



Exhibit 'D'

THE CASCADE CONDOMINIUMS OWNERS ASSOCIATION, INC. Rules, Regulations and Standards

I. Names/Telephone Numbers

Cascade Condominiums Board of Directors:

President-	Frank A. Perri	574.532.5646
Vice President-	Philip E. Panzica	574.234.1123
Secretary-	Thomas C. Panzica	574.234.1123
Treasurer-	William A. Panzica	574.234.1123

Cascade Condominium Management:

Panzica Building Corporation 416 East Monroe Street Suite 320 South Bend, Indiana 46601	574.234.1123
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II. Introduction

Cascade Condominium Owners Association (COA) is providing this pamphlet to the residents of Cascade Condominiums as an introduction and quick reference to the Parking Policy, Collection Policy, Rules and Regulations, and By-laws of our community.

The Following Rules and Regulations, and Architectural Control Standards have been adopted by the Board of Directors of the Cascade Condominiums in accordance with the Covenants and By-laws to promote the safety and welfare of residents and to maintain an acceptable quality of life.

It should be remembered that the Rules and Regulations do not replace the Bylaws, which the Board of Directors uses as its primary governing document. Both documents

are in force. In case of conflict between the wording of these documents, the By-laws will prevail.

The Rules and Regulations shall apply to all property owners, their residents, family members, tenants, occupants, agents, visitors, employees and guests; and shall be enforced by the Board of Directors in accordance with applicable Covenants and By-laws.

In establishing and maintaining the Rules and Regulations, or Standards, the Board shall make every effort to ensure that they do not affect unit owners' right to the enjoyment of reasonable and unrestricted use of their property or privileges of ownership.

The Rules and Regulations and Standards may be modified, repealed or amended at any time by a resolution of the Board of Directors when deemed necessary in the best interest of unit owners/residents and the community.

III. General Information

The Cascade Condominiums consist of the property located at 300 block of east Colfax Avenue, South Bend, Indiana.

The property in the development is classified as General Common Elements and Limited Common Elements. The streets, curbs, sidewalks, lawns and yard areas, trees and shrubs, exterior lighting and parking areas comprise the GENERAL COMMON ELEMENTS. Your Association (COA), along with your Management Agent, is responsible for the operational management and oversight of maintenance and improvement of these areas, which are for the EXCLUSIVE use of the individual residents/unit owners and/or their guests.

The LIMITED COMMON ELEMENTS include balconies, patios, and certain of the elevator lobbies. YOU AS A UNIT OWNER OR YOUR TENANT HAVE THE RESPONSIBILITY FOR THE UPKEEP OF THESE AREAS.

IV. General Rules and Regulations

These are the general rules and regulations of the Association. The number in parenthesis following each rule in this section denotes the violation class. Exceptions to these rules may be granted only by a written notice from the Board.

1. Any damage to buildings, grounds, or other common areas or to equipment by any owner, tenant guest, family member or pet shall be repaired at the expense of the unit owner. This charge may be assessed in addition to a fine. Unit owners are fully responsible for the actions of their tenants, family members, guests and pets, and shall be held accountable for any damage done to the property.
2. All unit owners agree to carry liability and property damage insurance for the owners specific condominium unit.
3. All window coverings must be either white or lined with a white liner so as to be uniform in appearance when viewed from the exterior of the unit.
4. Common areas: The lawns and walkways shall not be used for storage or parking or be obstructed in any way. No bicycles, toys, trash cans or recycle bins, or other personal property shall obstruct entrance ways, walkways, parking or other common areas.

5. Unlawful and Disturbing Noises/Practices: No unit owner shall make or permit any unreasonable noise that will disturb or annoy other residents, or permit anything to be done which will interfere with the rights, comfort and convenience of other residents.

6. Trash and garbage shall be placed in sealed plastic bags and placed in trash receptacles as provided on the property. Arrangements for the removal of bulky items such as mattresses, furniture, appliances, construction materials, etc., must be made with the management company and shall not be placed outside earlier than the day before the scheduled pick-up day.

7. Defacing of property: Signs, notices, advertisements, or any alteration of exterior surfaces shall not be placed, inscribed, or exposed on any window, door, or other exterior parts of unit, or on the common areas. Specifically excluded from this regulation are seasonal decorations and "For Sale" signs, in accordance with the Declaration of Covenants, or as approved in writing by the Board.

8. Rental Property: All unit owners who rent to a tenant shall: (1) provide the tenant with a copy of the By-laws and Rules and Regulations, (2) include in the lease agreement a provision that the tenant has been given said copies, has read and understood, and agrees to abide by these documents, (3) notify the Board of Directors in writing that the unit is tenant-occupied, giving the name(s), address and phone number of the occupants, and (4) provide to the Management Agent and/or the Board the name of any agent retained by the unit owner to manage the unit for him/her. The unit owner is responsible at all times for the enforcement of the established guidelines.

9. Vandalism: Unit owners and their families, tenants, and guests shall not deface, remove, or destroy, or permit the defacing, removing or destruction of any element of the common areas.

V. Conduct

1. Residential Use: All condominium units shall be used for residential purposes exclusively.

2. Lease: No condominium unit within the project shall be rented for transient or hotel purposes or for a period of less than six (6) months.

3. No noxious or offensive trade or activity shall be carried on within any condominium unit, nor shall anything be done therein or thereon which may be or become an annoyance to the neighborhood or other owners.

VI. Insurance

1. Nothing shall be done or maintained in any condominium unit or on any Common Elements, which will increase the rate of insurance on any condominium unit or on the Common Elements, or result in the cancellation thereof, without prior written approval of the Board of Directors.

2. Nothing shall be done or maintained in any condominium unit or on the Common Elements, which is in violation of any law.

VII. Animals and Pets

1. The maintenance, keeping, boarding and/or raising of animals, livestock or poultry of any kind, regardless of number, shall be and is hereby prohibited within any condominium unit or Common Elements, except that this shall not prohibit the keeping of dogs, cats, and/or caged birds as domestic pets, provided they are not maintained, kept or bred for commercial purposes and provided further that the keeping of dogs,

cats and/or caged birds will not constitute such type of noxious or offensive activity as covered in Part IV, item 2.

2. All pets shall be kept leashed and under the control of their owner whenever they are outside the unit, and shall not be allowed to run free or unleashed at any time, or to otherwise interfere with the rights, comfort or convenience of other residents.

3. Dogs may only be walked on grassy areas, and must be cleaned up after.

4. Pets must be vaccinated and kept in accordance with the County Health Department laws and regulations.

5. Owners are responsible for all damages caused by their pets to common areas and to the property of others.

VIII. Motor Vehicle Operation

1. Except as herein provided, no junk vehicle or other vehicle on which current registration plates are not displayed, no trailer, truck, camper, house trailer, or boat may be kept on any Common Elements.

2. Likewise, no repair or extraordinary maintenance of automobiles or other vehicles may be undertaken on any of the Common Elements. Minor vehicle repair work shall be permitted in emergency cases only, provided that the area is cleaned after repairs have been completed.

Parking policy:

3. Vehicles shall be prohibited from parking upon the Common Elements.

4. Each unit owner shall register their vehicles with the Management Company prior to move-in in order to be assigned parking spaces in the parking garage. Unit owners, upon acquiring their unit, will be given registration information and validation for their vehicles, as well as receive a garage door opener for the garage. The unit owner is responsible for the security and loss of the garage door opener.

5. Each section of the development will also have a number of guest parking spaces for the use of visitors. No car shall be left in a guest space for longer than three days without the written consent of the Management Company or Board.

IX. Enforcement/Penalties

1. A system of penalties has been established to ensure compliance with the Rules and Regulations of the Association. The Board believes that the enforcement procedure will result in greater community awareness of reasonable conduct that all unit owners have the right to expect from each other. If the violator is not a unit owner, the owner will be provided with copies of all correspondence pertaining to the violation and any ensuing penalties and hearings. The unit owner is ultimately responsible for all fines and the removal of all violations.

2. Fines may be imposed for violation of any of the above rules, according to the following schedule:

a. 1st violation, after written warning - \$25.00

b. Repeated violation - \$50.00

3. The Board of Directors may not impose any fine or infringe upon any rights of a unit owner for violations of the rules until the following procedures have been complied with.

a. If a violation of the rules is alleged in a written complaint to the Board, the Board will notify the alleged violator in writing to cease and desist from the

violation. This notification will include: (a) the nature of the alleged violation;

- b. the action required to remove the violation, and (c) notification of a grace period of ten (10) days, within which the violation may be removed without penalty. Should the violation continue beyond the grace period, a fine will be imposed.
- c. The violator may request a hearing within ten (10) days after imposition of the fine. The request must be made in writing and be addressed to the Board of Trustees. The hearing shall be held in executive session (that is, a closed session) of the Board, and will afford the violator a reasonable opportunity to be heard. The violator may present his/her case to the Board, and the Board will decide, based on the available information regarding the alleged violation, whether or not any fines and/or penalties should be lifted.
- d. If a violation is repeated within twelve (12) months of the first notice, a fine will be imposed without a grace period.
- e. 4. The decision of the Board in such matter can be appealed to the Courts of the state of Indiana.

4. If any unit owner fails to comply with the Rules and Regulations or By-laws, or with any decision rendered under the Rules and Regulations and By-laws, the unit owner may be sued for damages or injunctive relief, or both, by the Board. The prevailing party in any such proceeding may be entitled to an award for legal fees, as determined by the court.

5. A fine will be applied to the unit owner regardless of whether the offender is the unit owner, a tenant, a guest or a household member. The payment of a fine does not relieve the offender of the obligation of correcting the violation. If the Association incurs expenses to correct the violation, this expense will be applied to the unit owner. If the bill is not paid by the unit owner, a higher fine may be imposed.

6. If this fine remains unpaid, a lien may be placed against the unit in question. This means that the unit cannot be sold unless the fine and all associated expenses in filing the lien are paid, and the lien has been removed. In addition, the Board of Directors may foreclose on a lien if it is deemed necessary. Other penalties for not paying the aforementioned fines and expenses may also be considered including, but not limited to, the following:

- a. Suing the unit owner for damages.
- b. Imposing criminal penalties through the proper authorities (violations of county or state laws).