage and install elevator pads at the PM's discretion. For the purposes of this policy "Large Items" shall be construed as including, though not necessarily being limited to, mechanical equipment, bulky building materials, large furniture, casework, or major appliance items; whether boxed/crated or not, requiring team lifting or transport by a hand truck or dolly, which process may potentially cause damage to doors, walls, stairwells, or elevator finishes.

2. PAD FEE The current fee for installing the pads and mats is $32 to put them up and $32 to remove them (subject to change without notice). Residents are not to install these pads on their own due to the possibility of damage to the elevator from improper installation. The Pad Fee may be split by multiple residents at the discretion of the PM.

3. TIME LIMITATION Pads may be continuously hung for no more than 48 hours, unless special approval is granted by the PM. Multiple deliveries may require multiple pad install/removal cycles and associated fees. All fees collected under this policy shall be considered binding and collectible in the same manner as any COA assessment.

4. DOOR CONTROL Common doors that normally are controlled access (e.g., Main Entry, Elevator Lobby) must be held open or carefully blocked open with wood or rubber wedges to prevent damage from contact with carts or cartons. At no time, however, should access doors be left wedged open and unattended. It is the responsibility of the moving party/unit Owner to monitor and assure adherence to this policy for the security of all residents.

5. FAILURE TO COMPLY The deliberate failure of any resident to reasonably adhere to this policy shall result in an $80 pad fee (subject to change without notice) that may be applied by the PM against their unit as a fine, plus liability for the cost of repair for any and all damage to Common Elements that, in the sole opinion of the PM, may reasonably be attributed to an unscheduled delivery without pads and mats.

Unit Alteration Standards | Moving and Delivery Policies Adopted and Issued This 25th Day of January, 2023 by THE CASCADE CONDOMINIUMS OWNERS ASSOCIATION, INC., becoming EFFECTIVE as of February 1, 2023.

Mark Thompson, MD, President

Thomas O'Grady, Vice President

Thomas Panzica, Secretary

Bruce Jones, Treasurer

EXHIBIT A

THREE TWENTY
at The Cascade

CURRENT LIST OF COA DESIGNATED VENDORS

February, 2023

Architectural Control Committee (ACC)

Panzica Architecture Group
416 E. Monroe St. Ste. 320
South Bend, IN 46601
(574) 234-0124
Contact: William E. Coleman, AIA, Architect
wecoleman@panzica.net

SCHEDULE OF ACC REVIEW FEES — EFFECTIVE FEBRUARY 1, 2023	
$250.00	flat fee for initial project review and report to PM and COA Board with up to ten (10) business days required for review turnaround
$150.00	per hour for additional services such as resubmittals or inspection
$150.00	flat fee to expedite review turnaround in three (3) business days
NOTE: No review fee will be charged if the proposed project is determined by the ACC to not be CATEGORY B work Fees are payable to Panzica Architecture Group	

Disclaimer: The ACC performs a cursory review of items submitted which does not constitute any service of planning, designing, drafting, or certifying a unit owner submittal. The ACC's review also does not guaranty the function, suitability, or habitability of any improvements; nor does it include any scheduling, organizing, managing, supervising or responsibility for any construction work, or any professional liability whatsoever.

Property Manager (PM)

Cressy Commercial Real Estate
4100 Edison Lakes Parkway, Suite 350
Mishawaka, IN 46545
(574) 271-4060
Dianne Kazmierczak, Property Manager
dkaz@cressy.com

Fire Sprinkler Service Contractor

Ryan Fireprotection, Inc.
503 Wall Street
Valparaiso, IN 46383
(219) 246-8175
James Haney, Account Manager
JHaney@ryanfp.com

Fire Alarm Service Contractor

Communication Company of South Bend
5320 South Main Street
South Bend, IN 46614
(579) 299-0200
Tadd Tomoske, Operations Manager
ttomoske@communication-co.com

EXHIBIT B

THREE TWENTY
at The Cascade

CURRENT MINIMUM INSURANCE COVERAGE REQUIREMENTS

November, 2022

Each respective contractor working in the building shall be required to submit to the Property Manager (PM) before starting work a proper Certificate of Insurance providing evidence of coverage in the following minimum amounts (subject to change without notice):

Comprehensive General Liability	$ 1,000,000	Per Occurrence
	$ 2,000,000	General Aggregate
	$ 1,000,000	Personal Injury
	$ 100,000	Property Damage
Automobile Liability	$ 1,000,000	Combined Single Limit
Umbrella Excess Liability	$ 1,000,000	Per Occurrence

Worker's Compensation Statutory Limits – Employer's Liability

$ 500,000	Each Accident
$ 500,000	Each Employee
$ 500,000	Policy Limit

EXHIBIT C

THREE TWENTY
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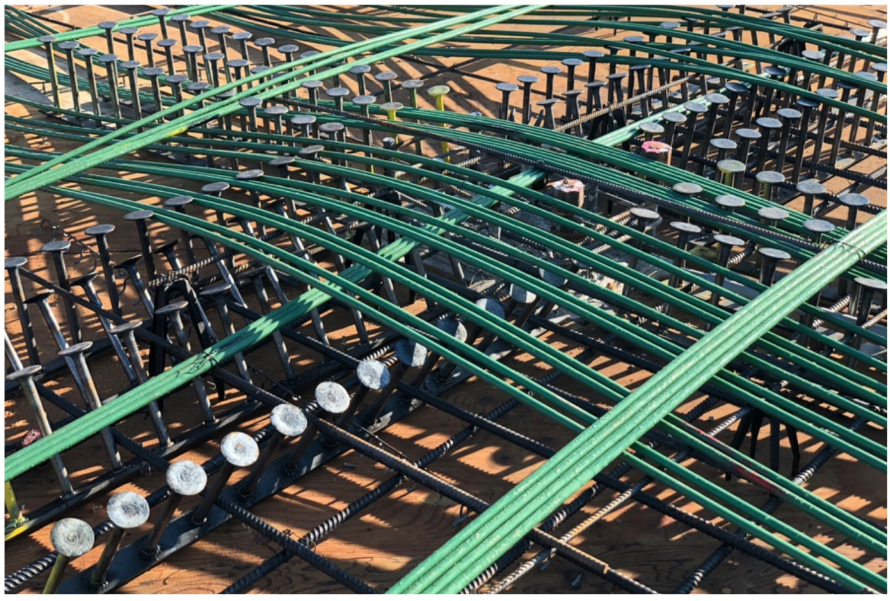
WARNING!
POST-TENSION SLABS
Cutting, Drilling or Coring Concrete May Result In Serious Injury

All residents, commercial tenants and contractors are reminded that the structure of *Three Twenty at The Cascade* is cast-in-place post-tension concrete. This is a common modern construction method for high-rise multi-unit housing, parking garages, office buildings and other concrete structures. In this process covered steel cables extend through the structure, are anchored at either end, then are stretched to high-tension and encased in concrete. Such tendons add strength to slabs, making possible longer spans with fewer beams and columns.

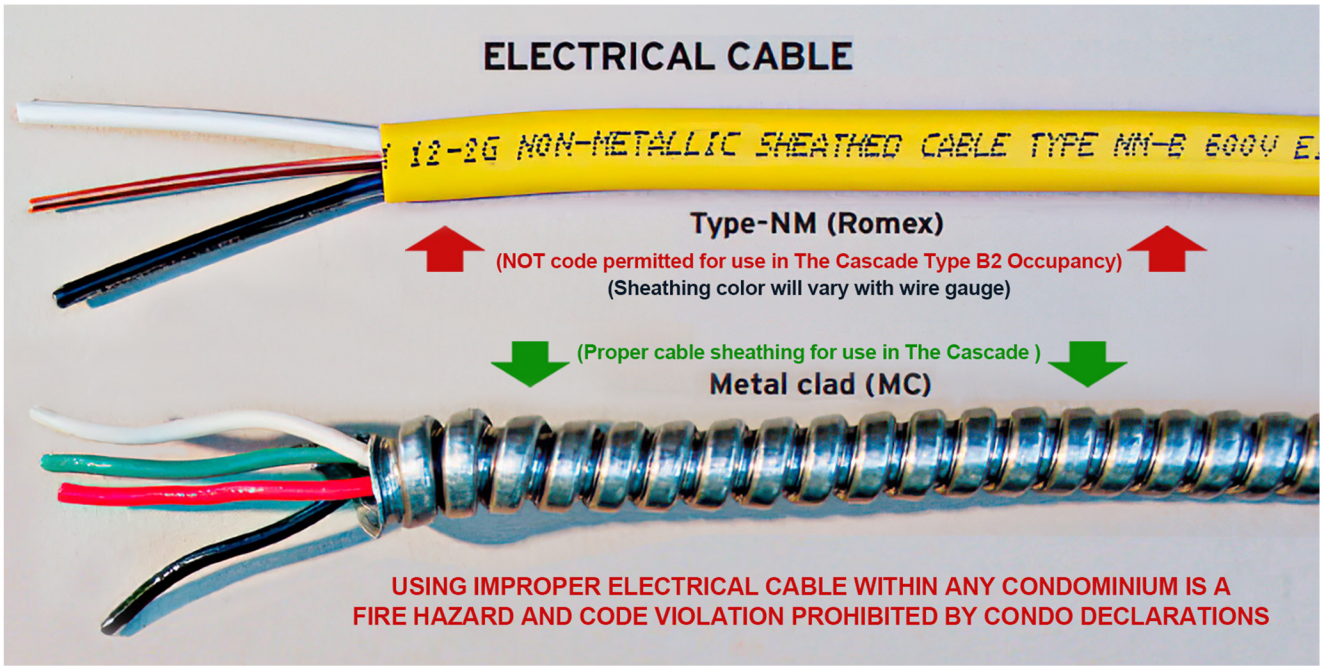


An actual photo of post-tensioning cables (green strands) in a typical floor slab of Three Twenty at The Cascade. The tendons are seen in an unstretched state before tensioning.

The steel cables or rod tendons remain under high tension to hold the concrete structure in compression. Consequently, no cutting or drilling of slabs is permitted without a realization of structural layout and serious hazards involved. Cutting a tendon with a torch or drill can release a tendon, causing serious or even fatal injury and compromising the strength of the structure.

BEFORE PERFORMING ANY DRILLING, CUTTING OR CORING OF THE CONCRETE TO A DEPTH GREATER THAN 5/8", REQUIRED PREPARATION SHALL INCLUDE STRUCTURAL AS-BUILT DRAWING REVIEW BY A QUALIFIED PROFESSIONAL ARCHITECT OR ENGINEER AND A SITE INVESTIGATION AND SURVEY OF ANY AFFECTED AREAS BY PORTABLE X-RAY OR GROUND PENETRATING RADAR TO LOCATE AND MARK ALL POST-TENSIONING CABLE TENDONS TO PREVENT ANY NICKING OR CUTTING. FOR AS-BUILT INFORMATION CALL PANZICA BUILDING CORPORATION (574) 234-0124 , OR FINK ROBERTS & PETRIE, INC. ENGINEERS (317) 872-8400.

EXHIBIT D

THREE TWENTY
at The Cascade

Building Standard/Code Compliant Elecrical Wiring