



CHECKLIST CONDOMINIUM APPLICATION

Authority: New Castle Municipal Code §§16.04.020, 16.04.040 & 16.08.060,
Colorado Revised Statutes Sec. 38-33-101 *et seq.*

This is a helpful checklist and is not necessarily all inclusive for all Municipal Code requirements. It is still your responsibility to read and comply with all code requirements. All applications must include a non-refundable Application fee.

Signature _____ Date _____

The following items must be submitted to the Town Clerk:

- Development Application
- Declaration containing:
 - Name of the condominium property, which shall include the word "condominium" or be followed by the words "a condominium"
 - Name of every county in which any part of the condominium property is situated
 - Legally sufficient description of the real estate included in the condominium property
 - Description or delineation of the boundaries of each condominium unit, including its identifying number
 - Statement of the maximum number of condominium units that may be created by the subdivision or conversion of units in a multiple-unit dwelling owned by the declarant
 - Description of any limited common elements
 - Description of all general common elements
 - Description of all general common elements that may be conveyed to any person or entity other than the condominium unit owners
 - Description of all general common elements which may be allocated subsequently as limited common elements, together with a statement that they may be so allocated, and a description of the method by which the allocations are to be made
 - Allocation to each condominium unit of an undivided interest in the general common elements, a portion of the votes in the association, and a percentage or fraction of the common expenses of the association
 - Restrictions on the use, occupancy, or alienation of the condominium units
 - Recording data for recorded easements and licenses appurtenant to, or included in, the condominium property or to which any portion of the condominium property is or may become subject
 - Reasonable provisions concerning the manner in which notice of matters affecting the condominium property may be given to condominium unit owners by the association or other condominium unit owners
 - Any other matters the declarant deems appropriate
- Bylaws that contain or provide for at least the following: *
 - Election from among the unit owners of a board of managers, the number of persons constituting such board, and that the terms of at least 1/3 of the members of the board shall expire annually; the powers and duties of the board; the compensation, if any, of the members of the board; the method of removal from office of members of the board; and

whether or not the board may engage the services of a manager or managing agent, or both, and specifying which of the powers and duties granted to the board may be delegated by the board to either or both of them

- Method of calling meetings of the unit owners; the method of allocating votes to unit owners; what percentage of the unit owners, if other than a majority, constitutes a quorum; and what percentage is necessary to adopt decisions binding on all unit owners
- Election of a president from among the board of managers, who shall preside over the meetings of the board of managers and of the unit owners
- Election of a secretary, who shall keep the minutes of all meetings of the board of managers and of the unit owners and who, in general, shall perform all the duties incident to the office of secretary
- Election of a treasurer, who shall keep the financial records and books of account (the treasurer may also serve as the secretary)
- Authorization to the board of managers to designate and remove personnel necessary for the operation, maintenance, repair, and replacement of the common elements
- Statement that the unit owners and their mortgagees, if applicable, may inspect the records of receipts and expenditures of the board of managers pursuant to C.R.S. Section 38-33-107 at convenient weekday business hours, and that, upon 10 days' notice to the manager or board of managers and payment of a reasonable fee, any unit owner shall be furnished a statement of his account setting forth the amount of any unpaid assessments or other charges due and owing from such owner
- Statement as to whether or not the condominium association is a not for profit corporation, an unincorporated association, or a corporation
- Method of adopting and of amending administrative rules and regulations governing the operation and use of the common elements
- Percentage of votes required to modify or amend the bylaws
- Maintenance, repair, replacement, and improvement of the general and limited common elements and payments therefor, including a statement of whether or not such work requires prior approval of the unit owners' association or corporation when it would involve a large expense or exceed a certain amount**
- Method of estimating the amount of the budget; the manner of assessing and collecting from the unit owners their respective shares of such estimated expenses and of any other expenses lawfully agreed upon; and a statement concerning the division, if any, of the assessment charge between general and limited common elements and the amount or percent of such division**
- List of the services provided by the unit owners' association or corporation which are paid for out of the regular assessment**
- Statement clearly and separately indicating what assessments, debts, or other obligations are assumed by the unit owner on his condominium unit**
- Statement as to whether or not additional liens, other than mechanics' liens, assessment liens, or tax liens, may be obtained against the general or limited common elements then existing in which the unit owner has a percentage ownership**
- Restrictions on and requirements respecting the use and maintenance of the units and the use of the general and limited common elements as are designed to prevent unreasonable interference with the use of their respective units and said common elements by the several unit owners**
- Restrictions on and requirements concerning the sale or lease of a unit including rights of first refusal on sale and any other restraints on the free alienability of the unit**
- List of all major recreational facilities and to whom they are available and clearly indicating whether or not fees or charges, if any, in conjunction therewith, are in addition to the regular assessment**

- Statement relating to new additions of general and limited common elements to be constructed, including but not limited to**
- Effect on a unit owner in reference to his obligation for payment of the common expenses, including new recreational facilities, costs, and fees, if any**
- Effect on a unit owner in reference to his ownership interest in the existing general and limited common elements and new general and limited common elements**
- Effect on a unit owner in reference to his voting power in the association**

*This requirement does not apply to commercial or industrial condominiums or any other condominiums not used for residential use, or condominiums of 10 units or less

**These items need not be included in the bylaws if they are set forth in the declaration

- Map locating condominium units
- Any items from the Town's subdivision sketch plan, subdivision preliminary plat, or subdivision final plat checklists the Town Administrator or designated Town Staff representative has determined are appropriate to be included with the application
- \$250.00 Non-refundable Application Fee