

RESOLUTION NO. 1
OF THE BOARD OF DIRECTORS OF
ASSOCIATION OF UNIT OWNERS OF
NORTH SHORE TERRACE CONDOMINIUM

The following Resolution is adopted by the Board of Directors of Association of Unit Owners of North Shore Terrace Condominium (the "Association") to interpret the provisions of the bylaws relating to the cleaning and maintenance of decks.

RECITALS

A. The supplemental declarations establishing Stages II through VI of the condominium classify all decks therein as limited common elements, meaning that they are reserved for the exclusive use of the owners and occupants of the units to which they are appurtenant. Being constructed of wood, these decks require periodic maintenance and repair or replacement. The units in Stage I do not have decks, but instead have covered concrete patios.

B. In the initial bylaws of the Association recorded on April 1, 1992 in Book 242, page 0531, Records of Lincoln County, Oregon, provided in Article X, paragraph 2 that "each unit owner shall be responsible for maintaining the limited common elements in good repair and condition."

C. That provision was amended by a vote of the unit owners, as set forth in the First Amendment to Bylaws of the Association of Unit Owners of North Shore Terrace Condominium, recorded on October 6, 2008 as Document No. 2008-11714, to provide that "each unit owner shall be responsible for maintaining the limited common elements in good repair and condition, except for decks, which shall be maintained and repaired by the Association."

D. The obligation of the Association to maintain the decks, pursuant to said amendment, is somewhat ambiguous, leading one or more unit owners to contend that the Association is responsible for all routine cleaning of the decks, including the removal of fallen leaves and other material, between the times the decks are power-washed and restained or repainted by the Association.

E. The board considers that contention unreasonable because it is inconsistent with Article XIV, paragraph 2(d) of the bylaws, which provides that "[e]ach unit owner shall be responsible for maintaining said unit owner's respective limited common elements free of rubbish, trash, garbage or any other similar waste product." In addition, some of the decks are not readily accessible to the Association's contractors for such routine cleaning because they are elevated or in fenced areas.

F. The board deems it to be in the Association's best interest to adopt a reasonable interpretation of said provision, as amended, in order to facilitate consistent budgeting and expenditure of Association funds.

NOW, THEREFORE, IT IS HEREBY RESOLVED:

1. As used in Article X, paragraph 2 of the bylaws, as amended, the maintenance and repair of the limited common element decks by the Association is interpreted to include only:

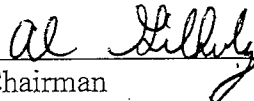
- a. The restaining or repainting of decks on a schedule or at times determined by the Board of Directors, including power-washing in conjunction with such work; and
- b. The replacement of deteriorated, rotted, or damaged boards, joists, beams, posts, or other component parts of the decks.

2. Interim cleaning of decks that may be necessary or appropriate, including the removal of leaves, needles and other debris on a regular basis, are the responsibility of the owners of the unit to which the deck is appurtenant.

3. In the event premature deterioration or rotting of deck materials is caused by the failure of a unit owner to perform interim cleaning of the owner's deck, the cost of replacing and staining or painting such materials shall be assessed against said unit owner pursuant to Article X, paragraph 3 of the bylaws, which provides, in part, "the Board may assess against any condominium unit any costs as they are incurred as a result of the negligence of any owner of a unit or of his guests or tenants." This remedy is in addition to any other remedy of the Association or the Board of Directors to enforce the provisions of the Declarations, bylaws, or rules of the Association.

4. It is further RESOLVED that a copy of this resolution shall be mailed to all unit owners at their last known addresses.

IN WITNESS WHEREOF, the Chairman and Secretary hereby certify that the foregoing resolution was adopted by the Board of Directors at a duly called and noticed meeting on August 18, 2012.


Chairman


Secretary